



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

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

August 14, 2024

6:00 PM

- I. Roll Call**
- II. Agenda Amendments**
- III. Approval of Minutes:** July 10, 2024
- IV. Rules and Procedures**
- V. Continuance Requests**
- VI. Old Business**

Legislative Hearing Item(s)

- A. CONDITIONAL REZONING CASE #24-04-PLBD-00077: AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING–LIGHT INDUSTRIAL: 5541 MACY GROVE ROAD AND 423 FARLEY DRIVE**

This is a request to conditionally rezone the portions of Guilford County Tax Parcels #169155 and #227088 identified by the North Carolina Geodetic Survey as being within Guilford County's jurisdiction, the acreage of which is currently unknown but estimated to be approximately 15.13 acres, from AG, Agricultural to CZ-LI, Conditional Zoning-Light Industrial, with the following conditions:

Use Conditions – Uses of the property shall be limited to the following: (1) Automotive Towing and Storage Services; (2) Caretaker Dwelling.

Development Conditions – (1) To the extent that such land is in Guilford County's jurisdiction, property owner will develop a 24-36 inch berm alongside: 5529 Macy Grove Road; 465 Farley Drive; Farley Drive, between 465 Farley Drive and 417 Farley Drive; 417 Farley Drive; and 411 Farley Drive. (2) For traffic related to the use of the property as Automotive Towing and Storage Services: no more than twelve vehicles per day will enter the property, and ingress and egress will be exclusively through Macy Grove Road.

The subject parcels are located in both the Guilford County Airport Area Plan and the Heart of the Triad Area Plan. The proposed rezoning is consistent with the Airport Area Plan recommendation of Non-Residential but inconsistent with the Heart of the Triad Area Plan recommendation of Business Center. If the requested rezoning is approved, amendments to the applicable area plans will be required as follows:

Address / Parcel #	Rezone To	Airport Area Plan Consistency / Required Amendment	Heart of the Triad Consistency / Required Amendment
5541 Macy Grove Rd / 169155	CZ-LI	Consistent / No amendment required	Inconsistent / Amendment to Business Support required
423 Farley Rd / 227088	CZ-LI	Consistent / No amendment required	Inconsistent / Amendment to Business Support required

Information for **CONDITIONAL REZONING CASE #24-04-PLBD-00077** can be viewed by scrolling to the August 14, 2024 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

VII. New Business

Legislative Hearing Item(s)

A. ROAD RENAMING CASE #24-06-PLBD-00086: CLEGGSMITH ROAD

Presently known as Cleggsmith Road, this road is located in Fentress Township running approximately 0.16 miles north from Wiley Lewis Road and terminating at the northern property line of Guilford County Tax Parcel #222993. This renaming request to rename the road to Richmond Jones Lane is in response to a voluntary petition filed and signed by greater than 51% of the property owners along the road.

Information for **ROAD RENAMING CASE #24-06-PLBD-00086** can be viewed by scrolling to the August 14, 2024, Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

Evidentiary Hearing Item(s)

B. SPECIAL USE PERMIT CASE #24-05-PLBD-00084: ENERGY SUBSTATION (MAJOR UTILITY): 1872 ANDREWS FARM RD

Located at 1872 Andrews Farm Road (Guilford County Tax Parcel #229086 in Jefferson Township) at the northwest intersection of McConnell Road, this parcel comprises approximately 12.53 acres and is zoned AG, Agricultural.

This is a request for approval of a Special Use Permit for an Energy Substation and the associated sketch site plan. Energy substations are allowed as a Major Utility in the AG zoning district pursuant to the Guilford County Unified Development Ordinance.

To view guidelines for Special Use Permit and quasi-judicial evidentiary proceedings please visit the following link:

<https://www.guilfordcountync.gov/home/showpublisheddocument/11981/637588495341247655>

Information for **SPECIAL USE PERMIT CASE #24-05-PLBD-00084** can be viewed by scrolling to the August 14, 2024, Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the Sketch Site Plan is also included under the MEETING CASE INFORMATION section at the link above.

VIII. Other Business

Comprehensive Plan Update

IX. Adjourn

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.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD MEETING MINUTES**
NC Cooperative Extension – Agricultural Center
3309 Burlington Road, Greensboro NC 27405

July 10, 2024, 6:00 PM

Call to Order

Chair Donnelly called the meeting to order at 6:00 p.m.

I. Roll Call

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

James Donnelly, Chair; Guy Gullick, Vice-Chair; Jason Little; Ryan Alston; Sam Stalder; David Craft; Cara Buchanan; and Rev. Gregory Drumwright

The following members were absent from this meeting:

Dr. Nho Bui

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

J. Leslie Bell, Planning and Development Director; Oliver Bass, Planning & Zoning Manager; Aaron Calloway, Planner I; Avery Tew, Planner 1; Robert Carmon, Fire Inspections Chief; and Matthew Mason, Chief Deputy County Attorney

II. Agenda Amendments

Leslie Bell stated that Items B & C are to be removed.

III. Approval of Minutes: June 12, 2024

Mr. Gullick stated that before the minutes are addressed, he would like to make a statement. Last month the Board voted on some text amendments that change the Use Tables for Mixed Use Development and some things came up this afternoon and he wished to say, as a Board, or for himself, there was some confusion last month and he felt a bit pressured and he felt rushed. From his standpoint, this Board is not going to be rushed or pressured by staff or anyone else to make any decision until they have all the facts. Everybody on the Board should be comfortable before a decision is made in the future.

Chair Donnelly pointed out that on a couple of pages there were repeated paragraphs and he thinks, given some of the conversations had at the last meeting, there was some confusion that can be cleared up as these minutes are finalized. On page 5, at the bottom of the page, it is repeated on the bottom of page 6, and so the 2nd paragraph should be deleted. In a similar fashion on the bottom of page 7, there are 2 paragraphs before and after the clarification from Attorney Leslie-Fritz about the motion and that 2nd one is going to be deleted.

Mr. Alston moved to approve the minutes, as amended, seconded by Ms. Buchanan. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

IV. Rules and Procedures

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

V. Continuance Requests

None

VI. Old Business

Adopt Order Approving Special Use Permit Case #23-07-PLBD-00057

Pursuant to N.C.G.S. 160D-406(j), adopt Order Approving a Special Use Permit for a Major Utility (Electric Substations) under Case #23-07-PLBD-00057 for property at 1813 Youngs Mill Road, heard by the Planning Board on November 8, 2023. **(APPROVED)**

Chair Donnelly stated that in November, the Board had a hearing for a Special Use Permit, Case # 23-07-PLBD-00057.

Oliver Bass, Planning & Zoning Manager, stated that the Order pertains to a Special Use Permit case that was heard November 8, 2023. At that meeting, the Board voted to approve the Permit and outlined the Findings of Fact. What this Order does is adopt those as it was adopted on November 8, 2023 and the Order reflects that. This would be the document that each member that was present or reviewed the material and voted, would sign and the Order would be taken to the Register of Deeds to record it. He presented an edited version to each Board member for their review. There were some revisions, but no substantive revisions to the Findings of Fact that was voted on by the Board, but it does include some technical corrections to the background information and some formatting was changed. It was also edited to reflect a potential vote of the Board tonight, with the hope that they will get everyone's signature so it can be recorded at the Register of Deeds.

Chair Donnelly stated that this is something new. In the past, the Board has not all taken action on an Order, it's been something that's been done at the signature of the Chair and he wanted to invite Attorney Mason to share the rationale behind this procedural change.

Counsel Mason stated that its different for 2 reasons; one, this Order in contrast to most of the Orders that this Board enters is a quasi-judicial Order; secondly, as a result of Chapter 160 (d)'s enactment, when you're dealing with a quasi-judicial Order, the statute now requires that the Order, itself, being reduced to writing, but also that it be approved by the Board and then signed by the Chair or other duly authorized member of the Board. In order for the Board to approve the Order, the only way the Board, itself, can act is to take a vote pursuant to motion properly made and seconded, and so forth. That's the reason it is coming before the Board tonight. Procedurally, the members of this Board who were not present at the meeting the night that this matter was heard, or members Little and Drumwright, so the rule there is that a Board member can vote on the approval of this Order tonight even if they were absent, if they have reviewed the minutes and the exhibits that were presented during the hearing. He understands that staff had sent those to Mr. Little, knowing that he was going to be here tonight, but did not send them to Reverend Drumwright because they were not certain that he would be at the meeting tonight. Two things need to be done, get Mr. Little to state for the record that he has, in fact, reviewed those minutes and exhibits. Mr. Little affirmed that he had received and reviewed the minutes and exhibits related to the case and is prepared to vote on them.

Counsel Mason stated that since Reverend Drumwright did not have the opportunity to review the document, it would not be appropriate for him to vote on this case. In order to be properly excused, Reverend Drumwright needs to be officially excused by a motion and a second and a vote to excuse him.

Chair Donnelly stated that the purpose of the Board review is strictly a technical review to see if there is anything that shows up in the Order that is not consistent with the action taken in November.

Mr. Craft moved to recuse Reverend Drumwright from voting on this particular case because of his absence and inability to review all the appropriate materials, seconded by Mr. Alston. The Board voted 7-0-1 in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Craft, Little, Gullick, Stalder. Nays: None. Excused: Drumwright.)

Chair Donnelly asked for a motion to approve this Order as reflective of the evidence and conversations from the Board action in November of 2023. Counsel Mason stated that on the signature lines for the Order, with respect to Reverend Drumwright, it says, "Absent/Not Voting", he is not absent tonight, so the "absent" should be stricken.

Mr. Gullick moved to approve the Order as prepared and amended for recordation, seconded by Mr. Stalder. The Board voted 7-0-1 in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Craft, Little, Gullick, Stalder. Nays: None. Excused: Drumwright.)

Legislative Hearing Item(s)

None

VII. New Business

Non-Legislative Hearing Item(s)

None

Legislative Hearing Item(s)

A. CONDITIONAL REZONING CASE #24-06-PLBD-00085: AG, AGRICULTURAL AND RS-40, RESIDENTIAL TO CZ-MXU, CONDITIONAL ZONING-MIXED USE: 5618 LIBERTY ROAD AND 5805 METHODIST ROAD (APPROVED)

Avery Tew stated that the subject properties are located at 5618 Liberty Road and 5805 Methodist Road (Guilford County Tax Parcels #122310 and #122325 in Clay Township) immediately south of the Liberty Road–Methodist Road intersection. The two subject parcels comprise approximately 61.54 acres in total. This is a request to conditionally rezone the subject properties from AG, Agricultural and RS-40, Residential to CZ-MXU, Conditional Zoning-Mixed Use, with the following conditions: Use Conditions – (1) The following uses shall NOT be permitted: (a) Animal Services (Other); (b) Temporary Family Healthcare Structures; (c) Boarding House, 3-8 residents; (d) Rooming House, 9 or more residents; (e) Congregate Care Facility; (f) Group Care Facility; (g) Single Room Occupancy Residence; (h) Nursing and Convalescent Home; (i) Homeless Shelter; (j) Athletic Fields; (k) Club or Lodge; (l) Country Club with Golf Course; (m) Place of Worship; (n) Vocational, Business or Secretarial School; (o) Daycare Centers in Residence (In-Home) (12 or Less); (p) Community or Social Service Agencies; (q) Fraternity or Sorority (University or College Related); (r) Hospital; (s) Bed and Breakfast Home for 8 or Less Guest Rooms; (t) Cemetery or Mausoleum; (u) Funeral Home or Crematorium; (v) Beneficial Fill Area; (w) Courier Service Substation; (x) Heliport; (y) Communication or Broadcasting Facility; (z) Wireless Communication Tower – Non-Stealth Design; (aa) Radio or TV Station; (bb) Utility Company Office; (cc) Construction or Demolition Debris Landfill, Minor; (dd) Land Clearing & Inert Debris Landfill, Minor.

Development Conditions – (1) A minimum of 40% of the total developable land area (i.e., excluding required setbacks, buffers, open space, etc., and outside of any regulated floodplain or wetlands) shall be of a residential use.

The proposed rezoning is conditionally consistent with the recommendation of Mixed Use and generally consistent with the recommendation of Moderate Commercial Node within the Alamance Creek Area Plan, and is consistent with the following goals and objectives of the Liberty Road / Woody Mill Road Vicinity Small Area Plan:

- Goal C: The Liberty Road / Woody Mill Road Vicinity will develop with an integrated mix of uses, including commercial (retail and services), office/employment, institutional, and residential.
- Objective C.2: Encourage new residential units at appropriate locations and densities.
- Objective D.1: Spur redevelopment of vacant and underutilized sites.

Therefore, if the requested rezoning is approved, no amendment to the Alamance Creek Area Plan or the Liberty Road / Woody Mill Vicinity Small Area Plan will be required.

Chair Donnelly asked whether the school impact calculations provided by Guilford County Schools for single-family units and multifamily units represented two separate scenarios or a single scenario including both housing types. Mr. Tew responded that the calculations addressed two different scenarios, one including solely single-family units and one including solely multifamily units.

Chair Donnelly asked if there was anyone who wished to speak to this matter.

Amanda Hodierne, 804 Green Valley Road, Suite 200, attorney representing the applicant, Mr. Halas and Mr. Davis and on behalf of Old East Properties, Mark Eisanbeis is the principal behind that group and is working on this project. The Staff Report was very thorough in explaining the request. Slides were shown for the Board members' review. 61.54 acres comprises the subject property and this represents what is known as Phase I of the entire assemblage and ultimate full scope of the project. It is currently zoned AG and RS-40, and they are requesting a conditional Mixed Use district. The proposed conditions include a very intentional list of permitted uses. The Liberty Road / Woody Mill Road Vicinity overlay district will apply as it currently exists in the Unified Development Ordinance and they are not asking to change that. The existing Scenic Corridor Overlay will also remain. The Mixed Use zoning district allows a range of uses, but it does not require that you actually use more than one of them. They intend to mix these uses up, and their conditions are an attempt to do that. This project is premised on the Liberty Road / Woody Mill Road Vicinity Small Area Plan. In regard to Phase I, as shown on the map provided, Phase I is more to the south and Phase II is in the northern area. The remainder of the property, as Phase II comprises the additional 32 acres that make up the full scope of the project at about 94 acres. The reason they have divided this up is varied. It is logistically better on their part, because they do not have contractual obligations anymore with an underlying seller on the Phase II properties. For the

Phase I properties, they need to get those zoned before they can close. It works out nicely because Phase I is also what would naturally come first in the sequence of events as they move through this property because it is where most of the residential is going to be focused. In a Mixed Use community, you really need to get a catalyst and a critical mass to make the commercial/nonresidential components work. That is why they would like to go ahead and get this underway and be able to close on it and focus on the residential parts of this zoning case.

Secondly, Ms. Hodierne reminded the Board about the proposed changes to the Mixed Use district, one of which is to allow the Retail (General) use. Retail was always intended to be allowed in the Mixed Use district, but it just didn't happen. The text amendment is meant to fix that. However, today, retail is not allowed in Mixed Use. Phase I is where they want to put the retail. Just in case the changes to the Mixed Use district don't pan out, they don't want to rezone the whole assemblage to Mixed Use, because they do have a commitment to include some retail.

In the project history, Ms. Hodierne stated that Old East Properties initially filed the full scope of this request back in November of 2022, and they asked for Conditional Zoning-Light Industrial as the use. That was largely driven by the ability to get utilities here. It's in the City of Greensboro's Growth Tier III and outside the 3-mile radius so, statutorily, they are not allowed to ask for annexation. The City, by policy does not give utilities if you are not annexed, unless you can get there by either an economic development or some other exception, or by one of the other means that was alluded to in the Staff Report. In talking with the City, LI was how they were guided that they would be able to do that.. They did not come before the Board in November/December 2022, because there were policy questions that still needed to be addressed.

About the same time, the City had also commissioned a Corridor Study Plan for 421 that was to identify economic development sites because of the Megasite, so they decided to wait on that. That study took a long time and the County gave the opportunity for a few continuances, but that case was ultimately withdrawn. The Corridor Study did come out and it identified this site as an employment center which included residential uses and all the retail and supportive services that are in keeping with the Small Area Plan guidance. They were able to revamp the project to a Mixed Use plan that is in keeping with the Small Area Plan but which also allows them to get utilities through the City.

When they look at all the guiding documents, they rely heavily on what the jurisdiction is telling them that they want, what the community is expecting and they look at the Comprehensive Plan for guidance. They started at the top at the most broad and got more and more narrow until eventually they got to a result that told them what zoning district they should be asking for. Ms. Hodierne explained the details involved in the map shown to the members concerning uses and housing types that are proposed for the site. The focus is on concentrating on a mix of uses that serve the water area in a concentrated fashion, so as to eliminate sprawl and

ad-hoc development. She then explained the proposed road usage map and stated that there are mandates to be followed. They want attractive buildings, high standards, all the uses mixed together, transportation improvements to serve it well.

Mr. Gullick stated that he thought the neighborhood meeting was well-attended. Some of the people at the meeting perceived that the entire area would be rezoned as Mixed-Use right now, but he realizes it will only be the 61+ acres. They would like some assurance that the applicant won't be coming back in 3 years wanting to do Light Industrial. Ms. Hodierne stated that there is no more Light Industrial on the table. They want the full scope of the Mixed-Use and reason for the phasing was as she previously outlined.

Mark Eisanbeis, 509 West North Street, Raleigh, NC. stated that the parcels that Old East has already closed on and they are just sitting on that until they can get some rooftops build and can provide enough incentive for the kinds of retailers that they want to come in to be able to start construction there.

Mr. Gullick asked Mr. Bell to explain the Overlay District for this area, everyone wanted to make sure that this was going to be considered with conditions, even though it is not listed as conditional. Mr. Bell pointed out that it is not a condition, it is a requirement per the Ordinance.

Mr. Gullick asked about the setback, as there were some private clubs that can be in there or a micro-brewery and what would be the setback requirements for something like that in regard to residential.

Mark Eisanbeis stated that part of the reason for the delineation of the commercial versus the residential is that there is a stream running through the property, with some significant buffers already built in. That is already going to be incorporated into the design of the commercial. Mr. Little asked to be shown the location of the stream on the property. Mr. Eisanbeis stated that it runs through the round-about and the line that separates the red section from the green and the green sliver between the round-about and the brownish residential section is where the stream comes into the property. It helps feed the ponds on the property.

In response to a question posed by Mr. Stalder, Ms. Hodierne stated that a letter was mailed out to everyone on the list that the County uses. There were only 21 people on that mailing list, so they have been working closely with the Southeast Community Foundation and they provided information for others to receive the informational letter. They also obtained about 60 emails from people who were interested in receiving information and Ms. Hodierne sent the presentation to them.

In response to other questions, Mr. Eisanbeis replied that the community realized that they want to provide some additional services, resources and amenities that the broader region can take advantage of, not just this small development.

Chair Donnelly stated that looking at the Development and the combination on the map shown, one of the things he noted is that the Development Conditions speaks about a minimum of 40% residential. In terms of the conceptual plan, and the way that things are phased, it looks like this property that is currently being rezoned will be greater than that, perhaps significantly greater and he was curious if you they would entertain raising that number, perhaps to 60% or 75% is going to be residential to reflect this phased use and recognizing, as described, that the retail and other things are going to be in that other property. In looking at the original Small Area Plan map, that also would be more consistent with that, in terms of the limiting the Mixed-Use on that property.

Mr. Eisanbeis asked if the Board would accept 70%. Chair Donnelly stated that they would accept that.

Ms. Hodierne stated that she would go ahead and enter that into the record, they are going to revise their condition to say a minimum of 70% of the developable area will be residential.

Chair Donnelly asked staff if that should be done now or wait. Leslie Bell responded that they could do that now or wait to see if there are other conditions to add. Either way, staff will add those in writing and have them signed and revise the application so that it reflects and shows the changes made at this meeting.

Chair Donnelly asked if there were any other questions from the Board members, There being none, he asked if there was anyone else to speak either in favor or in opposition to the request.

Opposed

Carla Strickland, 4000 Bradenton Drive, Greensboro, NC. She had a prepared statement and after listening to what they're considering, her original statement was going to be asking for a continuance, until we could get some answered, but she doesn't think she is going to do that tonight.

She stated that she serves as the President of the Southeast Guilford Community Foundation, an 11 member Board which supports education through grants to the 6 schools in the southeast area. In addition, the organization represents the Southeast area of Guilford County in discussions concerning the Liberty Road/US 421 Corridor with long-range planning and zoning restrictions. They responsible for the Small Area Plan and the Overlay. Throughout the presentation two weeks ago, the members of the organization were led to believe the rezoning request would be a total of 94.86 acres

Mr. Gullick addressed that, and this is not the case. The 2 parcels that they requested to be rezoned are not even owned at this time by the Old East Properties, but the sale may be contingent upon a favorable rezoning tonight. The property that is owned by Old East Properties is parcel #122311 and consists of 25.87 acres. The original intent for this property, as Amanda stated they were at a community meeting

that was held before, was for industrial purposes. She wondered what their guarantee is, probably not a good word to use, as this will not take place after the other parcels have been conditionally rezoned to Mixed Use. They would not want to see residential with industrial zoning in the middle of that. She previously stated that the Woody Mill Area Overlay Plan was not included in the original request, she was told it was not necessary, but will always be the deciding factor for any development and Mr. Bell addressed that also. Southeast Guilford Community Foundation is requesting that this be stressed and noted for the record, which has been done. She was going to ask for a continuance to get some of the questions answered, especially the allowed uses in that particular area, because they are very concerned about what that might be. At this point, she will not ask for a continuance or be objecting to it.

