



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

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

September 11, 2024

6:00 PM

- I. Roll Call**
- II. Agenda Amendments**
- III. Approval of Minutes:** August 14, 2024
- IV. Rules and Procedures**
- V. Continuance Requests**
- VI. Old Business**

None
- VII. New Business**

A. RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #24-08-PLBD-00090: 1458 NC HWY 61 S

Request to adopt a Resolution of Intent to schedule a legislative hearing for October 9, 2024, as presented herein, to close approximately 0.67 acres of a water quality control easement, located on Lot 2 as shown on Plat Book 185, Page 85 and located in Rock Creek Township on Guilford County Tax Parcel #106945, approximately 1.5 miles south-southwest of the overpass of NC Highway 61 South over Interstate 85 North / 40 East.

Information for **RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #24-08-PLBD-00090** can be viewed by scrolling to the September 11, 2024 Regular Meeting Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the Easement Removal Site Plan and Easement Removal Coordinates Map is also included under the **MEETING CASE INFORMATION** section at the link above.

Legislative Hearing Item(s)

A. CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING–LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING–LIGHT BUSINESS: 4710 HICONE ROAD

This is a request to amend the conditional zoning of the property located at 4710 Hicone Road (Guilford County Tax Parcel #126901 in Monroe Township) approximately 250 feet east of the intersection of Hicone Road and Rankin Mill Road. The subject parcel comprises approximately 1.59 acres.

Use Conditions – All uses permitted in the LB District, excluding: (1) Billiard Parlors (Other Indoor Uses Not Listed); (2) Fortune Tellers (Personal Service); (3) Astrologers (Personal Service); (4) Kennels or Pet Grooming Services; (5) Veterinary Services (Animal Services); (6) and Land Clearing and Inert Debris Landfills, Minor (Same use conditions as the reference case save that convenience stores will be allowed.)

Development Conditions – 1) Building materials on fascia of any building shall be brick or masonry. 2) Any outside lighting shall be directed away from adjoining residential property. 3) Along the adjacent property line with residential property, an opaque fence and/or earth berm shall be constructed and maintained. 4) Within any planting area along the adjacent property line of any residential property, the plantings shall be evergreen vegetation to provide a buffer. 5) One monument sign shall be permitted at the street.

The purpose of the request is to add Convenience Stores as a use. All other existing use and development conditions will remain.

The proposed rezoning is consistent with the Guilford County Northeast Area Plan recommendation of Light Commercial. If the request is approved, no land use plan amendment will be required.

Information for **CONDITIONAL REZONING CASE #24-07-PLBD-00089** can be viewed by scrolling to the September 11, 2024 Regular Meeting Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