Mr. Gullick stated that Ms. Strickland's Foundation was way ahead of their time and you should be commended. He thinks that is a great plan. Ms. Strickland responded that she believes Mr. Bell is in the planning stages for them to revamp it, because it was done in 2011, so they are in the process of revamping the Foundation report.

Chair Donnelly asked if there were any other questions from the Board members. No one wished to ask questions and Chair Donnelly stated that he had a question. He asked if the statement reflects their presentation or is the statement on behalf of the whole Southeast Guilford Community Foundation. Ms. Strickland responded that it was the whole Board.

Andrea AlAdwani, 3600 Fieldgate Road, Greensboro, NC, is in the vicinity of this development, so her family would be using this space, they would be shopping there, and they would be eating there, so they do expect development to happen in this area. She would like to see a few extra details added in regards to density, and where they put the density of housing. They would prefer, strongly, to not have high density housing near the schools. Greensboro has had problems with drug related crimes when there is high density housing within close proximity to the schools. So, they want a little bit of a buffer there. They also want to be careful with the traffic allocations because there are new drivers going in and out of the Southeast High School near this development and they want to make sure the traffic planning around these areas is extra careful. She also would like to request that a large percentage of this space be reserved for low-density housing. Her family is in real estate, her colleagues are in real estate, and here in the local markets, they are seeing an increase in demand for homes that are purchased and homes that are rented, that have 4 and even 5 bedrooms. There is an increased number of clientele, local residents, who are asking for extra space because they have small businesses at home, they use to supplement their main income. There are people who are continuing remote work from home and they don't want to do that work from their bedrooms, they want an office space in the home. There are more and more people who are developing their own businesses and they want to conserve their overhead costs, so they are leaving rented or purchased office space and moving their offices into their homes. They are also seeing more and more multi-generational families

apply for buying and renting homes. It is getting harder for people to qualify for loans and leases with 1 or 2 incomes, sometimes they need 3 incomes on that lease in order to secure housing. Grocery prices have increased dramatically and she would like for this plan to reflect all of the laws and ordinances in this region, but also the changing dynamics of real estate in the community and the changing needs of the community. She is requesting that the written plan that comes from this includes a percentage of low-density housing for the community to stay self-sustaining.

Chair Donnelly said that initially when Ms. AlAdwani described low-density housing, he tends to think of that as space between houses and housing units, and as he listened to her, it sounded like what she wants is enough square footage in a unit for it to be used in multiple capacities. He just wanted to clarify what her request is. Ms. AlAdwani stated that it was both. Because there are people who need to have storage for their businesses in the back yard. For example, it is hard for a painter to keep his 20'-30' ladders in a tri-plex.

Mr. Craft asked if Ms. AlAdwani attended the community meeting. Ms. AlAdwani responded that she was sick that day and did not attend.

Chair Donnelly thanked the speakers for coming out to voice their concerns. He asked if there were other speakers in opposition.

Joshua Cook, 4804 Deer Pointe Court, Greensboro, NC, stated that he wasn't necessarily opposed to the development but he had some concerns. He felt inclined to speak regarding one key tenet of the Small Area Plan that was written, and that is to preserve the area's rural character while accommodating growth. When Mr. Eisanbeis quickly agreed to commit to a 70% residential level of development, his initial thought was it is going to be difficult with the height restrictions in the Small Area Plan. He just felt inclined to speak on that for the community and for the Southeast Guilford Foundation. He is interested to see how the Plan can accommodate 70% with the height restrictions while also preserving the area's rural character.

Rebuttal

Ms. Hodiern stated that she wanted to address the concerns raised about densities in appropriate places and types of housing, what has been shown is a representation of how they want to work with the circumstances of the property to do a good job of sorting out the location of the densities. There will be single-family detached or duplexes, close up to the top of the property abutting Liberty Road and then to the interior of the site which abuts the interstate, that area would call for any multi-family or townhome, i.e., higher density.

Mr. Eisanbeis stated that they do want to be sensitive to the County's desire to have integrated housing, so they don't want just a pod of townhomes in one corner and then a completely separate pod of duplexes and then another completely separate area for single-family homes. There will be some of that because of the topography

and other site characteristics involved, but they do want to integrate it as much as possible. Ms. Hodierne pointed out that there are natural places where certain things should go. They do want to offer different types of residential uses so that there would not be exclusion of some homebuyers.

Chair Donnelly stated that they are working on conceptual plans tonight because there is no site plan available at this time, given that, there are opportunities to put things in place and is there anything that the applicant can offer that might capture that sense of density in a way that would provide both the flexibility needed to make the development work, and also to give the community assurance that the ultimate density will be in that direction?

Ms. Hodierne responded that they are open to that and there is a lot of rock on the site so they will have to work closely with the architect/engineer to come up with a plan for the property that will meet all the requirements. Mr. Eisanbeis stated that he is concerned that if they commit to something now, they may not be meeting the criteria of the kind of integration that the County would like to see. He does not want to offer something that may be in conflict with what the TRC is looking for.

Leslie Bell added that there is a project off Mackay Road, Jordan's Creek, that is a good example of the proposed type of uses. They are all designed very similarly to the proposed plans by the applicant. He does not want to give the impression that is what the applicant is going to do, but that is an ideal concept.

Chair Donnelly asked for any other speakers and no one came forward. Chair Donnelly then asked for a motion to close the Public Hearing.

Mr. Craft moved to close the Public Hearing, seconded by Mr. Stalder. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

Discussion

Mr. Craft stated that his general impression of the concept plan, even though the Board is only considering the two (2) southern parcels, seems to make good sense for this area and with the overlay and Liberty Road Plan that will provide some assurance that this would be an appropriate project for this area.

Reverend Drumwright asked if the 70% commitment would be checked on. Mr. Bass responded that it is part of the development process and they would have to incorporate all the conditions as part of the site plan and would have to provide tracking on the site plan to allow staff to evaluate whether or not they are complying with the conditions.

Chair Donnelly stated that if the site plan does not meet the threshold, the site plan would be rejected and would have to be revised to come back to meet the threshold.

Chair Donnelly stated that he is comfortable with the conceptual plan industrial becomes a lot less likely as a future use because of the fact that it would have to be another rezoning because it would be about a Mixed Use area and there would be different setbacks in place and it just doesn't seem to make sense anymore to consider industrial for this particular area.

Mr. Gullick stated that Ms. Strickland's group has made this so much easier for the Board because of the protections they put in place in the zoning overlay. Ms. Strickland stated that the overlay, in terms of high-rise apartments, those are prohibited because it could be 50' or three (3) stories and they do not want that in this area.

Chair Donnelly asked for a motion to accept the additional development condition as part of this application.

Mr. Craft moved to amend the application to reflect that the minimum of total developable land area for residential from 40% to 70%, seconded by Mr. Alston. The Board voted unanimously (8-0) in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

Chair Donnelly asked if any of the Board members would like to make a motion to approve the application.

Mr. Craft moved that in the matter of Conditional Rezoning Case#24-06-PLBD-00085, AG, Agricultural and RS-40, Residential to CZ-MXU, Conditional Zoning—Mixed Use, 5618 Liberty Road and 5805 Methodist Road, to approve this rezoning map amendment located on Guilford County Tax Parcels #122310 and #122325 because the amendment is consistent with the applicable plans. The subject properties are located within the Alamance Creek Area Plan and the Liberty Road / Woody Mill Road Vicinity Small Area Plan and the proposed rezoning is conditionally consistent with the recommendation of Mixed Use and is generally consistent with the recommendation of moderate commercial node within the Alamance Creek Area Plan and is consistent with the following goals and objectives of the Liberty Road/Woody Mill Road Vicinity Small Area Plan:

Goal C: The Liberty Road/Woody Mill Road Vicinity will develop with an integrated mix of uses including commercial (retail and services), office/employment, institutional, and residential.

Objective C.2: Encourage new residential units at appropriate locations and densities

Objective D.1: Spur redevelopment of vacant and underutilized sites.

The Amendment is reasonable and in the public interest, because allowing a wider range of permitted uses in this area will benefit the surrounding community by

providing greater access to goods and services, retail and office uses permitted within the proposed CZ-MXU zoning district. Also supports the development of an area as a commercial node as identified in the Alamance Creek Area Plan and its proximity to the key intersection of Liberty Road and Woody Mill Road to provide adequate infrastructure for such development. Additionally, the proposed conditions eliminate the uses the could potentially conflict with nearby residential uses and further benefit the surrounding community by guaranteeing that a significant portion of the property will be set aside to provide housing. The motion was seconded by Mr. Stalder. The Board voted unanimously (8-0) in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

Chair Donnelly stated that he appreciates the work that the parties have done to work together to look at this property and he hopes they will continue to do that. This is an important gateway into the community and he thinks this is an opportunity to create a real character that builds on what they have as a community.

B. UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #24-05-PLBD-00078 TO AMEND CHAPTER 15, ARTICLE 3 (PERMITS AND PROCEDURES), SUBSECTION 3.5 (B) PROCEDURES FOR SPECIFIC APPLICATIONS, ADMINISTRATIVE ADJUSTMENT, SUBSECTION 3.5 (M) REZONING (CONVENTIONAL & CONDITIONAL) / MAP AMENDMENT, AND SUBSECTION 3.5 (Q) SPECIAL USE PERMIT. THE REQUEST IS TO RENAME SUBSECTION 3.5 (B) FROM ADMINISTRATIVE ADJUSTMENT TO ADMINISTRATIVE MINOR MODIFICATION AND TO MAKE VARIOUS CHANGES TO THE LANGUAGE TO ADD SPECIFICITY AND REMOVE DISCRETIONARY DECISIONS TO BE COMPLIANT WITH N.C.G.S. 160D-703(b), ZONING DISTRICTS (REMOVED – TO BE HEARD AT A LATER DATE)

Rename Unified Development Ordinance (UDO), Article 3 (referenced as Subsection 3 in the Code of Ordinances), Subsection 3.5 (B), PROCEDURES FOR SPECIFIC APPLICATIONS, ADMINISTRATIVE ADJUSTMENT, to ADMINISTRATIVE MINOR MODIFICATION to better reflect the language of N.C.G.S. 160D-703(b), Zoning Districts. Additionally, this revision reflects language in NCGS 160D-703(b) by listing Administrative Minor Modifications and associated requirements/criteria for specific development types. Text underlined indicates text to be added to the current ordinance. Text to be deleted is shown with a strikethrough.

C. UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #23-09-PLBD-00064: AN AMENDMENT TO ARTICLE 2 (ADMINISTRATION), ARTICLE 3 (PERMITS AND PROCEDURES), AND ARTICLE 8 (SUBDIVISIONS AND INFRASTRUCTURE STANDARDS) OF THE UDO TO ADJUST ASSIGNED ADMINISTRATIVE DUTIES AND PROCEDURES FOR DEVELOPMENT REVIEW CONSISTENT WITH NC GENERAL STATUTES 160D FOR LEGISLATIVE, QUASIJUDICIAL, AND ADMINISTRATIVE DECISIONS (REMOVED – TO BE HEARD AT A LATER DATE)

Staff prepared text amendments to the Guilford County Unified Development Ordinance (UDO) to Article 2, Article 3, and Article 8 (Referenced as Subsection 2, Subsection 3, and Subsection 8, respectively, in the County Code of Ordinances) that adjusts the administrative duties of the Planning Board and Technical Review Committee (TRC) in accordance with current practice and NCGS 160D. These revisions maintain and support the multi-disciplinary TRC review process supporting thoroughness of development reviews while improving efficiency and adding clarity in the development review process. Additionally, the amendment includes correction(s) to terminology (e.g., changing public hearing to legislative hearing) for consistency with NCGS 160D. Text underlined indicates text to be added to the current ordinance. Text to be deleted is shown with a strikethrough.

D. UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE # 24-06- PLBD-00087: AN AMENDMENT TO ARTICLE 12 (DEFINITION) OF THE UDO TO ESTABLISH A DEFINITION OF “PRIVATE CLUB” TO PROVIDE GUIDANCE AND CLARITY IN APPLYING USE AND DEVELOPMENT STANDARDS FOR ADMINISTERING DEVELOPMENT REVIEW

Leslie Bell stated that last month they were talking about the public parks, recreation and entertainment, one of the proposals that was made and eventually revised by the Planning Board was the idea of Private Club. The Unified Development Ordinance does not define a Private Club. Staff presented three (3) trade definitions. One was from the North American Industrial Classification System and one derived from the ABC Commission from the State of North Carolina, and the other was from the American Planning Association from what is called the “Planner’s Dictionary” from 2004. Based on the discussion, that was the definition that the Board selected. The Private Club is defined as “Buildings and facilities owned or operated by a corporation, association, person or persons for social, education, or recreational purpose, but not primarily for profit, which inures it to any individual and not primarily to render a service, which is customarily done as a business.” That is the definition that is before the Board again.

Mr. Craft asked if this would be like an American Legion Post. Leslie Bell responded that it could be that because it’s not for profit.

Chair Donnelly asked that they consider, as they have been looking at this, one of the things that a few of the members recognized is that they have Private Club show up in the Ordinance in a number of different places and the discussion relative to this definition was primarily for the private club under the Recreation category. He proposed for the Board’s consideration that they add to this definition, “Private Club, Recreation”, so they clarify what it was that they were specifically having this discussion. Mr. Bell responded that in the motion, include amending the Permitted Uses Table to reflect any adjustment in terminology. He continued by saying, there are Use types and they have Use categories, so this was discussion within the context of recreation and entertainment and he is just clarifying that if they have a Private Club, Recreation here, that when they look at the Permitted Uses Table,

whatever adjustment needs to be made, to make sure that Use Type is what this definition is referring to.

Chair Donnelly stated that this is a Public Hearing matter so he would open the Public Hearing for anyone wishing to speak. Hearing none, he asked for a motion to close the Public Hearing.

Chair Donnelly moved to approve closing the Public Hearing, seconded by Ms. Buchanan. Gullick. The Board voted by acclamation (8-0) in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

Chair Donnelly asked for a motion that the Board accept this text amendment as offered and amended to both reflect the recreation use and the connection---

Mr. Craft asked if this is a new definition or a revised? Mr. Bell stated that it is a new definition as the UDO did not define Private Club, so that was split out as being not for profit. Mr. Bell clarified that this definition applies to nonprofit operations and is not used customarily as a business.

Chair Donnelly stated that he was the one who asked for clarification of this definition because, as they considered this particular text amendment, he was concerned that without defining Private Club, they were, perhaps, inviting something into the Public/Institutional district that would not be consistent with what they would like to see, to try to limit what might be available there.

Chair Donnelly moved approval of the text amendment as presented by staff and amended during the meeting to include reference to Recreation and the appropriate adjustments to the Use Table to connect that definition, as necessary, as this amendment is consistent with the Future Land Use Plan, Alamance Goal #1, Objective 1.4, which states that Guilford County will seek coordination and compatibility of land use plans among Guilford County, its incorporated cities and towns, and neighboring jurisdictions, seconded by Mr. Gullick. The Board voted unanimously (8-0) in favor of the motion. (Ayes: Donnelly, Buchanan, Alston, Drumwright, Craft, Little, Gullick, Stalder. Nays: None.)

Evidentiary Hearing Item(s)

None

VIII. Other Business

Leslie Bell stated that House Bill 909 passed the de-annexation of approximately 1,000 acres in the town of Summerfield. As per the UDO, Guilford County has 60 days to initiate the zoning of the property. As it currently stands, there is no zoning designation for the property. There have been discussions with the developer's

representative and Counsel of Record. Staff is proposing, based on the cases that they have tentatively scheduled for August at the Regular Meeting, to hold a separate Special Meeting for the sole purpose of the Summerfield de-annexation zoning of the property. Tentatively, what the developer's counsel has indicated is that Wednesday, August 21st, works for them. Staff is asking about the pleasure of the Board and the Board members' availability. As of now, this case will be heard in the Commissioner's Chambers, so it will be in downtown Greensboro. He asked if this date and time of 6:00 p.m. would work for the Board members.

Chair Donnelly stated that date and time would work for most of the members.

Leslie Bell stated that the Board members would receive information on that. Staff is working through the zoning, which is similar to some of the zoning districts in Guilford County. There are some things they want to check to minimize the instances of non-conformities, if at all possible.

Chair Donnelly asked if this continues to play out as it has to this point on that particular issue, he wouldn't be surprised if some members of the Planning Board are contacted by members of the media with regard to this as it goes on the agenda. Is there any recommended information to share or do they simply share that they acknowledge that this is on the agenda for that particular meeting.

Leslie Bell stated that the County Attorney's Office did ask for that messaging from the developer and he has not received that yet. Counsel Mason stated that he also has not received anything. When he does get it he will send it to the Board members so there is a consistent message. In the meantime, members can refer anyone to him or to the County Attorney's Office.

Comprehensive Plan Update

Leslie Bell stated that regarding the Comprehensive Plan, it went out for public comments yesterday (July 9, 2024) and the members should have gotten an email about that. It is available online so members can review it. There is a designated web page, as well, and a survey to solicit public comment, so he asked all the Board members to do that. Today, staff nailed down either the 29th or 30th of July, there will be either/or or and, a virtual meeting on one of those days and potentially an in-person meeting. They are committed to having a virtual meeting and an in-person meeting, it's just a matter of whether or not one will be on the 29th and one will be on the 30th of July, or both will be on the 29th or both will be on the 30th of July. This is a 30-day public comment period and they intend to, following that, is receive all the comments and have a presentation to the Board of Commissioners at a Work Session, at which time they will solicit any comments that they may have and staff will inform them of what the public comments were and how those will be addressed. At that point, then it will come to the Planning Board for a recommendation subsequent to that presentation and then it will go to the County Commissioners for final adoption consideration.

Chair Donnelly stated that both he and Mr. Gullick have been involved in this process to this point and Board members are welcome to reach out to either of them if there are any questions. He really appreciates the work that the staff and the whole steering committee and the consultants have done to try to put together a document that is useable. It will look very different from the last Comprehensive Plan, more graphics, and will have much more of an online availability and adaptability for the Board as they review cases.

Leslie Bell stated that money has been secured in the Budget to update the Liberty Road/Woody Mill Road Vicinity Small Area Plan and they have started working on that process to get that in place and underway. There is a recommendation in the Comp Plan to update that Plan.

IX. Adjourn

Chair Donnelly moved by acclamation that the meeting is adjourned.

There being no further business before the Board, the meeting adjourned at 8:14 p.m.

The next regular meeting will take place August 14, 2024

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Rezoning
Application**

Date Submitted: July 16, 2024

Fee \$500.00 Receipt #REC-016050-2024 Case Number 24-04-PLBD-00077

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 Guilford County Planning & Development Department.

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 CZ-LI zoning district.

Said property is located at 5541 Macy Grove Road & 423 Farley Drive, Kernersville, NC 27284

in Deep River Township; Being a total of: 15.893 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 169155

Tax Parcel # _____

Tax Parcel # 227088

Tax Parcel # _____

Tax Parcel # _____

Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One: (Required)

- ☒ 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: (Required)

- ☒ 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 may be included 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. At least one (1) 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) Automotive Towing and Storage Services

2) Caretaker Dwelling

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) To the extent that such land is in Guilford County's jurisdiction, property owner will develop a 24-36 inch berm alongside: (1) 5529 Macy Grove Road; (2) 465 Farley Drive; (3) Farley Drive, between 465 Farley Drive and 417 Farley Drive; (4) 417 Farley Drive; and (5) 411 Farley Drive.

2) For traffic related to the use of the property as Automotive Towing and Storage Services: (1) no more than twelve vehicles per day will enter the property, and (2) ingress and egress will be exclusively through Macy Grove Road.

3)

4)

**A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND
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,

William Elwood Angel, Sr.
Digitally signed by William Elwood Angel, Sr.
DN: cn = William Elwood Angel, Sr., email =
williamangel@allovertow.com, c = US
Date: 2024.02.24 14:42:20 -0400

Property Owner Signature

William Elwood Angel, Sr.

Name

7907 Merrick Court

Mailing Address

Greensboro, NC 27409

City, State and Zip Code

(336) 601-6749

Phone Number

williamangel@allovertow.com

Email Address

Owner/ Representative/ Applicant Signature (if applicable)

Name

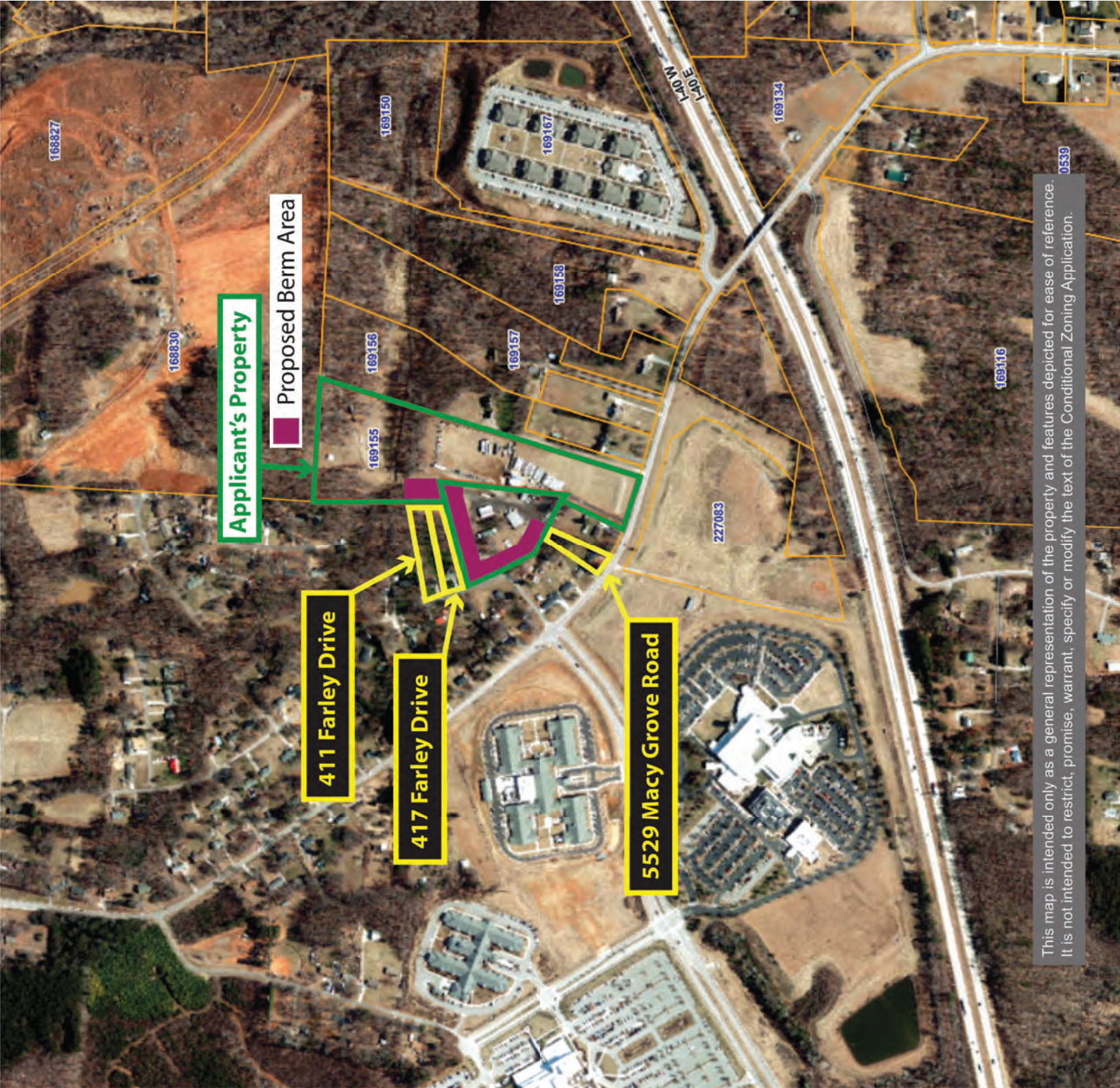
Mailing Address

City, State and Zip Code

Phone Number

Email Address

Additional sheets for conditions and signatures are available upon request.



Applicant's Property

Proposed Berm Area

411 Farley Drive

417 Farley Drive

5529 Macy Grove Road

This map is intended only as a general representation of the property and features depicted for ease of reference. It is not intended to restrict, promise, warrant, specify or modify the text of the Conditional Zoning Application.

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CONDITIONAL REZONING CASE #24-04-PLBD-00077: AG, AGRICULTURAL TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY GROVE ROAD AND 423 FARLEY DRIVE

Property Information

Located at 5541 Macy Grove Road and 423 Farley Drive (Guilford County Tax Parcels #169155 and #227088 in Deep River Township) approximately 1,200 feet northwest of the Macy Grove Road–Interstate 40 West overpass. The two parcels comprise approximately 15.89 acres in total but are bisected by the Forsyth–Guilford County line. The area of the subject properties within Guilford County comprises approximately 15.13 acres based on the current estimated location of the Forsyth–Guilford County line. However, this area measurement is subject to change because the exact location of the Forsyth–Guilford County line is unknown pending the results of a boundary survey currently being conducted by the North Carolina Geodetic Survey. This application proposes to rezone only the portions of the subject properties identified by that survey as being within Guilford County’s jurisdiction.

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

Nature of the Request

This is a request to conditionally rezone the portions of Guilford County Tax Parcels #169155 and #227088 identified by the North Carolina Geodetic Survey as being within Guilford County’s jurisdiction, the acreage of which is currently unknown but estimated to be approximately 15.13 acres, from AG, Agricultural to CZ-LI, Conditional Zoning-Light Industrial, with the following conditions:

Use Conditions – Uses of the property shall be limited to the following: (1) Automotive Towing and Storage Services; (2) Caretaker Dwelling.

Development Conditions – (1) To the extent that such land is in Guilford County’s jurisdiction, property owner will develop a 24-36 inch berm alongside: 5529 Macy Grove Road; 465 Farley Drive; Farley Drive, between 465 Farley Drive and 417 Farley Drive; 417 Farley Drive; and 411 Farley Drive. (2) For traffic related to the use of the property as Automotive Towing and Storage Services: no more than twelve vehicles per day will enter the property, and ingress and egress will be exclusively through Macy Grove Road.

NOTE: Staff considers the portion of development condition (2) reading “no more than twelve vehicles per day will enter the property” to be unenforceable, and as such does not believe that it should be taken into account by the Planning Board in making a determination on this request.

District Descriptions

The **AG, Agricultural 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 **LI, Light Industrial District** is intended to accommodate 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 the Unified Development Ordinance. These districts are CZ-AG, CZ-RS-40, CZ-RS-30, CZ-RS-20, CZ-RS-3, CZ-RS-5, CZ-RS-7, CZ-RM-8, CZ-RM-18, CZ-RM-26, CZ-LO, CZ-NB, CZ-LB, CZ-MXU, CZ-GB, CZ-HB, CZ-CP, **CZ-LI**, CZ-HI, CZ-PI, CZ-RPD, CZ-PD-R, and CZ-PD-M. 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, also shall apply.

Additionally, the portions of the subject properties outside Guilford County’s jurisdiction are located within the Town of Kernersville’s extraterritorial jurisdiction (ETJ) and are zoned RS-20, Residential Single-Family.

The Town of Kernersville’s **RS-20, Residential Single-Family District** is intended to accommodate single-family detached dwellings in suburban areas and may also be applicable to older, large lot development constructed prior to the effective date of this Ordinance. The district is established to promote orderly development in areas where public water is available.

Character of the Area

To the west and southwest of the subject properties are single-family residences and medical facilities within the Town of Kernersville and its ETJ. To the north is a large warehousing and distribution facility within the Town of Kernersville. The rest of the area is predominantly residential. The subject properties are bisected by the Forsyth–Guilford County line, and the portions of these properties within Forsyth County are covered by the Town of Kernersville’s ETJ. The Town of Kernersville boundaries lie immediately to the north and south of Tax Parcel #169155. All of the surrounding properties within Guilford County’s jurisdiction are zoned AG.

Existing Land Use(s) on the Property: Automotive Towing and Storage Services; single-family house and various non-residential buildings. The subject properties are associated with an active zoning violation case, #22-04-GVPU-00129, related to the use of the properties for Automotive Towing and Storage Services.

Surrounding Uses:

- North: Single-family residential and industrial, located within the Town of Kernersville and its ETJ
- South: Single-family residential and medical facilities, located within the Town of Kernersville and its ETJ
- East: Single-family residential, located within Guilford County
- West: Single-family residential and medical facilities, located within the Town of Kernersville and its ETJ

Historic Properties: There are no inventoried historic resources located on or adjacent to the subject properties.

Cemeteries: No cemeteries are shown to be located on or adjacent to the subject properties, but efforts should be made to rule out potential grave sites.

Infrastructure and Community Facilities

Public School Facilities: No anticipated impact.

Emergency Response:

Fire Protection District: Kernersville Station 16 (Old Colfax Station)

Miles from Fire Station: Approximately 3 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Macy Grove Road is classified as a minor thoroughfare in the High Point Metropolitan Planning Organization's Comprehensive Transportation Plan and a local street by the North Carolina Department of Transportation (NCDOT). Farley Drive is classified as a local street by the Winston-Salem Urban Area Metropolitan Planning Organization's Comprehensive Transportation Plan and the NCDOT. The annual average daily traffic (AADT) of Macy Grove Road is 2,600 vehicles per the 2022 NCDOT traffic count. The AADT of Farley Drive is not provided by the NCDOT.

Proposed Improvements: There are currently no proposed road improvements in the area. Any new development would be 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: No regulated floodplain exists on the site per the Effective Flood Insurance Rate Map (FIRM). Wetlands exist on the site per the National Wetlands Inventory (NWI).

Streams and Watershed: Tax Parcel #169155 has a mapped stream per USGS and/or Soil Survey Map of Guilford County. The subject properties are located within the High Point WS-IV General Watershed.

Land Use Analysis

Land Use Plan: Airport Area Plan and Heart of the Triad Area Plan

Plan Recommendation: Non-Residential (Airport Area Plan) and Business Center (Heart of the Triad Area Plan)

Consistency: The proposed rezoning is consistent with the recommendation of Non-Residential within the Airport Area Plan and is inconsistent with the recommendation of Business Center within the Heart of the Triad Area Plan.

The **Non-Residential** designation is intended to recognize land currently zoned, or recommended to be zoned, a non-residential zoning classification.

The **Business Center** designation in the Heart of the Triad Area Plan is intended to accommodate a wide variety of employment uses, such as office, research, and corporate park, institutional and related uses. It requires a unified design scheme, including enhanced facades on the buildings, substantial surrounding landscaping, restrictive site lighting and signage, full screening of loading areas and permits no outdoor storage.

Additionally, the subject properties are identified in the Town of Kernersville's Future Land Use Plan as Business Center and Environmental Protected.

The **Business Center** designation in the Town of Kernersville's Future Land Use Plan is intended to accommodate a wide variety of employment uses, such as office, research, and corporate park, institutional and related uses. It requires a unified design scheme, including enhanced facades on the buildings, substantial surrounding landscaping, restrictive site lighting and signage, full screening of loading areas and permits no outdoor storage.

The **Environmental Protected** designation in the Town of Kernersville's Future Land Use Plan is intended to identify the areas that consist of FEMA designated flood zones and North Carolina designated water supply streams and buffers along those streams.

Recommendation

Staff Recommendation: Staff recommends denial.

Denial of the request to conditionally rezone the subject properties from AG to CZ-LI is

reasonable and in the public interest because the proposed rezoning is inconsistent with the Heart of the Triad Area Plan recommendation of Business Center. There is also a lack of uses similar to Automotive Towing and Storage Services in the immediate vicinity, and there are no uses allowed under the subject properties' current AG zoning which are comparable to Automotive Towing and Storage Services.

Denial of the request is consistent with Objective 1.4 and Policy 1.4.3 of the Future Land Use Element of Guilford County's Comprehensive Plan, which state:

- Objective 1.4 – Seek coordination and compatibility of land use plans among Guilford County, its incorporated cities and towns, and neighboring jurisdictions.
- Policy 1.4.3 – Reference adopted Land Use Plans and recommended uses and densities/intensities, when applicable, in conjunction with rezoning staff reports presented to the Planning Board.

Area Plan Amendment Recommendation:

The subject parcels are located in both the Guilford County Airport Area Plan and the Heart of the Triad Area Plan. The proposed rezoning is consistent with the Airport Area Plan recommendation of Non-Residential but inconsistent with the Heart of the Triad Area Plan recommendation of Business Center. If the requested rezoning is approved, amendments to the applicable area plans will be required as follows:

Address / Parcel #	Rezone To	Airport Area Plan Consistency / Required Amendment	Heart of the Triad Consistency / Required Amendment
5541 Macy Grove Rd / 169155	CZ-LI	Consistent / No amendment required	Inconsistent / Amendment to Business Support required
423 Farley Rd / 227088	CZ-LI	Consistent / No amendment required	Inconsistent / Amendment to Business Support required

Drawn by WOLFE AND COLLINS
returned to: 101 S. Main St.
Kernersville, NC
A.L. Collins, Attorney

STATE OF NORTH CAROLINA

DEED OF CONVEYANCE

COUNTY OF FORSYTH

THIS DEED MADE THIS 19th DAY OF December 1995, BY AND BETWEEN

JOAN GRAY, EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, AS GRANTOR AND

CLARENCE WILLIAM ANGEL, JR., AS GRANTEE, c/o Wolfe & Collins, 101 S. Main St.
Kernersville NC
27239

WITNESSETH:

THAT WILLIAM L. GRAY DIED TESTATE ON MAY 22, 1993 AS A RESIDENT OF GUILFORD COUNTY, NORTH CAROLINA.

THAT THE LAST WILL AND TESTAMENT OF WILLIAM L. GRAY HAS BEEN DULY PROBATED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF GUILFORD COUNTY, NORTH CAROLINA AND THE GRANTOR, JOAN GRAY, HAS BEEN DULY QUALIFIED AS THE EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY (CSC FILE NUMBER 93 E 1270); AND

THAT UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF WILLIAM L. GRAY, THE GRANTOR, JOAN GRAY, AS EXECUTRIX WAS AUTHORIZED TO SELL ALL OR ANY PART OF THE DECEDENT'S REAL ESTATE WITHOUT AN ORDER OF THE COURT.

NOW THEREFORE, THE GRANTOR, FOR TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS PAID BY THE GRANTEE, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, HAVE AND BY THESE PRESENTS DO GRANT, BARGAIN, SELL AND CONVEY UNTO THE GRANTEE IN FEE SIMPLE, ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN DEEP RIVER TOWNSHIP OF GUILFORD COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD THE AFORESAID REAL PROPERTY, AND ALL PRIVILEGES AND APPURTENANCES THERETO BELONGING TO THE GRANTEE HIS HEIRS AND ASSIGNS FOREVER IN FEE SIMPLE.

AND THE GRANTOR, JOAN GRAY, AS EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, DOES HEREBY COVENANT THERE IT HAS NOT PLACED NOR WILL IT SUFFER TO BE PLACED ANY PRESENTLY EXISTING LIENS OR ENCUMBRANCES ON SAID PREMISES AND THAT IT WILL WARRANT AND DEFEND THE TITLE TO THE SAME AGAINST THE LAWFUL CLAIMS OF ALL PERSONS CLAIMING BY, THROUGH, UNDER OR ON ACCOUNT OF THE GRANTOR AS EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, IN SO FAR AS IT IS ITS DUTY TO DO SO BY VIRTUE OF ITS OFFICE AS EXECUTRIX, BUT NOT FURTHER.

AND THE GRANTOR COVENANTS WITH THE GRANTEE, THAT GRANTOR IS SEIZED OF THE PREMISES IN FEE SIMPLE, HAS THE RIGHT TO CONVEY THE SAME IN FEE SIMPLE, THAT TITLE IS MARKETABLE AND FREE AND CLEAR OF ALL ENCUMBRANCES, AND THAT GRANTOR WILL WARRANT AND DEFEND THE TITLE AGAINST THE LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER EXCEPT FOR THE EXCEPTIONS HEREINAFTER STATED. TITLE TO THE PROPERTY HEREINABOVE DESCRIBED IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD.

IN WITNESS WHEREOF, THE INDIVIDUAL GRANTOR HAS HEREUNTO SET HER HAND AND SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.



12/21/1995



120.00
Real Estate
Excise Tax
Guilford County

Joan Gray (SEAL)
JOAN GRAY, Executrix

SIDE NO 913894 BK 4371 PG 1823

001823

STATE OF NORTH CAROLINA

COUNTY OF

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT JOAN GRAY,
EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, PERSONALLY APPEARED BEFORE ME THIS 19
DAY OF December, 1995 AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING
INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS 19 DAY OF December,
1995.

My Commission Expires:

3/13/2000

John C. Pegg
NOTARY PUBLIC
JOHN C. PEGG
Forsyth County, NC
My Commission Expires 3/13/2000

001824

North Carolina - Guilford County

The certificate (s) of

John C. Pegg

913894

RECORDED

ENTIRE LINE LEE PAYNE
REGISTER OF DEEDS
GUILFORD COUNTY, NC

12/21/1995
1 DEEDS
2 DEEDS ADDN PGS
1 PROBATE FEE
1 EXCISE TAX STAMP

913894

\$6.00
\$4.00
\$2.00
\$120.00

A Notary (Notaries) Public is (are) certified to
be correct. This instrument and this certificate
are duly registered at the date and time shown
herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS

Katherine Lee Payne
Deputy Register of Deeds

BOOK 1
PAGE 151823 TO 1825

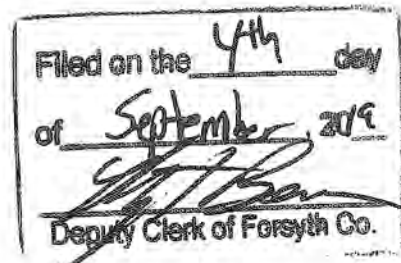
12-21-1995 14:00:07

EXHIBIT A

BEGINNING AT A NEW IRON PIPE LYING IN THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, SAID IRON BEING DISTANT SOUTH 61 DEGREES 50 MINUTES 26 SECONDS EAST, 78.15 FEET FROM A CONTROL MARKER IN THE FORSYTH/GUILFORD COUNTY LINE, SAID BEGINNING IRON FURTHER BEING THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO FRED T. GEORGE IN DEED BOOK 1207 AT PAGE 1212, FORSYTH COUNTY REGISTRY; THENCE FROM SAID BEGINNING IRON WITH THE SOUTHEASTERN LINE OF FRED T. GEORGE, NORTH 28 DEGREES 15 MINUTES 22 SECONDS EAST 316.17 FEET TO AN EXISTING IRON PIPE LYING IN THE SOUTHERN LINE OF PROPERTY DEEDED UNTO CLARENCE ANGEL IN DEED BOOK 967 PAGE 503 FORSYTH COUNTY REGISTRY; THENCE WITH THE SOUTHERN LINE OF CLARENCE ANGEL, SOUTH 58 DEGREES 25 MINUTES 48 SECONDS EAST 32.47 FEET TO A NEW IRON PIPE, THE SOUTHEAST CORNER OF CLARENCE ANGEL; THENCE WITH THE EASTERN LINE OF CLARENCE ANGEL NORTH 09 DEGREES 04 MINUTES 55 SECONDS EAST 599.94 FEET TO AN EXISTING IRON PIPE, THE NORTHEAST CORNER OF CLARENCE ANGEL; THENCE WITH THE NORTHERN LINE OF CLARENCE ANGEL SOUTH 81 DEGREES 21 MINUTES 50 SECONDS WEST 105.25 FEET TO A NEW IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO TERRY L. MCKOIN IN DEED BOOK 1166 PAGE 70, FORSYTH COUNTY REGISTRY; THENCE WITH THE EASTERN LINE OF TERRY L. MCKOIN, NORTH 04 DEGREES 34 MINUTES 47 SECONDS EAST 95.00 FEET TO AN EXISTING IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO RICHARD A. CLARK IN DEED BOOK 1550 AT PAGE 854, FORSYTH COUNTY REGISTRY; THENCE WITH THE EASTERN LINE OF RICHARD A. CLARK, NORTH 04 DEGREES 44 MINUTES 02 SECONDS EAST, 95.10 FEET TO AN EXISTING IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO BILLY R. DONOTHAN IN DEEDBOOK 1687 AT PAGE 3847 AND DEEDBOOK 1200 AT PAGE 883 FORSYTH COUNTY REGISTRY, THENCE WITH THE EASTERN LINE OF BILLY DONOTHAN, AND CONTINUING WITH THE EASTERN LINE OF LOTS 33 AND 34 OF THE UNRECORDED PLAT OF SOUTHWOOD, NORTH 04 DEGREES 30 MINUTES 04 SECONDS EAST 352.52 FEET TO A STONE WITH A NAIL, THE SOUTHEAST CORNER OF LOT 35 OF THE UNRECORDED PLAT OF SOUTHWOOD AND THE SOUTHWESTERN CORNER OF PROPERTY DEEDED UNTO C.F. STAFFORD IN DEEDBOOK 1408 AT PAGE 437, GUILFORD COUNTY REGISTRY; THENCE WITH THE SOUTHERN LINE OF C. F. STAFFORD, SOUTH 83 DEGREES 14 MINUTES 33 SECONDS EAST 575.73 FEET TO A POINT; THENCE WITH A NEW LINE SOUTH 20 DEGREES 33 MINUTES 54 SECONDS WEST 1570.20 FEET TO A POINT LYING IN THE NORTHERN MARGIN OF THE RIGHT OF WAY MACY GROVE ROAD, THENCE WITH THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, NORTH 70 DEGREES 03 MINUTES 10 SECONDS WEST 174.00 FEET TO A NEW IRON PIPE; THENCE WITH THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, NORTH 67 DEGREES 29 MINUTES 06 SECONDS WEST 79.33 FEET TO A NEW IRON PIPE, THE POINT AND PLACE OF BEGINNING CONTAINING 11.759 ACRES MORE OR LESS ACCORDING TO AN UNRECORDED MAP AND SURVEY BY LARRY L. CALLAHAN RLS DATED 10-12-95 AND BEING DESIGNATED AS LOT 1 OF A FIVE LOT DIVISION OF TAX LOT 42 OF BLOCK 1225, DEEP RIVER TOWNSHIP GUILFORD COUNTY.

001825

LAST WILL AND TESTAMENT
OF
CLARENCE WILLIAM ANGEL



I, CLARENCE WILLIAM ANGEL, being of sound and disposing mind and memory and not under duress or constraint of any kind, do hereby make, publish, and declare this to be my Last Will and Testament.

ITEM I

I, CLARENCE WILLIAM ANGEL, of Forsyth County, State of North Carolina, do hereby revoke all former Wills and Codicils made by me (WITH THE PROVISIO THAT SHOULD THIS WILL BE DECLARED INVALID, THEN ANY PRIOR WILLS AND CODICILS MADE BY ME SHALL BE VOID AND NOT BE OF ANY FORCE OR EFFECT), and I so hereby further make, publish, and declare this to be my Last Will and Testament, in manner and form as follows and all subject to the express limitations expressed herein:

ITEM II

- A. All references in this Will to "my Executor" are specifically references to my Co-Executors, my Executor, my Executrix, corporate Executors, contingent Executors, contingent Executrixes, or contingent corporate Executors, as the case may be.
- B. All references in this Will to "all of my property" are references to all of my property, tangible, intangible, and mixed, whatsoever it may be and wherever it may be located, including, but in no manner limited to, all property which I now own, and all I may hereafter acquire, and all to which I may become entitled after the Execution of this Will, and each and all, as the case may be, including, but in nowise limited to, all lapsed legacies and devises.

ITEM III

PAYMENT OF DEBTS OF MY ESTATE.

- A. I hereby direct my Executor, hereinafter named, to pay all of my just debts (including unpaid charitable pledges whether or not the same are enforceable obligations of my estate), funeral expenses (including the cost of a suitable marker for my grave), inheritance taxes, estate taxes, and charges of administration as soon as can be conveniently done out of the funds first coming from my estate and into the hands of my Executor.
- B. All inheritance, estate, and succession taxes (including interest and penalties thereon) payable by reason of my death shall be paid out of and be charged generally against the principal of my residuary estate, without reimbursement from any person.
- C. I direct that any obligations of mine secured by mortgage on any real estate (whether owned by me as a tenant by the entirety or individually) and any obligation secured by pledge of or lien against any of my personal property or life insurance, be paid out of the principal of my residuary estate, and that no part of such debts shall be charged to or paid by any devisee, legatee, surviving tenant by the entirety, or beneficiary.
- D. I direct that all estate and inheritance taxes and other taxes in the general nature thereof which shall become payable upon or by reason of my death with respect to any property passing by or under the terms of this Will, or any codicil to it hereafter Executed by me, or with respect to the proceeds of any policy or policies of insurance on my life, or with respect to any other property

included in my gross estate for the purpose of such taxes (or any combination of these alternatives), shall be paid by my Executor out of the principal of my residuary estate.

- E. I direct that no part of any such taxes be charged against (or collected from) the person receiving or in possession of the property taxed, or receiving the benefit thereof (or any combination of these alternatives), it being my intention that all such persons, legatees, devisees, surviving tenant by the entirety, appointees, and beneficiaries receive full benefits without any diminution on account of such taxes.

ITEM IV

It is my desire and preference that, and I hereby direct my Executor to see that:

- A. My funeral arrangements are handled at or through a Funeral Home of the choice of my executor or executors, as the case may be (unless I shall have sooner by codicil to this Will designated a different location), and
- B. That I am buried at a cemetery selected by my Executor (unless I shall have sooner by codicil to this Will designated a different location), and
- C. That I am buried in an objectively suitable grave duly and suitably located and with a duly marked grave with a suitable headstone as a marker for my grave.

ITEM V

DISPOSITION OF PROPERTY TO MY SON, WILLIAM ELWOOD ANGEL, SR.

After the foregoing provisions of this will have been met, I hereby will, devise, and bequeath all of the rest, residue, and remainder of my estate, all of my property, real, personal, and mixed, tangible and intangible, whatsoever it may be and wherever it may be located, including, but in no manner limited to, all property which I now own, and all which I may hereafter acquire, to my son WILLIAM ELWOOD ANGEL, SR., and his heirs in fee simple absolute forever without any limitations or conditions and free and clear of any and all liens and encumbrances.

ITEM VI

APPOINTMENT OF EXECUTOR AND CONTINGENT EXECUTORS.

I hereby constitute and appoint WILLIAM ELWOOD ANGEL, SR., as the Executor of this, my Last Will and Testament, to serve without bond, and I hereby constitute such attorney as he may employ to be and serve as my first contingent Executor, each such Executor to serve without bond.

ITEM VII

POWERS, PRIVILEGES, AND AUTHORITIES OF EXECUTOR.

In addition to all powers granted my Executor by law, I do hereby give and grant unto my Executor broad powers without resort to or order of any person or court for further authority or approval, to, in my Executor's

Last Will and Testament of
CLARENCE WILLIAM ANGEL

Page 4
Initial: CLW

sole subjective discretion:

- A. Retain any of the original property contained in this estate;
- B. Invest and re-invest in stocks (including stock in any corporate fiduciary), common trust funds, or any other property (including life insurance or annuities) as my Executor deems advisable (though such investments are not of the character approved by law for the investment of estate assets), without the duty to diversify investments;
- C. Use nominee registration and to vote any stocks in person or by proxy;
- D. Sell, exchange, or convert any property, real or personal, for cash or credit, at public or private sale, in such manner, at such time and price, and upon such terms and conditions as to my Executor shall subjectively seem advisable;
- E. Exercise all options, rights, and privileges with regard to the investments of the estate;
- F. Consent to and participate in any plan for the liquidation, consolidation, merger, reorganization or other change in business structure or organization of any organization in which my estate has an interest;
- G. Improve, manage, protect, and sub-divide real property, to dedicate the same to public use, and to grant easements as my Executor in his sole discretion may deem reasonable and proper;
- H. Lease real and personal property though the term of the lease extends or may extend beyond the duration of the estate hereunder; and to make repairs, replacements, and improvements, structural or

otherwise, to any real estate contained in the estate;

- I. Make distributions in cash or in kind or partly in cash and partly in kind. Assets selected for distribution in kind must be valued at their values on their distributive dates;
- J. Determine what is principal and what is income and in my Executor's uncontrolled and unlimited subjective discretion to allocate or apportion receipts and expenses between principal and income;
- K. Borrow money (from itself individually or from others) upon such terms and conditions as my Executor may subjectively determine, and mortgage and pledge estate assets as security for the repayment thereof;
- L. Employ accountants, attorneys, and such agents as my Executor may deem advisable; and to pay reasonable compensation (in my Executor's complete discretion) for their services, and to charge the same to (or apportion the same between) income and principal as my Executor may deem proper; and
- M. Do any act which my Executor, in his sole subjective discretion, shall deem reasonably necessary for the proper administration of my estate.

IN TESTIMONY WHEREOF, I, CLARENCE WILLIAM ANGEL, have initialed each page and hereunto set my hand and seal this day and date, and

I PUBLISHED the afore Will, acknowledged the afore signature as my own, and publish and declare this Will to be my own Last Will and Testament,

ALL IN THE PRESENCE of the following undersigned


Last Will and Testament of
CLARENCE WILLIAM ANGEL

Page 6
Initial: CWA

witnesses and the undersigned Notary Public,

EACH of whom has been personally requested by me to witness this, my LAST WILL AND TESTAMENT.

This the 25th day of January, 2016.


CLARENCE WILLIAM ANGEL
Testator

AFFIDAVITS OF WITNESSES

WE SAW CLARENCE WILLIAM ANGEL, in our presence, at his request, and out of the presence of WILLIAM ELWOOD ANGEL, SR., (and out of the presence of any and all other heirs, beneficiaries, and devisees, and out of the presence of any and all other beneficiaries to his estate) initial each page and SIGN AND SEAL THE FOREGOING INSTRUMENT at its end.

CLARENCE WILLIAM ANGEL, then and there published and declared it to be his Last Will and Testament in the presence of us and the hereafter signed Notary Public, and he attested to the same before the Notary Public who took his acknowledgment and signed as Notary Public, as the Notary Public's signature and seal appear below, and which Notary Public is the Notary Public who took our acknowledgments, as appear below.

CLARENCE WILLIAM ANGEL, then requested us to sign and act as witnesses to his Last Will and Testament.

WE OBSERVED and talked with CLARENCE WILLIAM ANGEL, and each other witness and the Notary Public, and I believed and each of us believed CLARENCE WILLIAM ANGEL to be of sound and disposing mind and memory, and to be

Last Will and Testament of
CLARENCE WILLIAM ANGEL

Page 7
Initial: CWA

not under any duress, undue influence, or constraint of any kind whatsoever, and that CLARENCE WILLIAM ANGEL knew the objects of his bounty.

It was then when we, in his presence, at his request, in the presence of each other, and out of the presence of WILLIAM ELWOOD ANGEL, SR., and out of the presence of any and all other heirs, devisees, and legatees of his estate,

SIGNED OUR NAMES as attesting witnesses to CLARENCE WILLIAM ANGEL'S Last Will and Testament.

All of the above was done in Guilford County, State of North Carolina, by each of us and a Notary Public, this the 25th day of January, 2016.

Antwain L. Lawson

Witness

Address: 423 Farley Dr.

Kernersville

NC

Zip : 27284

Phone: (336) - 423 - 3627

Crystal Quinn

Witness

Address: 7907 Mervin Ct.

Greensboro, NC 27409

Greensboro, NC Zip : 27409

Phone: (336) - 813 - 5523

MD A U.L.
Witness

Address: 1625 Abbotts Creek Cr

Kernersville NC zip : 27284

Phone: (336) - 858 - 3491

ACKNOWLEDGMENT OF WITNESSES BEFORE NOTARY PUBLIC

PERSONALLY APPEARED BEFORE ME THE FOREGOING WITNESSES TO THE EXECUTION OF THE LAST WILL AND TESTAMENT of CLARENCE WILLIAM ANGEL, the maker of the foregoing Will, and the witnesses, after being first duly sworn by me according to law, did acknowledge to me, and I observed, that:

CLARENCE WILLIAM ANGEL did acknowledge to me that the witnesses are not beneficiaries or relatives (by either blood or marriage) of CLARENCE WILLIAM ANGEL;

THAT CLARENCE WILLIAM ANGEL, was of sound and disposing mind and memory and knew and knows the objects of his bounty;

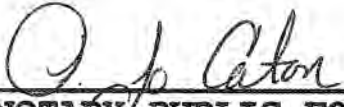
THAT CLARENCE WILLIAM ANGEL was not under any duress or constraint of any kind or nature;

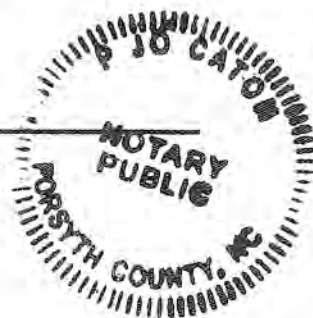
THAT CLARENCE WILLIAM ANGEL had requested the afore signed witnesses to act as witnesses to his Will;

THAT the witnesses had witnessed CLARENCE WILLIAM ANGEL'S Will in his presence and in the presence of each other and in the presence of the undersigned Notary Public and out of the presence of all beneficiaries under the Will; and

THAT CLARENCE WILLIAM ANGEL did, afore, coincident therewith, and thereafter, publish and declare the foregoing Will to be his own LAST WILL AND TESTAMENT.

Sworn and subscribed to before me, this the 25th day of January, 2016.


NOTARY PUBLIC FORSYTH COUNTY, NORTH CAROLINA
My Commission Expires: April 5, 2016



ACKNOWLEDGMENT OF TESTATOR
BY
CLARENCE WILLIAM ANGEL

I, CLARENCE WILLIAM ANGEL, the maker of the foregoing Will and before the three above signed witnesses and the above signed Notary Public, do hereby acknowledge:

THAT I am of sound and disposing mind and memory,

THAT I am fully aware of and that I know the objects of my bounty,

THAT I was not and I am not under any duress, undue influence, or constraint of any kind or nature,

THAT I requested the signed witnesses to act as witnesses to this, my LAST WILL AND TESTAMENT,

THAT the witnesses witnessed my initialing each page and my signing and execution of the Will in their presence (which witnesses were in the presence of each other and the Notary Public) and out of the presence of any and all beneficiaries under my Will, and

THAT I did, afore, coincident therewith, and thereafter, publish and declare the foregoing Will to

be my own Last Will and Testament.

All done on this the 25th day of January, 2016.

Clarence William Angel (MY SEAL)
CLARENCE WILLIAM ANGEL
TESTATOR

ACKNOWLEDGMENT BEFORE NOTARY PUBLIC

CLARENCE WILLIAM ANGEL, after first being duly sworn according to law, swore to me that the above statement designated ACKNOWLEDGEMENT OF TESTATOR by CLARENCE WILLIAM ANGEL was and is true;

THAT the foregoing Will was and is his true and correct LAST WILL AND TESTAMENT;

THAT he subscribed to the Will and the foregoing acknowledgment before me; and

THAT he further acknowledged, declared, and published the same to be his very own LAST WILL AND TESTAMENT before me and the subscribing witnesses whose signatures appear above and who were each present and in the presence of each other and each and all in the presence of the undersigned Notary Public.

All done on this, the 25th day of January, 2016.

P. Jo Caton
NOTARY PUBLIC, Forsyth County, North Carolina
My Commission Expires: April 5, 2016



Last Will and Testament of
CLARENCE WILLIAM ANGEL

Page 11
Initial: WNA

Drawn by WOLFE AND COLLINS
returned to: 101 S. Main St.
Kernersville, NC
A.L. Collins, Attorney

STATE OF NORTH CAROLINA

DEED OF CONVEYANCE

COUNTY OF FORSYTH

THIS DEED MADE THIS 19th DAY OF December 1995, BY AND BETWEEN

JOAN GRAY, EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, AS GRANTOR AND

CLARENCE WILLIAM ANGEL, JR., AS GRANTEE, c/o Wolfe & Collins, 101 S. Main St.
Kernersville NC
27239

WITNESSETH:

THAT WILLIAM L. GRAY DIED TESTATE ON MAY 22, 1993 AS A RESIDENT OF GUILFORD COUNTY, NORTH CAROLINA.

THAT THE LAST WILL AND TESTAMENT OF WILLIAM L. GRAY HAS BEEN DULY PROBATED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF GUILFORD COUNTY, NORTH CAROLINA AND THE GRANTOR, JOAN GRAY, HAS BEEN DULY QUALIFIED AS THE EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY (CSC FILE NUMBER 93 E 1270); AND

THAT UNDER THE TERMS OF THE LAST WILL AND TESTAMENT OF WILLIAM L. GRAY, THE GRANTOR, JOAN GRAY, AS EXECUTRIX WAS AUTHORIZED TO SELL ALL OR ANY PART OF THE DECEDENT'S REAL ESTATE WITHOUT AN ORDER OF THE COURT.

NOW THEREFORE, THE GRANTOR, FOR TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATIONS PAID BY THE GRANTEE, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, HAVE AND BY THESE PRESENTS DO GRANT, BARGAIN, SELL AND CONVEY UNTO THE GRANTEE IN FEE SIMPLE, ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN DEEP RIVER TOWNSHIP OF GUILFORD COUNTY, NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD THE AFORESAID REAL PROPERTY, AND ALL PRIVILEGES AND APPURTENANCES THERETO BELONGING TO THE GRANTEE HIS HEIRS AND ASSIGNS FOREVER IN FEE SIMPLE.

AND THE GRANTOR, JOAN GRAY, AS EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, DOES HEREBY COVENANT THERE IT HAS NOT PLACED NOR WILL IT SUFFER TO BE PLACED ANY PRESENTLY EXISTING LIENS OR ENCUMBRANCES ON SAID PREMISES AND THAT IT WILL WARRANT AND DEFEND THE TITLE TO THE SAME AGAINST THE LAWFUL CLAIMS OF ALL PERSONS CLAIMING BY, THROUGH, UNDER OR ON ACCOUNT OF THE GRANTOR AS EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, IN SO FAR AS IT IS ITS DUTY TO DO SO BY VIRTUE OF ITS OFFICE AS EXECUTRIX, BUT NOT FURTHER.

AND THE GRANTOR COVENANTS WITH THE GRANTEE, THAT GRANTOR IS SEIZED OF THE PREMISES IN FEE SIMPLE, HAS THE RIGHT TO CONVEY THE SAME IN FEE SIMPLE, THAT TITLE IS MARKETABLE AND FREE AND CLEAR OF ALL ENCUMBRANCES, AND THAT GRANTOR WILL WARRANT AND DEFEND THE TITLE AGAINST THE LAWFUL CLAIMS OF ALL PERSONS WHOMSOEVER EXCEPT FOR THE EXCEPTIONS HEREINAFTER STATED. TITLE TO THE PROPERTY HEREINABOVE DESCRIBED IS SUBJECT TO THE FOLLOWING EXCEPTIONS:

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IN WITNESS WHEREOF, THE INDIVIDUAL GRANTOR HAS HEREUNTO SET HER HAND AND SEAL, THE DAY AND YEAR FIRST ABOVE WRITTEN.

STATE OF
NORTH
CAROLINA

12/21/1995



120.00
Real Estate
Excise Tax
Guilford County

Joan Gray (SEAL)
JOAN GRAY, Executrix

SIDE NO 913894 BK 4371 PG 1823

001823

STATE OF NORTH CAROLINA

COUNTY OF

I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT JOAN GRAY,
EXECUTRIX OF THE ESTATE OF WILLIAM L. GRAY, PERSONALLY APPEARED BEFORE ME THIS 19
DAY OF December, 1995 AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING
INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL THIS 19 DAY OF December,
1995.

My Commission Expires:

3/13/2000

John C. Pegg
NOTARY PUBLIC
JOHN C. PEGG
Forsyth County, NC
My Commission Expires 3/13/2000

001824

North Carolina - Guilford County

The certificate (s) of

John C. Pegg

913894

RECORDED

ENTIRE LINE LEE PAYNE
REGISTER OF DEEDS
GUILFORD COUNTY, NC

12/21/1995
1 DEEDS
2 DEEDS ADDN PGS
1 PROBATE FEE
1 EXCISE TAX STAMP

913894

\$6.00
\$4.00
\$2.00
\$120.00

A Notary (Notaries) Public is (are) certified to
be correct. This instrument and this certificate
are duly registered at the date and time shown
herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS

Katherine Lee Payne
Deputy Register of Deeds

BOOK 1
PAGE 15-1523 TO 1525

12-21-1995 14:00:07

EXHIBIT A

BEGINNING AT A NEW IRON PIPE LYING IN THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, SAID IRON BEING DISTANT SOUTH 61 DEGREES 50 MINUTES 26 SECONDS EAST, 78.15 FEET FROM A CONTROL MARKER IN THE FORSYTH/GUILFORD COUNTY LINE, SAID BEGINNING IRON FURTHER BEING THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO FRED T. GEORGE IN DEED BOOK 1207 AT PAGE 1212, FORSYTH COUNTY REGISTRY; THENCE FROM SAID BEGINNING IRON WITH THE SOUTHEASTERN LINE OF FRED T. GEORGE, NORTH 28 DEGREES 15 MINUTES 22 SECONDS EAST 316.17 FEET TO AN EXISTING IRON PIPE LYING IN THE SOUTHERN LINE OF PROPERTY DEEDED UNTO CLARENCE ANGEL IN DEED BOOK 967 PAGE 503 FORSYTH COUNTY REGISTRY; THENCE WITH THE SOUTHERN LINE OF CLARENCE ANGEL, SOUTH 58 DEGREES 25 MINUTES 48 SECONDS EAST 32.47 FEET TO A NEW IRON PIPE, THE SOUTHEAST CORNER OF CLARENCE ANGEL; THENCE WITH THE EASTERN LINE OF CLARENCE ANGEL NORTH 09 DEGREES 04 MINUTES 55 SECONDS EAST 599.94 FEET TO AN EXISTING IRON PIPE, THE NORTHEAST CORNER OF CLARENCE ANGEL; THENCE WITH THE NORTHERN LINE OF CLARENCE ANGEL SOUTH 81 DEGREES 21 MINUTES 50 SECONDS WEST 105.25 FEET TO A NEW IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO TERRY L. MCKOIN IN DEED BOOK 1166 PAGE 70, FORSYTH COUNTY REGISTRY; THENCE WITH THE EASTERN LINE OF TERRY L. MCKOIN, NORTH 04 DEGREES 34 MINUTES 47 SECONDS EAST 95.00 FEET TO AN EXISTING IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO RICHARD A. CLARK IN DEED BOOK 1550 AT PAGE 854, FORSYTH COUNTY REGISTRY; THENCE WITH THE EASTERN LINE OF RICHARD A. CLARK, NORTH 04 DEGREES 44 MINUTES 02 SECONDS EAST, 95.10 FEET TO AN EXISTING IRON PIPE, THE SOUTHEAST CORNER OF PROPERTY DEEDED UNTO BILLY R. DONOTHAN IN DEEDBOOK 1687 AT PAGE 3847 AND DEEDBOOK 1200 AT PAGE 883 FORSYTH COUNTY REGISTRY, THENCE WITH THE EASTERN LINE OF BILLY DONOTHAN, AND CONTINUING WITH THE EASTERN LINE OF LOTS 33 AND 34 OF THE UNRECORDED PLAT OF SOUTHWOOD, NORTH 04 DEGREES 30 MINUTES 04 SECONDS EAST 352.52 FEET TO A STONE WITH A NAIL, THE SOUTHEAST CORNER OF LOT 35 OF THE UNRECORDED PLAT OF SOUTHWOOD AND THE SOUTHWESTERN CORNER OF PROPERTY DEEDED UNTO C.F. STAFFORD IN DEEDBOOK 1408 AT PAGE 437, GUILFORD COUNTY REGISTRY; THENCE WITH THE SOUTHERN LINE OF C. F. STAFFORD, SOUTH 83 DEGREES 14 MINUTES 33 SECONDS EAST 575.73 FEET TO A POINT; THENCE WITH A NEW LINE SOUTH 20 DEGREES 33 MINUTES 54 SECONDS WEST 1570.20 FEET TO A POINT LYING IN THE NORTHERN MARGIN OF THE RIGHT OF WAY MACY GROVE ROAD, THENCE WITH THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, NORTH 70 DEGREES 03 MINUTES 10 SECONDS WEST 174.00 FEET TO A NEW IRON PIPE; THENCE WITH THE NORTHERN MARGIN OF THE RIGHT OF WAY OF MACY GROVE ROAD, NORTH 67 DEGREES 29 MINUTES 06 SECONDS WEST 79.33 FEET TO A NEW IRON PIPE, THE POINT AND PLACE OF BEGINNING CONTAINING 11.759 ACRES MORE OR LESS ACCORDING TO AN UNRECORDED MAP AND SURVEY BY LARRY L. CALLAHAN RLS DATED 10-12-95 AND BEING DESIGNATED AS LOT 1 OF A FIVE LOT DIVISION OF TAX LOT 42 OF BLOCK 1225, DEEP RIVER TOWNSHIP GUILFORD COUNTY.

001825

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

Use Category	Use Type	WCA Prohibited Use	L/I	
Agriculture/Animal Services	Animal Services (Livestock)		P	
	Animal Services (Other)		P	
	Horticultural Specialties		P	
Household Living	Caretaker Dwelling (Accessory)		D	
Group Living/Social Service	Homeless Shelter		D	
Recreation and Entertainment (Light)	Athletic Fields		P	
	Batting Cages		D	
	Country Club with Golf Course		D	
	Golf Course		D	
	Paintball Field		D	
	Public Park (including Public Recreation Facility)		D	
	Swim and Tennis Club		D	
Recreation and Entertainment (Heavy)	Amusement or water Parks, Fairgrounds		D	
	Auditorium, Coliseum or Stadium		P	
	Go-cart Racing		P	
	Physical Fitness Center		P	
	Shooting Range Indoor		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		
Retail Trade	Tire Sales		P	
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	
	Courier Service, Central Facility		P	
	C i S i Sub t ti		P	
		X	S	
			P	
		—	P	

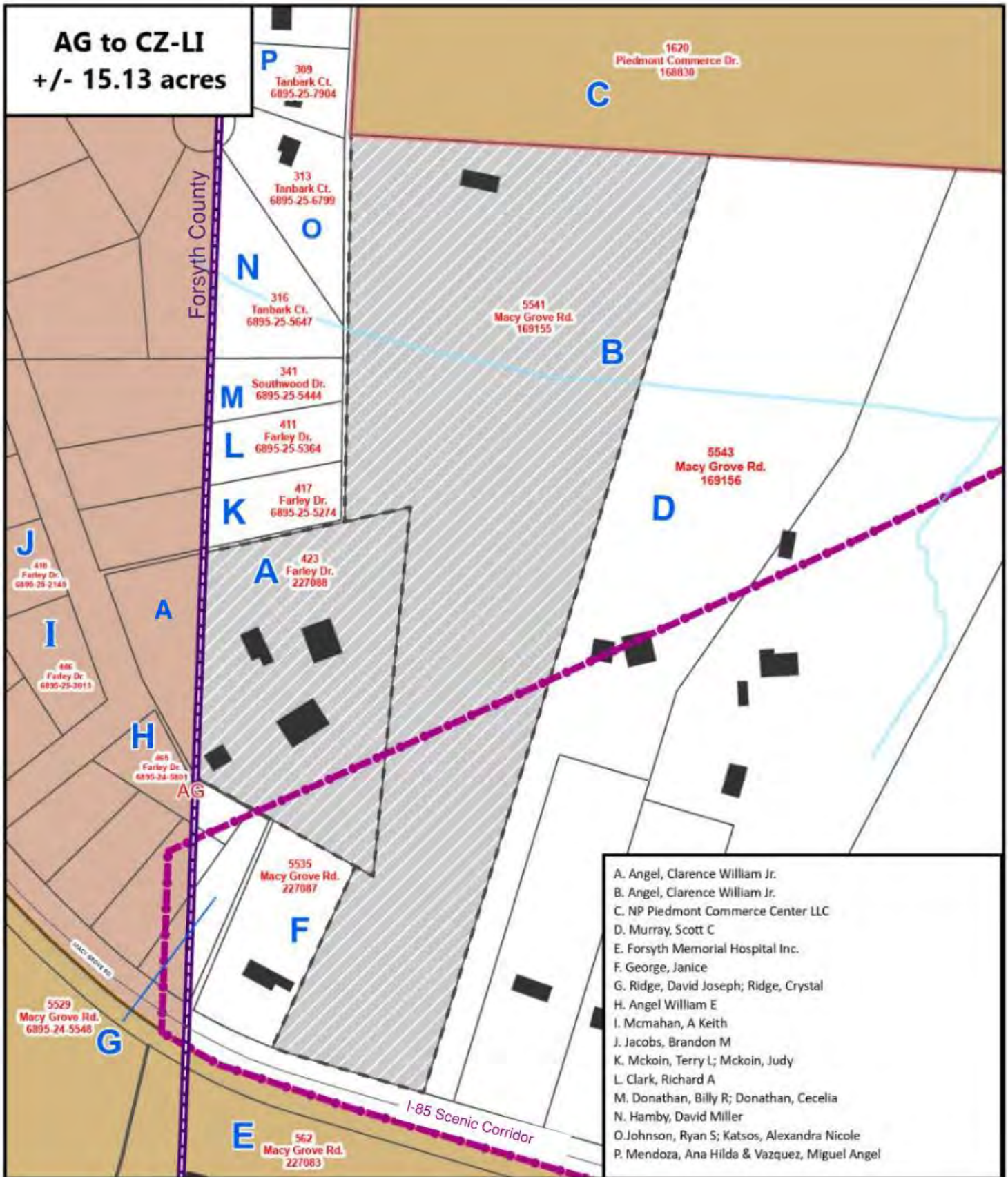
TABLE OF PERMITTED USES FOR LI ZONING DISTRICT

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 = Proposed Excluded Uses
Highlighted Text = Proposed Permitted Uses

Use Category	Use Type	WCA Prohibited Use	LI
Transportation, Warehousing, and Wholesale Trade	Trucking or Freight Terminal		P
	Taxi Terminal		P
Utilities and Communication	Wireless Communication Tower – Stealth Camouflage Design		D
	Wireless Communication Tower – Non Stealth Design		D
	Communication or Broadcasting Facility		P
	Small Cell Wireless Tower		S
	Radio or TV Station		P
	Utilities, Major		S
	Utilities, Minor		P
	Solar Collectors Principal		S
	Utility Company Office		P
	Utility Equipment and Storage Yards		P
	Construction or Demolition Debris Landfill, Minor		D
	Land Clearing & Inert Debris Landfill, Minor		D
	Reeving Facilities, Outdoors		P
Waste-Related Uses	Septic Tank Services	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
Manufacturing	Welding Shops	X	P
	Manufacturing Light		P
Special Events	Temporary Events/Uses		D

AG to CZ-LI +/- 15.13 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

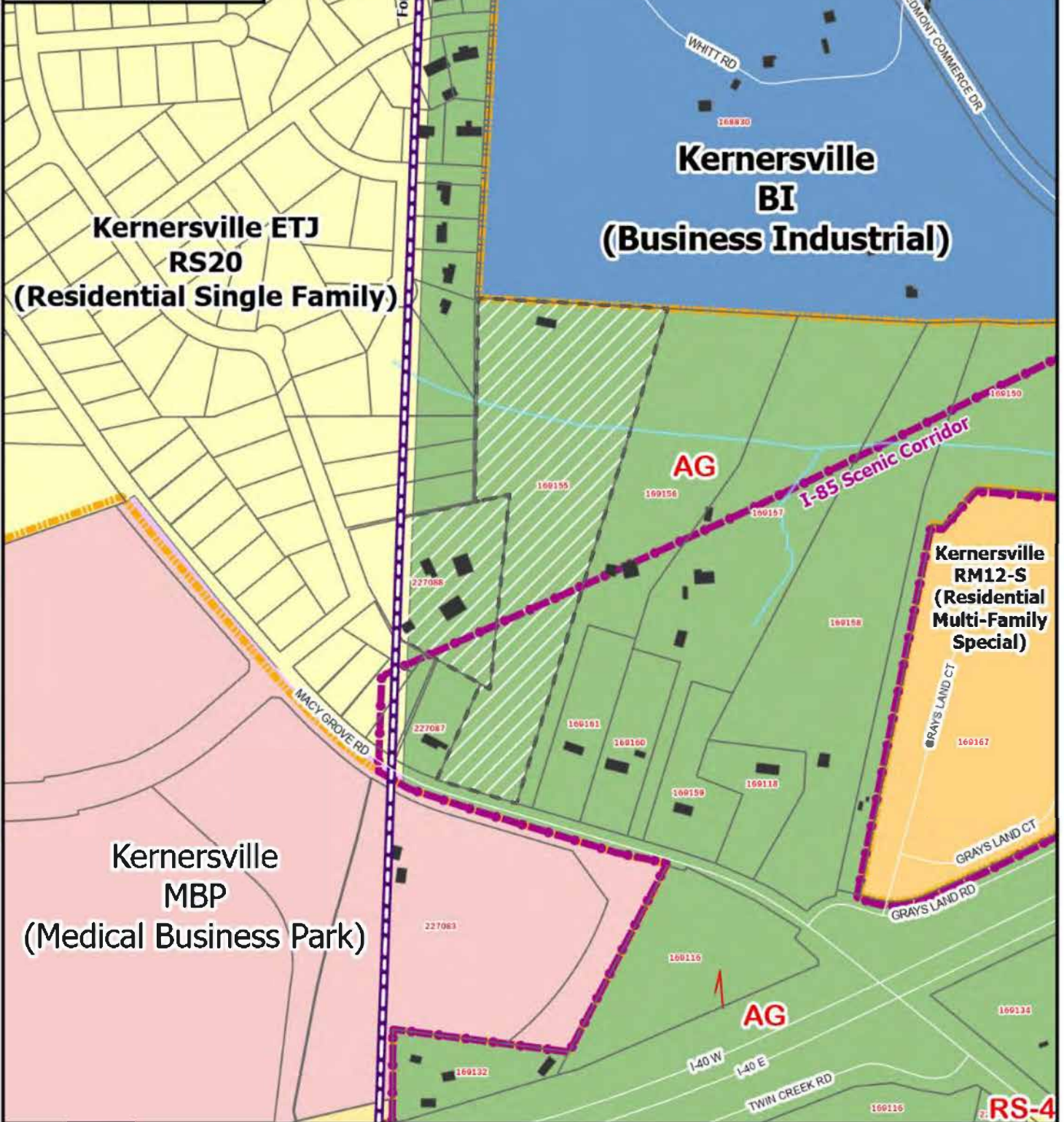
Case Number:
24-04-PLBD-00077

Case Area:
Parcels - 169155 & 227088
5541 Macy Grove Rd & 423 Farley Dr.



Scale: 1" = 200'

AG to CZ-LI
+/- 15.13 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

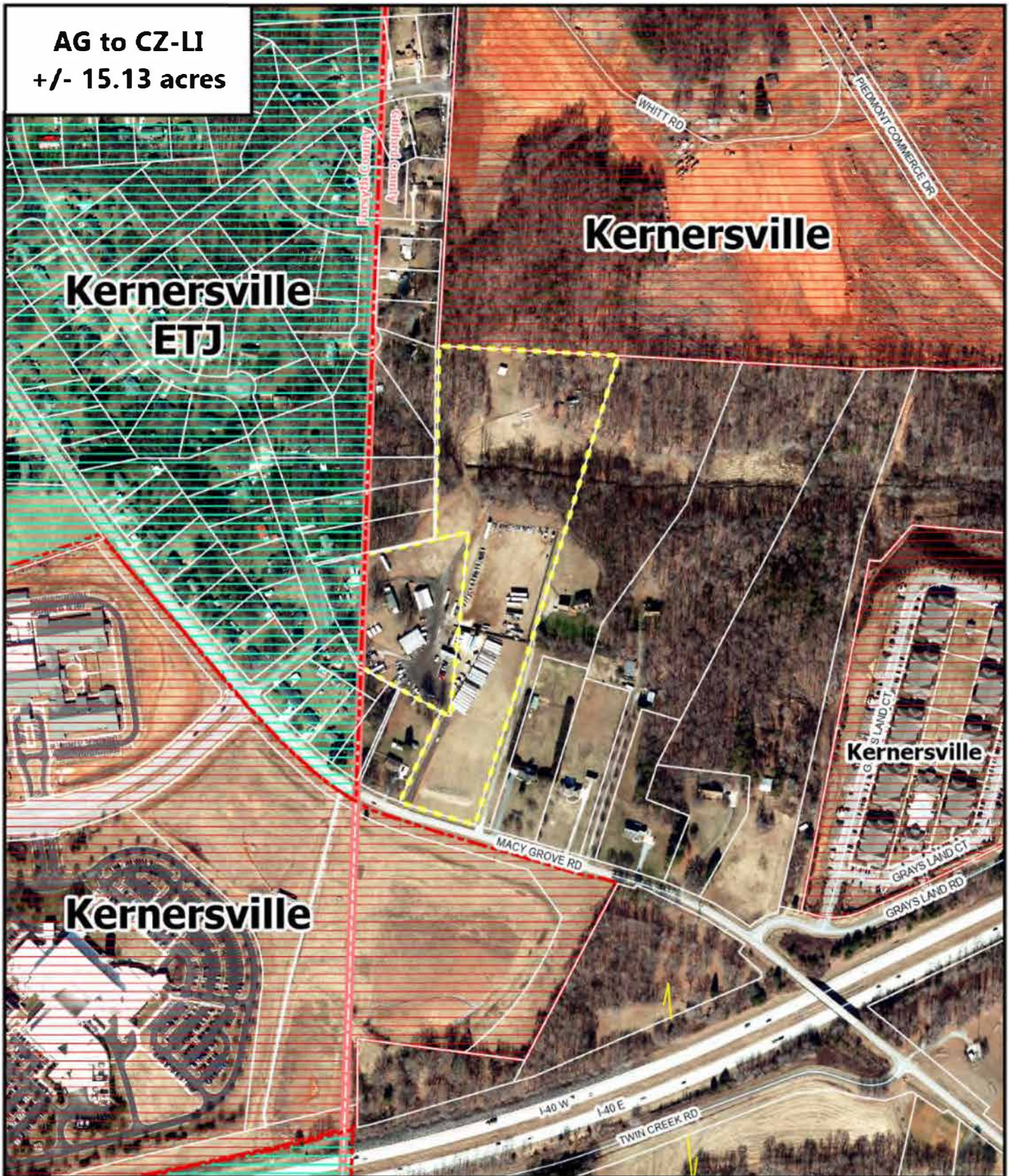
Case Number:
24-04-PLBD-00077

Case Area:
Parcels - 169155 & 227088
5541 Macy Grove Rd & 423 Farley Dr.



Scale: 1" = 400'

AG to CZ-LI
+/- 15.13 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-04-PLBD-00077

Case Area:
Parcels - 169155 & 227088
5541 Macy Grove Rd & 423 Farley Dr.



Scale: 1" = 400'

AG to CZ-LI
+/- 15.13 acres

Forsyth County
Guilford County

Kernersville
ETJ

Kernersville

Kernersville
ETJ

High Point

AG
RS-40

5541 MACY GROVE RD & 423 FARLEY DR

CASE # 24-04-PLBD-00077
5541 MACY GROVE RD & 423 FARLEY DR
KERNERSVILLE, NC 27284
Scale: 1" = 1,000'

Guilford County

164-70

Kernersville

AG

AG

AG

AG

AG

RS-40

AG

High Point

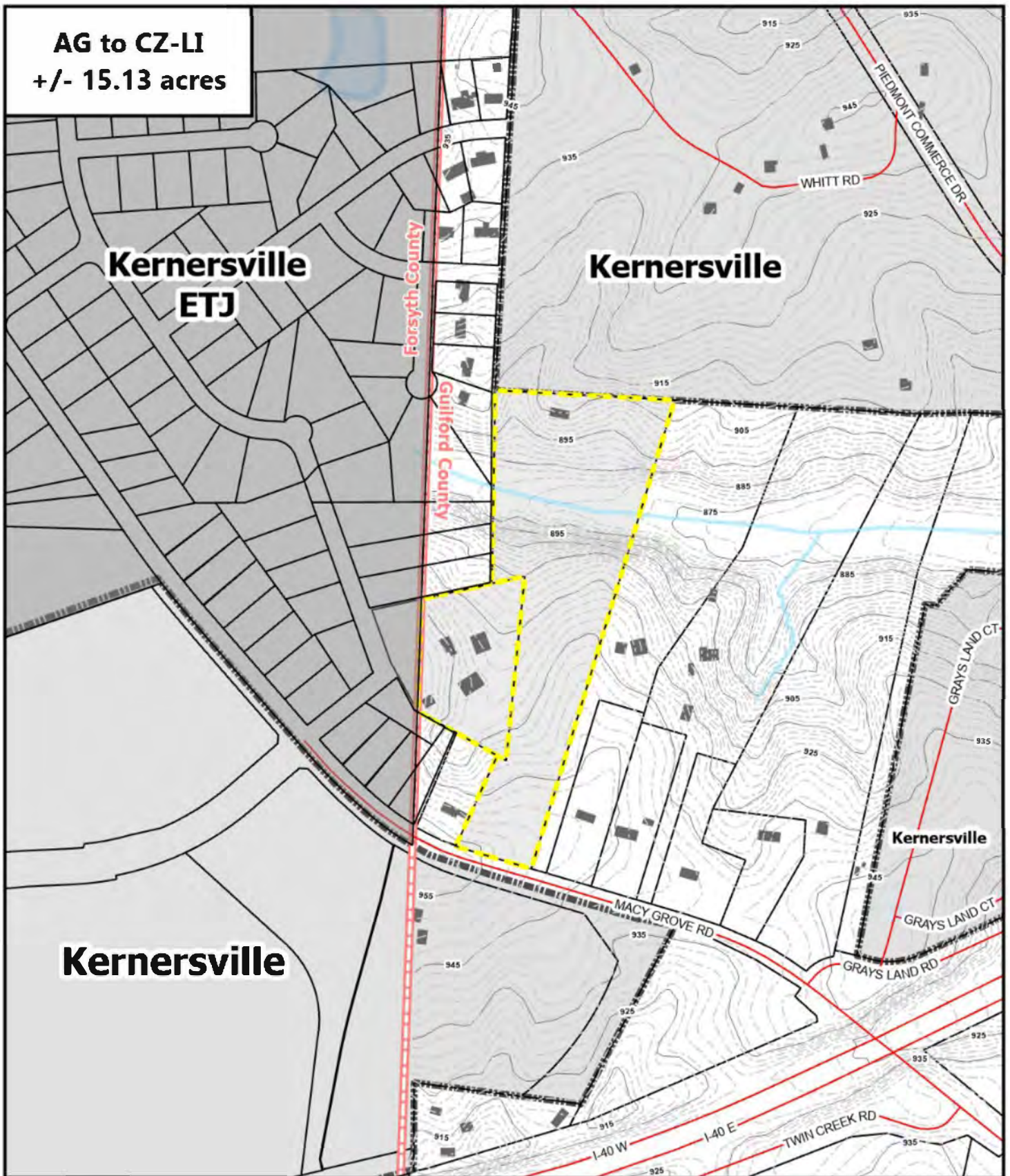
RS-40

AG

RS-40

CASE # 24-04-PLBD-00077
5541 MACY GROVE RD &
423 FARLEY DR
KERNERSVILLE, NC 27284
Scale: 1" = 1,000'

AG to CZ-LI
+/- 15.13 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-04-PLBD-00077

Case Area:
Parcels - 169155 & 227088
5541 Macy Grove Rd & 423 Farley Dr.



Scale: 1" = 400'

**CONDITIONAL ZONING CASE #24-04-PLBD-00077: AG, AGRICULTURAL
TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY
GROVE ROAD AND 423 FARLEY DRIVE**

**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

**CONDITIONAL ZONING CASE #24-04-PLBD-00077: AG, AGRICULTURAL
TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY
GROVE ROAD AND 423 FARLEY DRIVE**

**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 Tax Parcels #169155 and #227088 from **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 #24-04-PLBD-00077: AG, AGRICULTURAL
TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY
GROVE ROAD AND 423 FARLEY DRIVE**

**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 Tax Parcels
#169155 and #227088 from **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 #24-04-PLBD-00077: AG, AGRICULTURAL
TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY
GROVE ROAD AND 423 FARLEY DRIVE**

**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 Tax Parcels #169155 and #227088 from **AG** to **CZ-LI** because:

1. Although this approval does not amend the **Airport Area Plan**, it does amend the **Heart of the Triad Area Plan recommendation to Business Support**.

2. The zoning map amendment and associated **Heart of the Triad Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Heart of the Triad 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 #24-04-PLBD-00077: AG, AGRICULTURAL
TO CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL: 5541 MACY
GROVE ROAD AND 423 FARLEY DRIVE**

**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 Tax Parcels
#169155 and #227088 from **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 **is 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
Road Renaming Petition
Voluntary

Date Submitted: 6/18/2024 Fee **\$100.00** Receipt # 07759-2024 Case Number 24-06-PLBD-00086
Road Sign **\$150.00**

Provide the required information as indicated below. Pursuant to the Unified Development Ordinance (UDO), this application will not be processed until 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.

Pursuant to Appendix A-8 of the Unified Development Ordinance (UDO), the undersigned hereby request the Guilford County Planning Board to consider renaming a public road, presently known as Cleggsmith Road Secondary Road # _____ in Fentress Township, and running North from Wiley Lewis Road Secondary Road # 3314 and terminating at _____ Secondary Road # _____. Provide a plat or tax map of said road.

Proposed Street Name:

Name	Suffix
1. <u>Richmond Jones</u>	<u>Lane</u>
2. _____	_____
3. _____	_____

Proposed street name shall be consistent with standards set forth in Appendix A-6 Street Names.

Petitioners:

Name	Address
1. <u>Cathy D. Richmond</u>	<u>3707 Cleggsmith Rd</u>
2. <u>JUSTIN R. HOLT</u>	<u>1225 WILEY LEWIS RD. JH</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____

Signatures from a minimum of 51% of the property owners along said road are required.
Additional sheets for petitioners are available upon request.

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

Submitted By:

Cathy D. Richmond
Contact Name

3707 Cleggsmith Road
Address

(336) 686-4936/cathyrichmond121@yahoo.com
Contact Phone #/Email

Guilford County, NC



Parcel Number	222993	Total Out Building Value	
PIN	7872858806	Total Land Value	235200
Owner	RICHMOND, CATHY D	Total Deferred Value	0
Mail Address	3707 CLEGGSMITH RD	Bldg Card	1
Mail City	GREENSBORO	Appraisal Model Code	1
Mail State	NC	Deed Data	5/29/2024
Mail Zip	27406	Neighborhood	7872A02
Property Address	3707 CLEGGSMITH RD	Property Type	AGRI/HORT
Legal Description	METES AND BOUNDS DB 8830-1929 AND TR:2 PL:50-21	Structure Size	2573
Deed	008830-01929	Lot Size	34.28
Plat	50-21	Year Built	1985
Condo		Bedrooms	3
Total Assessed	425700	Bathrooms	2
Total Building Value	190500	Grade	B-10 115%



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 inch = 500 feet
6/17/2024

GUILFORD COUNTY, NORTH CAROLINA

The undersigned hereby acknowledge that the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.

Guilford County, North Carolina
The following certificate is given:
That the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.

Guilford County, North Carolina
The following certificate is given:
That the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.

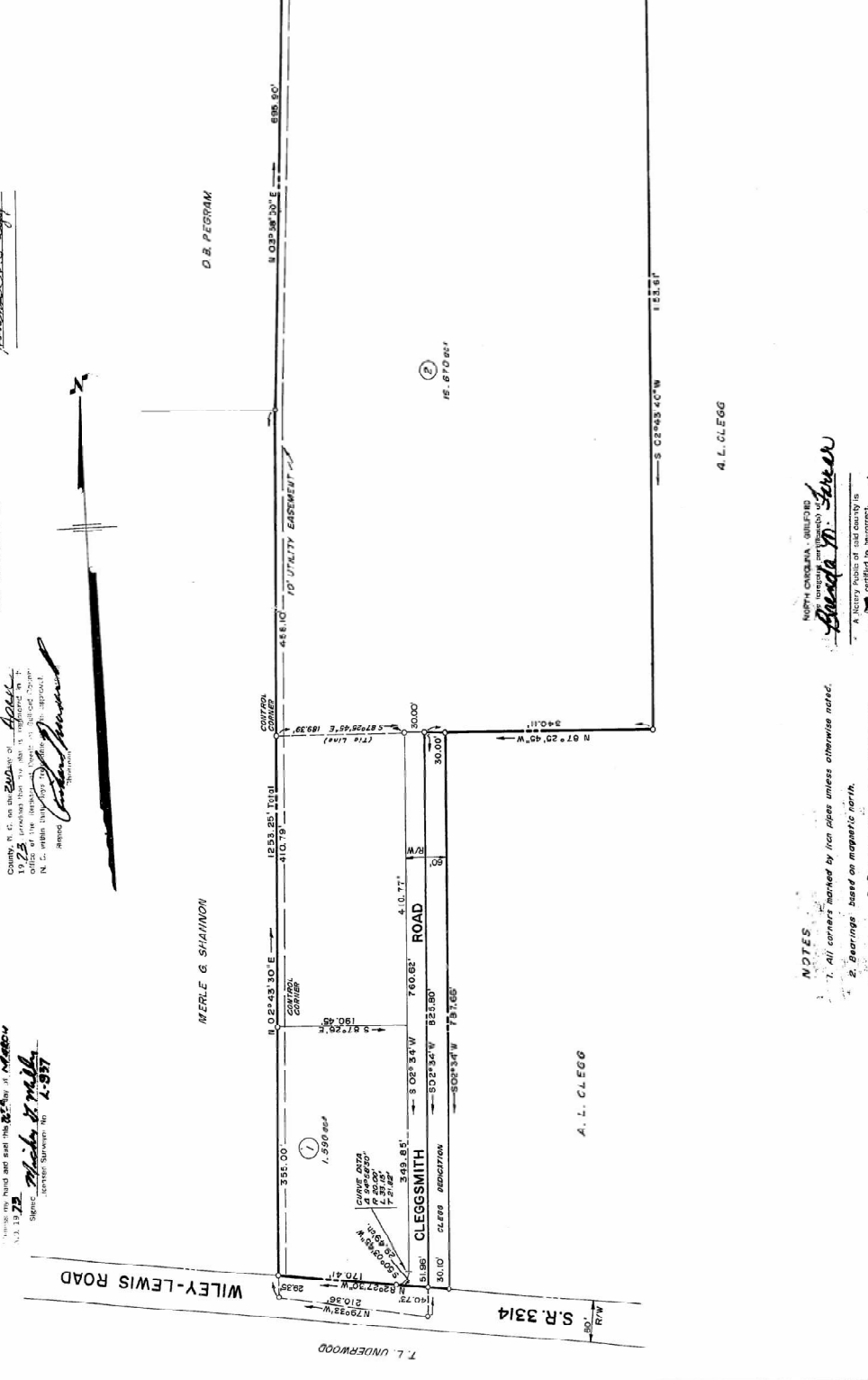
Guilford County, North Carolina
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That the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.

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Guilford County, North Carolina
The following certificate is given:
That the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.

Guilford County, North Carolina
The following certificate is given:
That the land shown on this Plat is within the jurisdiction of Guilford County and that the same is not within the jurisdiction of any other county or town.



PROPERTY OF
ROBERT SMITH
FENTRESS TOWNSHIP
GUILFORD COUNTY, NORTH CAROLINA

MARCH 14, 1973
SCALE 1"=100'
MICKEY G. MILLER, LAND SURVEYOR
215 COMMERCE PL., GREENSBORO, N.C.

NOTES
1. All corners marked by iron pipes unless otherwise noted.
2. Bearings based on magnetic north.
3. Total area - Smith Property - 18.794 ac.
Clegg Detention - 0.941 ac.
Total area of plot - 19.735 ac.

VICINITY MAP
NO SCALE

RECORDED
MICKEY G. MILLER
REGISTERED
GUILFORD COUNTY, N.C.
MAR 18 9 25 AM '73

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GUILFORD COUNTY PLANNING AND DEVELOPMENT

RESOLUTION FOR ROAD RENAMING

CASE #24-06-PLBD-00086

WHEREAS, pursuant to NCGS 153A-239.1, notices were posted that a public hearing would be held before this Board on August 14, 2024, on a request that the official name of a portion of a certain road be established or changed.

NOW, THEREFORE, BE IT RESOLVED, that the official name is hereby established for the following road(s) as indicated:

PREVIOUS NAME: Cleggsmith Road

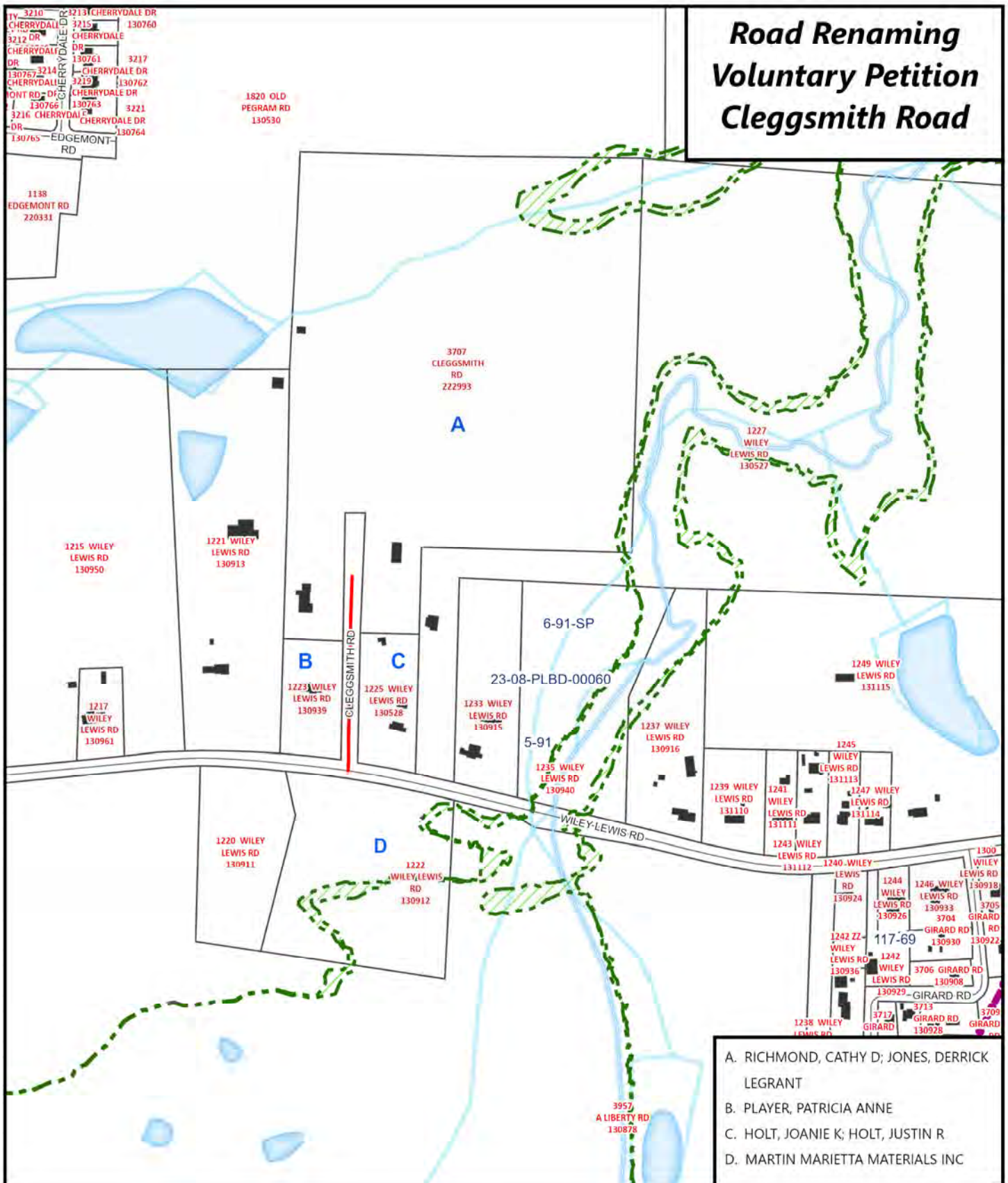
PROPOSED/
ESTABLISHED NAME: Richmond Jones Road

LOCATION: Presently known as Cleggsmith Road, located in Fentress Township and running approximately 0.16 miles north from Wiley Lewis Road and terminating at the northern property line of Guilford County Tax Parcel #222993.

STAFF COMMENT: This renaming is in response to a voluntary petition filed and signed by greater than 51% of the property owners along the road.

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Road Renaming Voluntary Petition Cleggsmith Road



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

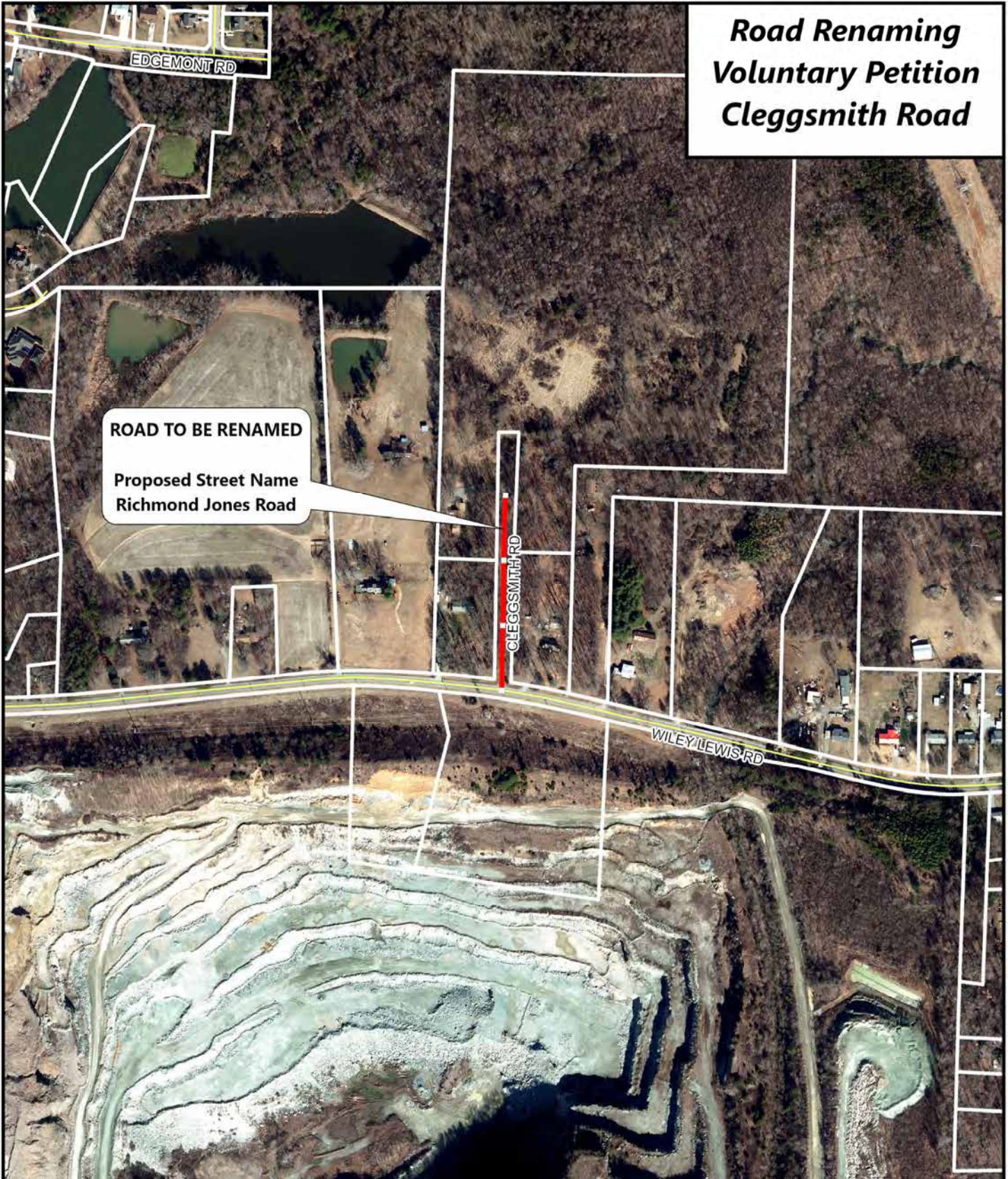
Case Number:
24-06-PLBD-00086

Case Area:
Cleggsmith Road



Scale: 1" = 400'

**Road Renaming
Voluntary Petition
Cleggsmith Road**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-06-PLBD-00086

Case Area:
Cleggsmith Road



Scale: 1" = 400'

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

Date Submitted: 5/30/2024 Fee **\$526.00** Receipt # 017525-2024 Case Number 24-05-PLBD-00084
(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 at OJB(6/3/24) in _____ Township; Being a total of: _____ acres. The property is in the _____ Zoning District. The proposed use(s) is (are) _____.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # _____	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One: (Required)

- ☐ 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: (Required)

- ☐ 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: (Required)

- ☐ 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: (All Required)

- ☐ **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'.
- ☐ **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 on the following:
- ☐ 3. The use, a _____, 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:
- ☐ 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:
- ☐ 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:



**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):

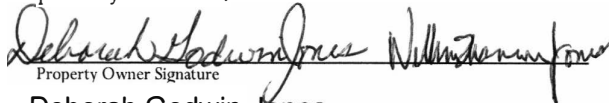
The applicant does not wish to impose any addition conditions on this SUP application.

**A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND
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,


Property Owner Signature

Deborah Godwin Jones

Name

William Shannon Jones

Mailing Address

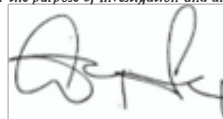
1120 Dead End Lane, Staley, NC 27355

City, State and Zip Code

336-706-5810 fishracers@aol.com

Phone Number

Email Address



Owner/ Representative/ Applicant Signature (if applicable)

Anthony Fox

Name

620 S. Tryon Street Suite 800

Mailing Address

Charlotte, NC 28202

City, State and Zip Code

Phone Number

704-335-9841

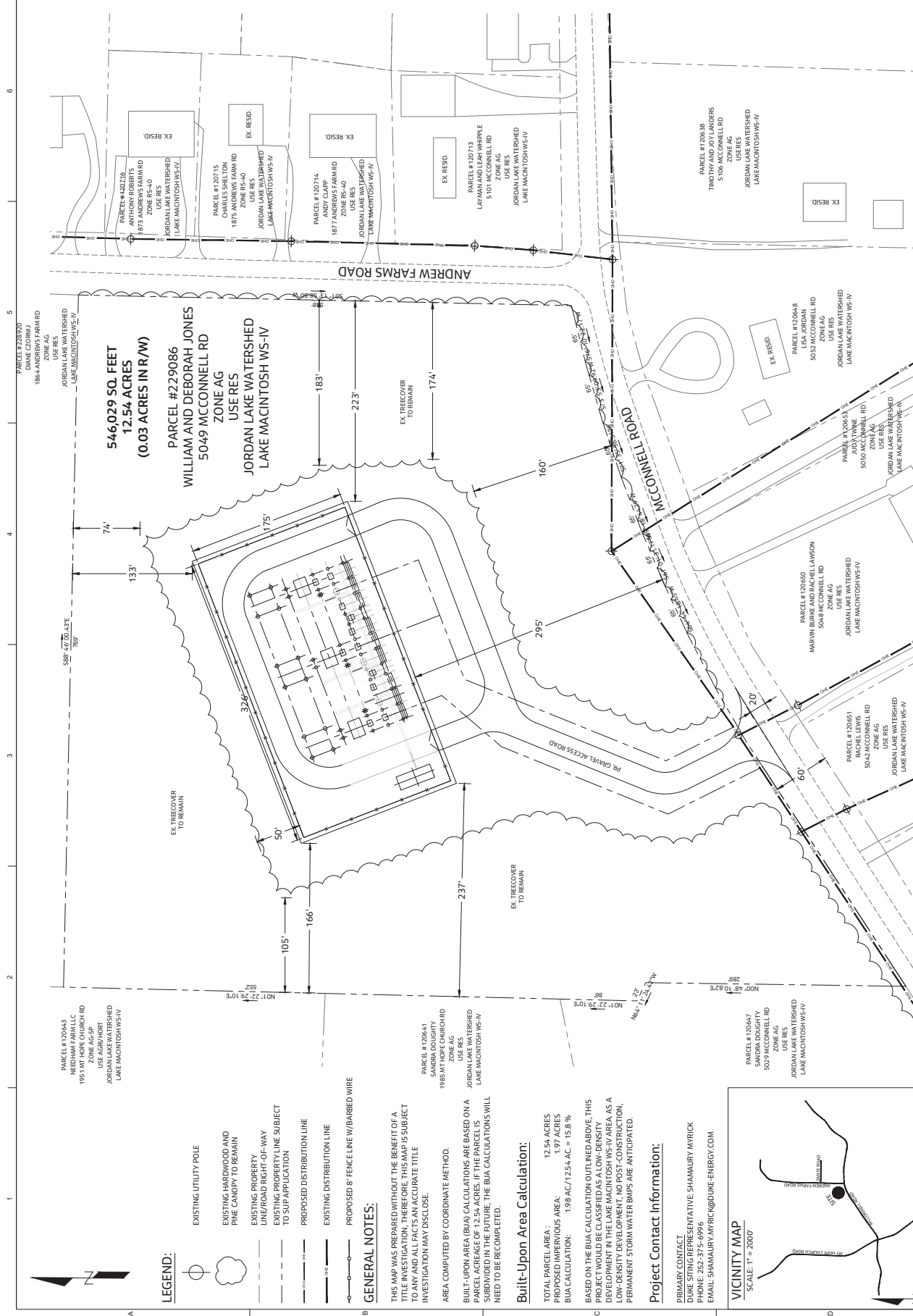
Email Address

anthonyfox@parkerpoe.com

Additional sheets for conditions and signatures are available upon request.

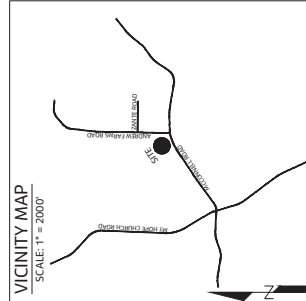
Required documents must be attached to email after selecting submit.

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Project Contact Information:

PRIMARY CONTACT
DUKE SITING REPRESENTATIVE: SHAMAURY MYRICK
PHONE: 252-375-6996
EMAIL: SHAMAURY.MYRICK@DUKE-ENERGY.COM



FILENAME: DukeStewartMill_Sitek_BWLineDrawing_20240404.dwg PLOT DATE: 4/9/2024

DATE	APRIL 2024
PROJ	D3710600
DWG	C-02
SHEET	2 of 2



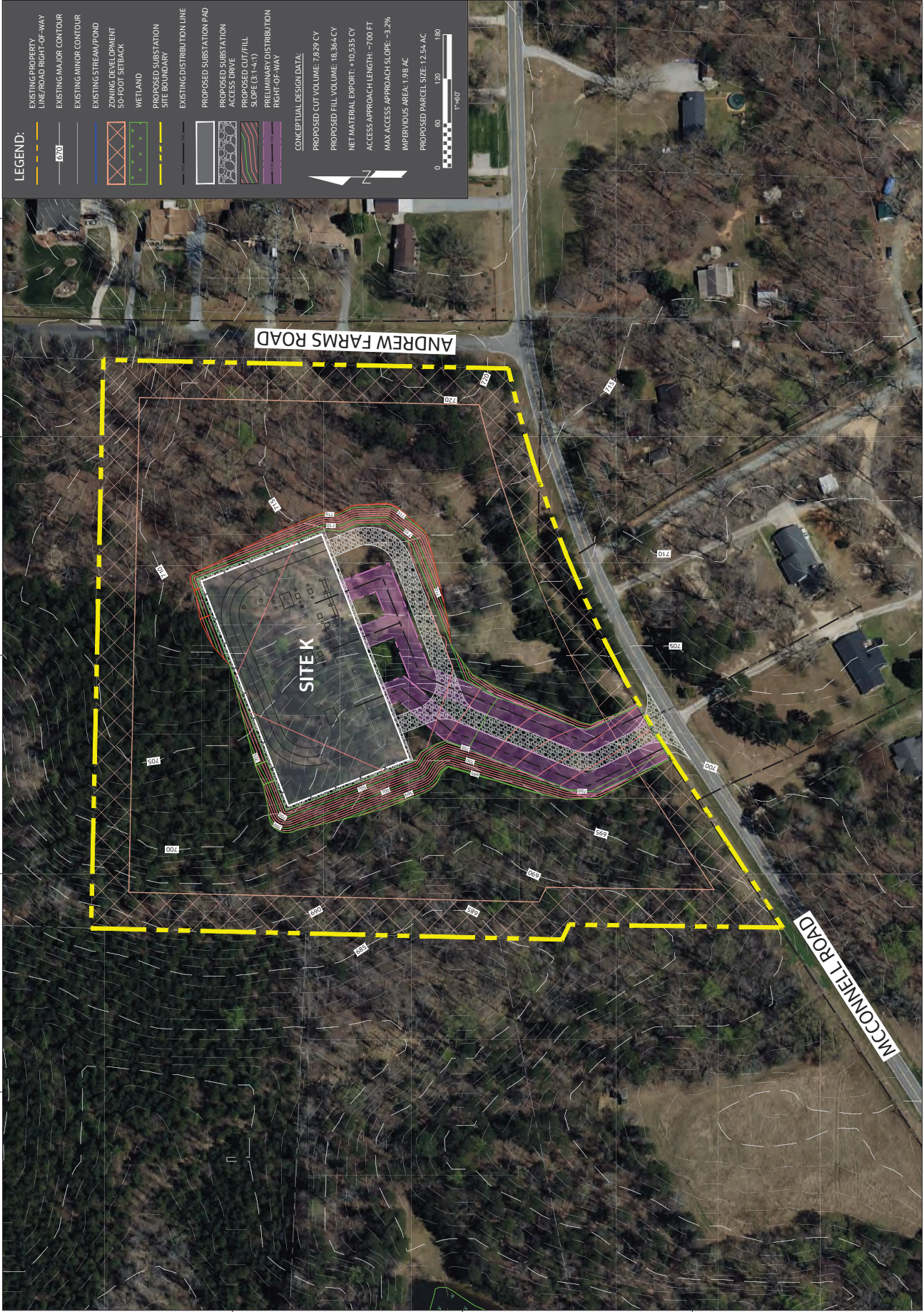
JEFFERSON TOWNSHIP, NC
DRAFT 4/9/2024

MIKE ENERGY-CAROLINAS WEST
5 SOUTH CHURCH STREET
JARLOTTE, NORTH CAROLINA 28202

PROPERTY OF	
DATE	

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[illegible]



DUKE STEWART MILL SUBSTATION SPECIAL USE PERMIT

JEFFERSON COUNTY, NC

DRAFT 4/9/2024

526 SOUTH CHURCH STREET

CHARLOTTE, NORTH CAROLINA 28202

DUKE ENERGY-CAROLINAS WEST

526 SOUTH CHURCH STREET

CHARLOTTE, NORTH CAROLINA 28202

NO. DATE

BSGN

DR

CHK

REVISION

BY

APVD

1" = 40'

VERIFY SCALE

BAR SCALE INCHES

ORIGINAL DATE

DATE

PROJ

DWG

SHEET

1 OF 2

4/9/2024

03710600

C-01

1 OF 2

12:18:42 PM

4/9/2024

FILENAME: DukeStewartMill_SiteK_Aerial_20240405.dwg

SPECIAL USE PERMIT CASE #24-05-PLBD-00084: ENERGY SUBSTATION (MAJOR UTILITY): 1872 ANDREWS FARM RD

Property Information

Located at 1872 Andrews Farm Road (Guilford County Tax Parcel #229086 in Jefferson Township) at the northwest intersection of McConnell Road and comprises approximately 12.53 acres. The subject parcel is zoned AG, Agricultural.

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

Nature of the Request

This is a request to approve a Special Use Permit for an Energy Substation and the associated Sketch Site Plan. Energy substations are allowed as a Major Utility in the AG district pursuant to the Guilford County Unified Development Ordinance. On April 12, 2023, the Planning Board denied a Special Use Permit (Case #23-03-PLBD-00039) for an Energy Substation. The applicant submitted a sketch site plan with modifications from the sketch plan attached to the previous application. Substantial changes from the original sketch site plan include.

1. A 160-foot vegetated area along the frontage with McConnell Road was added to buffer the facility from street view. This buffer was not shown on the previous sketch site plan.
2. The setback off McConnell Road increased from 200 feet to 295 feet. Consequently, the setback from Andrews Farm Road decreased from 256 feet to 223 feet; the setback from the rear property line decreased from 268 feet to 133 feet, and the setback from the interior side property line decreased from 184 feet to 166 feet.
3. The circular driveway shown on the previous sketch site plan was replaced by a single-entrance driveway that bends as it approaches the substation facilities.

The above described changes are illustrated on the attached map.

Character of the Area

The subject parcel is mainly in a single-family residential area of subdivided lots and includes a major residential subdivision off Andrews Farm Road. A 95-acre tract west of the site is undeveloped but has an approved Special Use Permit for a solar farm.

Existing Land Use(s) on the Property: Undeveloped

Surrounding Uses:

North: Undeveloped

South: Single-family dwellings on subdivided lots of 1 or more acres

East: Across Andrews Farm Road is a single-family residential subdivision with lots of 1 acre or less.

West: Undeveloped land, single-family dwelling on more than 10 acres, and a 95-acre

undeveloped tract that is part of an approved SUP (Case #21-05-GCPL-04192) for a solar farm on approximately 470 acres

Historic Properties: There are no inventoried historic landmarks located on or adjacent to the subject property.

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

Infrastructure and Community Facilities

Emergency Response:

Fire Protection District: Mount Hope FPSD

Miles from Fire Station: Approximately 3.9 miles

Water and Sewer Services:

Provider: Individual well and septic

Within Service Area: No

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Minor thoroughfare, 1,000 Average Annual Daily Traffic (AADT) on McConnell Road east of Mt. Hope Church Rd.

Proposed Improvements: NCDOT Commercial Driveway Permit will be required

Projected Traffic Generation: No data available

Environmental Assessment

Topography: Gently sloping

Regulated Floodplain/Wetlands:

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

Streams and Watershed:

This property is located in the Lake Mackintosh (Big Alamance Creek) WS-IV Water Supply Watershed in the General Watershed Area. There are no mapped streams on the property.

Land Use Analysis

Land Use Plan: Rock Creek Area Plan

Plan Recommendation: AG Rural Residential

Consistency:

The subject parcel's zoning designation is AG, Agricultural. The AG district is recognized as consistent with the AG Rural Residential designation in the Rock Creek Area Plan. Electric substations are major utilities and are allowed in the AG district with an approved Special Use Permit.

Review Factors: Article 3.5.Q.3.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 sketch plan associated with this application, access will be from McConnell Road. During the official commercial site plan review process, an NCDOT commercial driveway permit will be required.**
2. Parking and Loading: Location of off-street parking and loading areas. **Parking for an Energy Substation is subject to Section 6.1.D, Table 6-1-1: Parking Requirements for Major Utilities under the Utilities & Communications Use Category of the Guilford County UDO.**
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 when the official site plan is submitted for review per Section 6.1 in the Guilford County UDO. An approved NCDOT Commercial Driveway Permit is required as part of the site plan review process.**
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, if required, will be presented when the official site plan is submitted for review per Section 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 or appropriate staff. Utility easements will be reviewed at TRC or by appropriate staff.**
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable). **Landscape requirements will be reviewed at TRC or by appropriate staff per 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 Section at TRC or by appropriate staff 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 landscape buffer in the form of a Type C Planting Yard (min. width 15', avg width 20', max width 40') will be required per Section 6.2 for nonresidential uses adjacent to an AG zoning district under the Guilford County UDO and shown on the official site 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 or by appropriate staff 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. **Energy Substations (Major Utility), as a nonresidential use surrounded by residentially zoned properties (which include Agricultural), must have Type C landscape buffers along the facility's perimeter. The adjacent Parcel 120643 fronting on Mt. Hope Church Road is a 95-acre tract part of Special Use Permit Case #21-05-GCPL-04192, approved for a Solar Collector Principal on approximately 470 acres.**

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, **Energy Substation (Major Utility)** subject to the submitted Sketch Site Plan along with the following proposed conditions: (as presented or agreed to by applicant), 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.

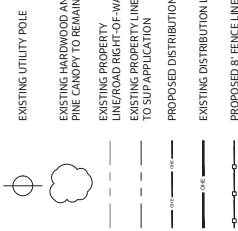
After reviewing the proposed development plan for this request, staff offers the following for Planning Board consideration:

1. The development of the parcel shall comply with all regulations as specified in the Guilford County Unified Development Ordinance (UDO).
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 Planning Director after comments from 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.

ILLUSTRATIVE CHANGES FROM
SUP CASE 23-03-PLBD-00039
SITE PLAN

- NEEDS ANALYSIS
 T95 TMY HOPE CHURCH RD
 ZONE AG-SP
 USE AGR/HORT
 JORDAN LAKE WATERSHED
 LAKE MACINTOSH WS-IV

LEGEND:



GENERAL NOTES:

THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE INVESTIGATION, THEREFORE, THIS MAP IS SUBJECT TO ANY AND ALL FACTS AN ACCURATE TITLE INVESTIGATION MAY DISCLOSE.

AREA COMPUTED BY COORDINATE METHOD.

BUILT-UPON AREA (BUA) CALCULATIONS ARE BASED ON A PARCEL ACREAGE OF 12.54 ACRES. IF THE PARCEL IS SUBDIVIDED IN THE FUTURE, THE BUA CALCULATIONS WILL NEED TO BE RECOMPILED.

Built-Upon Area Calculation:

TOTAL PARCEL AREA : 12.54 ACRES
PROPOSED IMPERVIOUS AREA: 1.97 ACRES
BUA CALCULATION: 1.98 AC/12.54 AC= 15.8 %

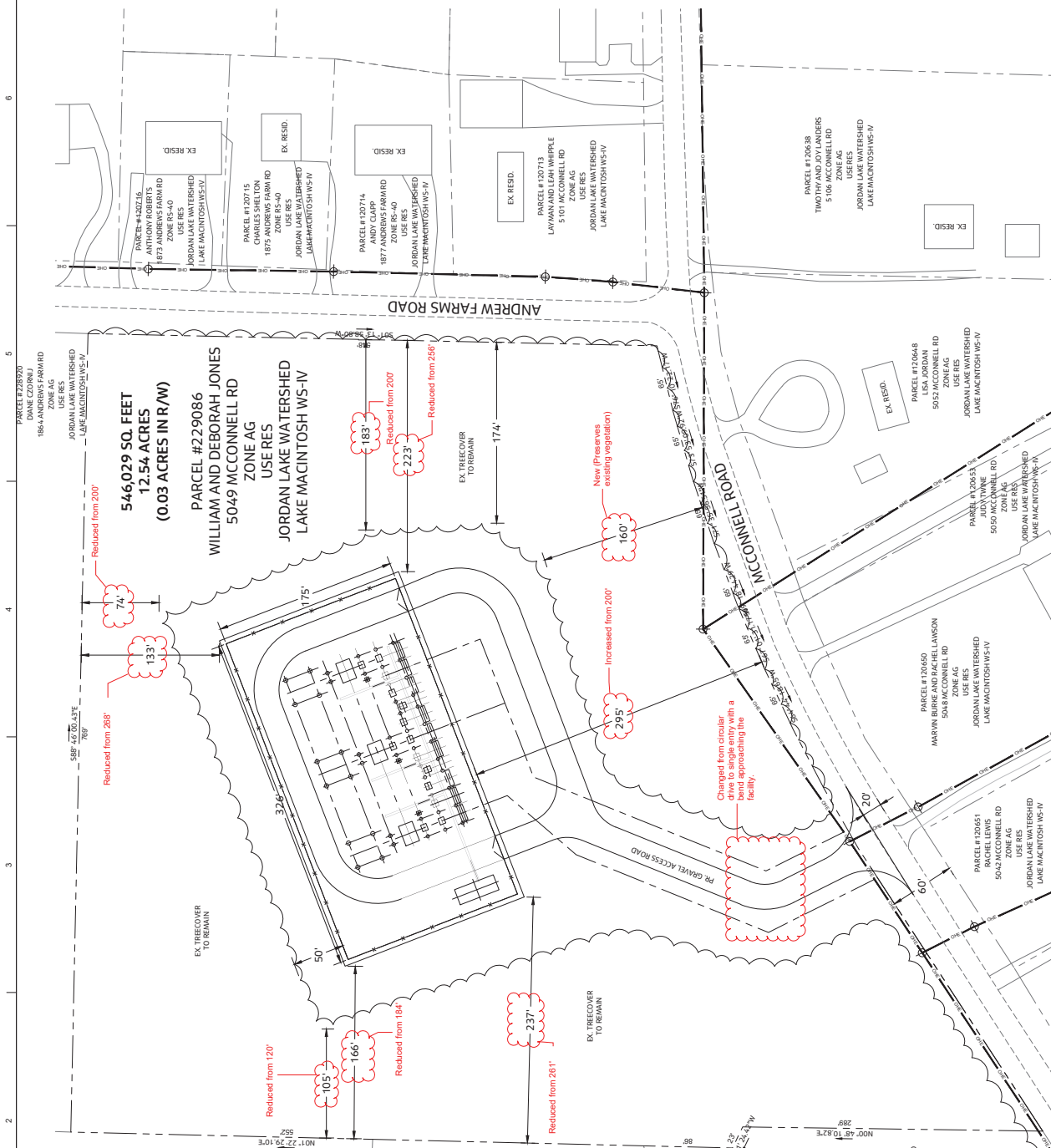
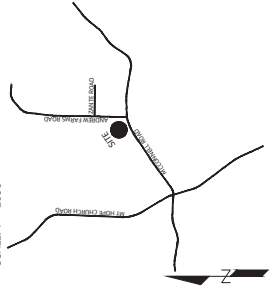
BASED ON THE BUA CALCULATION OUTLINED ABOVE, THIS PROJECT WOULD BE CLASSIFIED AS A LOW-DENSITY DEVELOPMENT IN THE LAKE MACINTOSH WS-IV AREA. AS A LOW-DENSITY DEVELOPMENT, NO POST-CONSTRUCTION, PERMANENT STORMWATER BARRIERS ARE ANTICIPATED.


Project Contact Information:

PRIMARY CONTACT
DUKE SITING REPRESENTATIVE: SHAMAURY MYRICK
PHONE: 252-375-6996
EMAIL: SHAMAURY.MYRICK@DUKE-ENERGY.COM

VICINITY MAP

SCALE: 1" = 2000'

[illegible]

 <p>DUKE ENERGY-CAROLINAS WEST 526 SOUTH CHURCH STREET CHARLOTTE, NORTH CAROLINA 28202</p>	<p>REUSE OF DOCUMENTS: THIS DOCUMENT AND THE IDEAS AN JACOBS AND IS NOT TO BE USED</p>
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Jaco

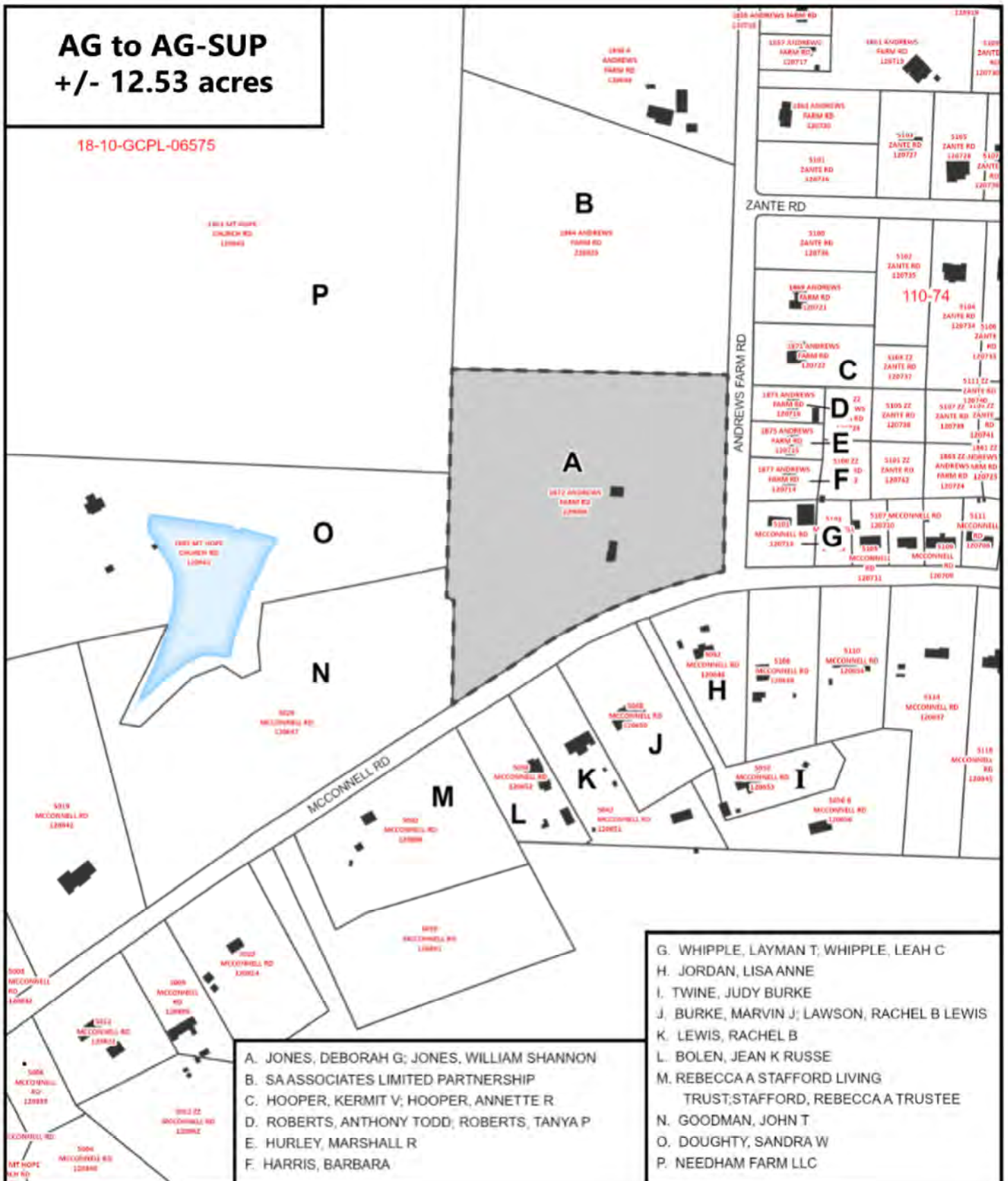


1" = 50'	VERIFY SCALE	DATE	APRIL 2022
0	BAR IS ONE INCH ON ORIGINAL DRAWING.	PROJ	D37106000
		DWG	C-03
		SHEET	2 of 2

FILENAME: DukeStewartMill_SiteK_BWLineDrawing_20240404.dwg PLOT DATE: 4/9/2024 PLOT TIME: 12:23:05 PM

AG to AG-SUP +/- 12.53 acres

18-10-GCPL-06575



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-05-PLBD-00084

Case Area:
Parcel - 229086
1872 Andrews Farm Rd



Scale: 1" = 350'



**AG to AG-SUP
+/- 12.53 acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

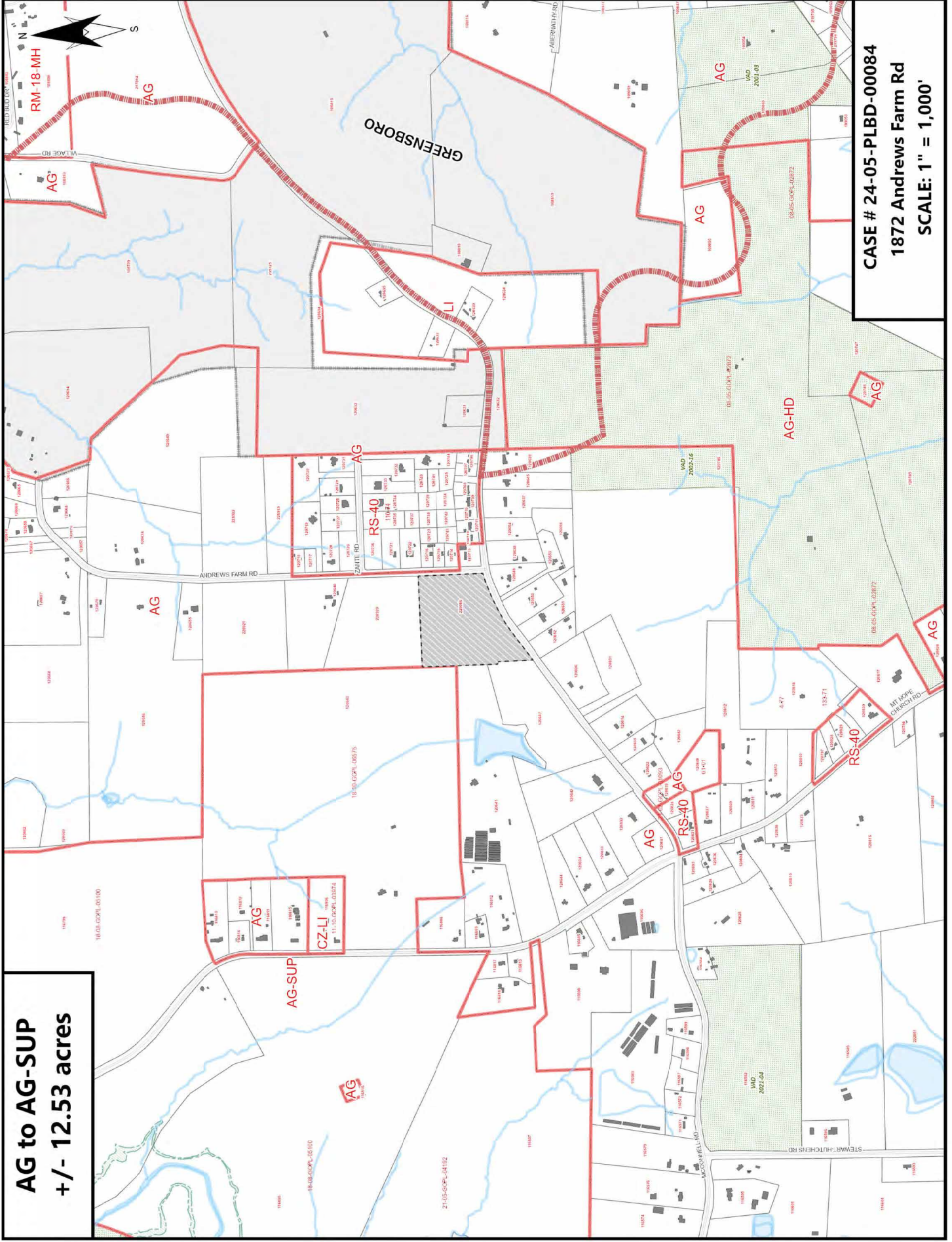
Case Number:
24-05-PLBD-00084

Case Area:
Parcel - 229086
1872 Andrews Farm Road



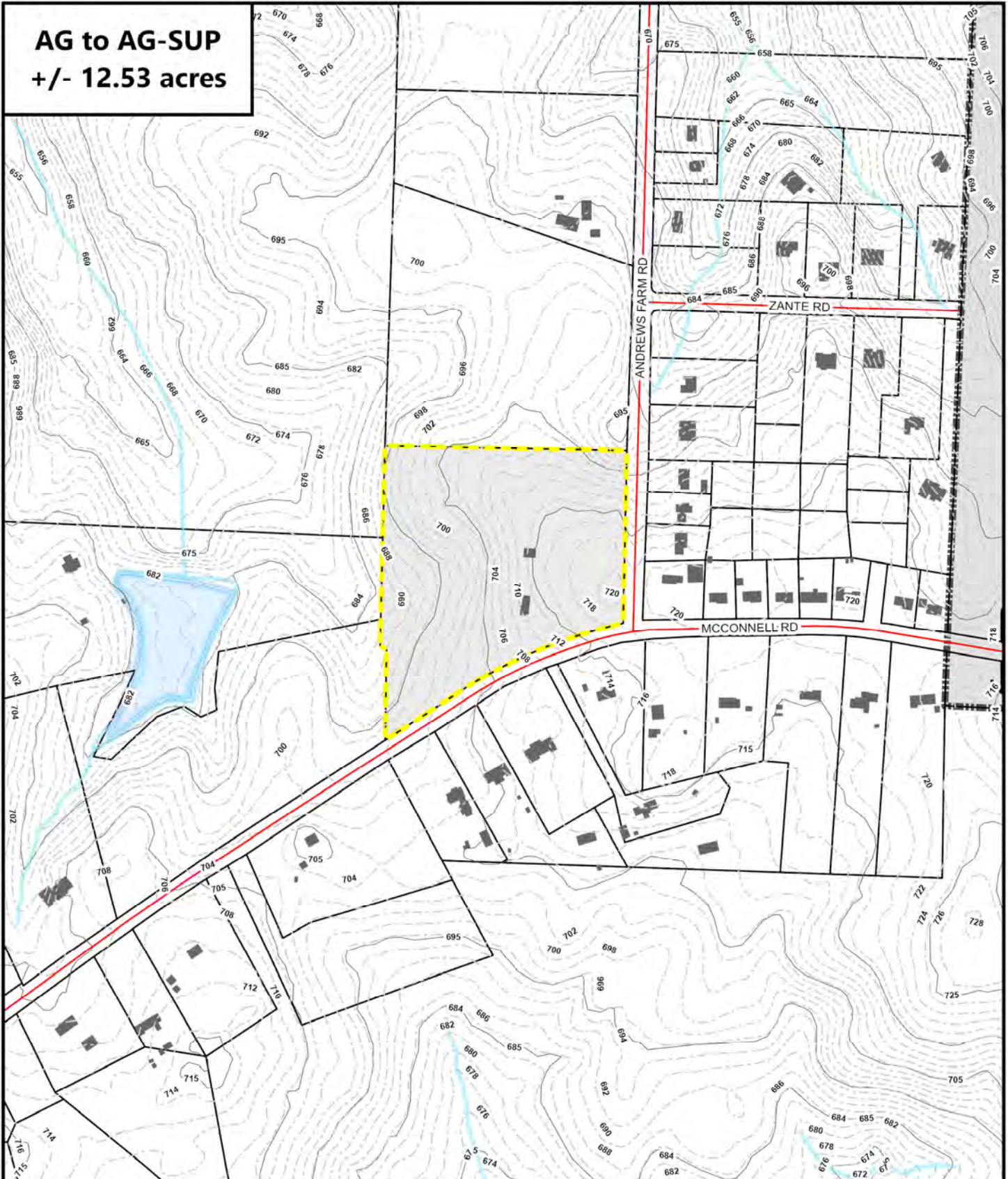
Scale: 1" = 400'

**AG to AG-SUP
+/- 12.53 acres**



CASE # 24-05-PLBD-00084
1872 Andrews Farm Rd
SCALE: 1" = 1,000'

**AG to AG-SUP
+/- 12.53 acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-05-PLBD-00084

Case Area:
Parcel - 229086
1872 Andrews Farm Road



Scale: 1" = 400'

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SUBMITTAL SUMMARY REPORT (24-05-PLBD-00084) FOR GUILFORD COUNTY

PERMIT ADDRESS: 1872 ANDREWS FARM RD
WHITSETT, NC 27377

PARCEL: 229086

APPLICATION DATE: 05/30/2024

SQUARE FEET: 0

EXPIRATION DATE:

VALUATION: \$0.00

DESCRIPTION: Duke Energy Substation (Major Utility) SUP app; 1872 Andrew Farm Road; SUP 23-03-PLBD-00039 (1872 ANDREWS FARM RD WHITSETT, NC 27377) was denied and appeal filed.

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	Deborah Jones		
Attorney	Anthony Fox		
Owner	Deborah Jones		
	William Jones		

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Sketch Plan Review v.1	06/07/2024	06/28/2024		In Review
Staff Review v.1				Not Received

SUBMITTAL DETAILS

Sketch Plan Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building (Building/Inspections)	Brian Emlinger	06/17/2024		In Review
Environmental Health Review (Environmental Health)	Susan Flanagan	06/17/2024		In Review
Environmental Services Review (Solid Waste)	Lorelei Elkins	06/17/2024	06/07/2024	Reviewed
<i>Comments</i>	No comments			
Fire Review (Fire Marshal)	Tim McNeil	06/17/2024	06/17/2024	Review Completed
<i>Comments</i>	No Comments			
GIS-Addressing (GIS-Addressing)	Melissa Jones	06/17/2024	06/12/2024	Review Completed
<i>Comments</i>	Maps and labels are attached and in the O drive folder			
Planning (Planning/Zoning)	Oliver Bass	06/17/2024	06/18/2024	Review Completed
<i>Comments</i>	1. The proposed use of an electric substation is allowed as a Major Utility with an approved special use permit per Section 4.2 per the UDO. 2. The sketch plan shows compliance with the standards and dimensional requirements established in the UDO for the AG zoning district and Major Utility development standards. 3. The project will be subject to site plan approval if the special use permit is granted.			
Watershed Review (Watershed)	Brent Gatlin	06/17/2024	06/14/2024	Review Completed
<i>Comments</i>				

SUBMITTAL SUMMARY REPORT (24-05-PLBD-00084)

The SUP is compliant for watershed purposes. Below are Advisory Comments for consideration with subsequent Site Plan & Watershed Development Plan that will be required after the SUP process is complete.

1. Water Supply Watershed = Lake Mackintosh WS-IV, GWA
 - a. Max Allowable BUA (low density) = 24%
 - b. Max Allowable BUA (high density) = 70% (SCM required)
 - c. Gravel areas are considered BUA (impervious).
 - d. The site as shown on sketch is considered low-density development and will not require a Stormwater Control Measure (SCM) if the Project Density remains below 24% BUA for the site.
 2. Include Project Density and BUA calculations on the Guilford County Site Plan Cover Sheet – Stormwater Management / Watershed Protection information and the Watershed Development Plan to be included with the Site Plan set submission. Plans to be signed/sealed by PE.
 3. A Watershed Development Plan (WDP) must be included with the Site Plan set submission. Provide:
 - a. Completed WDP checklist with plan submission (emailed to applicant).
 - b. Grading & Drainage Plan with final Stormwater Conveyance System design info and limits of disturbance.
 - c. Stormwater Conveyance System Calculations Report with:
 - i. Pipe capacities and HGL for 10-year storm event. ***
 - ii. Swale calculations for capacity and liner.
 - iii. Drainage Area Plan for storm structures, culverts, and swales.
 - iv. Precipitation / IDF Data (NOAA)
 - v. [Advisory Comment]***: Public ROW drainage must be designed per NCDOT standards and reviewed by NCDOT for their approval. The more stringent design standards shall apply.
 - d. Low Density requirements must be met and demonstrated per 15A NCAC 02B .0624(5).
 4. Include the Site Plan Standard Notes on Site Plan submission (emailed to applicant).
 5. There are no mapped/buffered streams per USGS or Soil Survey Map on the site. It is possible unmapped jurisdiction features exist. It is the owner's / applicant's responsibility to verify if there jurisdictional features on the property and obtain all necessary approvals prior to any impacts.
 6. There is no regulated floodplain on the site.
-

BK: R 8134

PG: 497-502

RECORDED:

03-12-2019

11:46:19 AM

BY: ERIC P GERRINGER

DEPUTY-G8



2019011780

GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$26.00
NO TAXABLE
CONSIDERATION

Prepared by: Larry W. Pearman, PO Box 8178, Greensboro, NC 27419

(19-5705)

(Without Title Exam)

Parcel Identifier No.: (out of 120640)

Mail to after recording: Grantee

Excise Tax Stamps: \$ NTC

NORTH CAROLINA GENERAL WARRANTY DEED

LOK
This Deed made this 26th day of February, 2019, by and between

GRANTOR

Lenore G. Johnson, individually and as
executrix of the Estate of Mary B. Norman,
and spouse, Howard R. Johnson, Jr.;
James David Williams and spouse,
Judith G. Williams;
R. Lindley Godwin, Jr. and spouse,
Ann C. Godwin; and
Jennifer Godwin, single

GRANTEE

Deborah G. Jones and spouse,
William Shannon Jones

Mailing Address:

1120 Dead End Lane
Staley, NC 27355

Property Address:

1872 Andrews Farm Road
Whitsett, NC 27377

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Whitsett, Jefferson Township, Guilford County, North Carolina and more particularly described as follows:

See Attached Exhibit A

The property hereinabove described was acquired by Grantors by Estate File 18-E-1552.

All or a portion of the property herein conveyed includes or X does not include the primary residence of a Grantor.

A Map showing the above described property is recorded in Plat Book , Page .

All information supplied to the draftsman by the Grantees noted herein and no title exam was performed.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Taxes for the current year, rights of way for public and private roads, alleys and utilities, if any, easements and restrictions of public record, and, non-compliance, if any, with local, county, state or federal government laws, ordinances, or regulations relative to zoning, environment, subdivision, occupancy, use, construction or the development of the subject property.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Lenore G. Johnson (SEAL)
Lenore G. Johnson, Individually and as Executrix of the Estate of Mary B. Norman


Howard R. Johnson, Jr. (SEAL)
Howard R. Johnson, Jr.

State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that Lenore G. Johnson, individually and as executrix of the Estate of Mary B. Norman personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 18 day of March, 2019.

My commission expires: August 4, 2021


Stephanie Haigler
Notary Public
STEPHANIE HAIGLER
Notary Public, North Carolina
Guilford County
My Commission Expires

State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that Howard R. Johnson, Jr. personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 26th day of February, 2019.

My commission expires: August 4, 2021

Stephanie Haigler
Notary Public
STEPHANIE HAIGLER
Notary Public, North Carolina
Guilford County
My Commission Expires

James David Williams (SEAL)
James David Williams

Judith G. Williams (SEAL)
Judith G. Williams

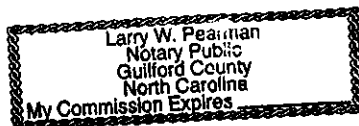
State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that James David Williams personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 4th day of March, 2019.

My commission expires: 11/5/2020

Larry W. Pearman
Notary Public Larry W. Pearman



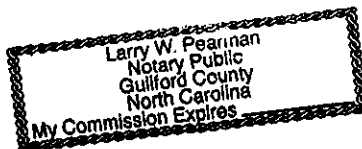
State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that Judith G. Williams personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 4th day of March, 2019.

My commission expires: 11/5/2020

Larry W. Pearman
Notary Public Larry W. Pearman



R. Lindley Godwin, Jr. (SEAL)
R. Lindley Godwin, Jr.

Ann C. Godwin (SEAL)
Ann C. Godwin

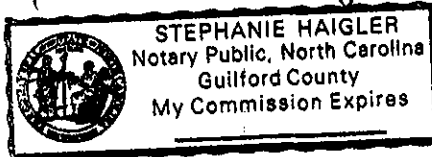
State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that R. Lindley Godwin, Jr. personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 5th day of March, 2019.

My commission expires: August 4, 2021

Stephanie Haigler
Notary Public – Stephanie Haigler



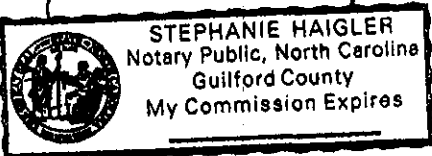
State of North Carolina
County of Guilford

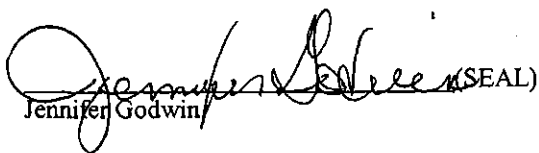
I, the undersigned, a Notary Public of said County and State, Certify that Ann C. Godwin personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 5th day of March, 2019.

My commission expires: August 4, 2021

Stephanie Haigler
Notary Public – Stephanie Haigler



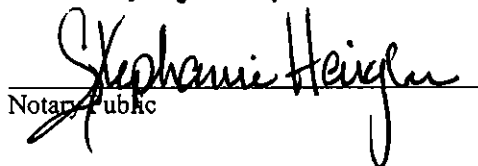
 (SEAL)
Jennifer Godwin

State of North Carolina
County of Guilford

I, the undersigned, a Notary Public of said County and State, Certify that Jennifer Godwin personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 8th day of March, 2019.

My commission expires: August 4, 2021


Notary Public

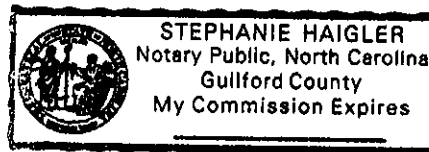


Exhibit A

Property Address: 1872 Andrews Farm Road, Whitsett, NC 27377

BEGINNING at a new iron set at the intersection of McConnell Road and Andrews Farm Road, the southeast corner for the property at the northern margin of McConnell Road and the western margin of Andrews Farm Road, said point being North 47 degrees 39 minutes 58 seconds West 38.21 feet from a nail in the approximate center line intersection of McConnell Road and Andrews Farm Road, and continuing from said BEGINNING point along the northern margin of McConnell Road, a curve to the left having a radius 1639.50 feet, a chord South 71 degrees 02 minutes 05 seconds West 521.28 chains to a new iron set; thence continuing along McConnell Road, South 59 degrees 44 minutes 54 seconds West 325.47 feet to an existing iron pipe, a common point with the property of Equity Trust Company Custodian FBO John T. Goodman IRA (See Deed Book 6809, Page 3026, Guilford County Registry); thence along a common line with Equity Trust, North 03 degrees 40 minutes 09 seconds East 289.10 feet to an existing stone; thence North 61 degrees 19 minutes 30 seconds West 22.55 feet to an existing stone; thence North 04 degrees 14 minutes 59 seconds East 346.70 feet to an existing stone, a common point with the property of Sandra W. Doughty (See Deed Book 2951, Page 183, Guilford County Registry) and the Needham Farm, LLC (See Deed Book 6959, Page 834, Guilford County Registry); thence along a common line with Needham Farm, LLC, North 04 degrees 13 minutes 50 seconds East 290.94 feet to a new iron set; thence along a common line with Tract Two of the Mary B. Norman Heirs, South 85 degrees 54 minutes 03 seconds East 769.42 feet to a new iron set on the western right-of-way of Andrews Farm Road; thence along the western margin of Andrews Farm Road, South 04 degrees 05 minutes 57 seconds West 548.24 feet to the point and place of BEGINNING and being a total of 12.532 acres, more or less, and being denoted as Tract One according to the Boundary Survey for Mary B. Norman Heirs by Joseph G. Stutts, PLLC dated December 7, 2018, reference to which is hereby made for a more particular description.

This property is part of a large tract originally owned by Mary B. Norman, deceased, who devised said tract to the Grantee in her Will.

**GUILFORD COUNTY PLANNING BOARD
ORDER (GRANTING/DENYING) A SPECIAL USE PERMIT**

The Guilford County Planning Board, having held an Evidentiary Hearing on August 14, 2024, to consider a request for a Special Use Permit for an Energy Substation (Major Utility) subject to the submitted Sketch Site Plan along with the following proposed conditions (no conditions listed, list if subsequently presented and accepted) for the property located at 1872 Andrews Farm Road (Guilford County Tax Parcel #229086 in Jefferson Township) at the northwest intersection of McConnell Road and comprises approximately 12.53 acres, having heard all of the evidence and arguments presented at the Evidentiary Hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

1. A written application was submitted and **[is/is not]** complete in all respects.
2. That the use **[will/will not]** materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

3. The use, an Energy Substation (Major Utility), for which the Special Use Permit is sought, **[is/is not]** in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

4. That the location and character of the use, if developed according to the plan submitted, **[will/will not]** be in harmony with the area in which it is to be located and **[is/is not]** in general conformity with the plan of development of the Jurisdiction and its environs. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

-
5. The use **[will/will not]** substantially injure the value of adjoining or abutting property, or the use is a public necessity. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:
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THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a SPECIAL USE PERMIT for an Energy Substation (Major Utility) be **[denied/granted]** subject to the following:

1. The development of the parcel shall comply with all regulations as specified in the Unified Development Ordinance (UDO).
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.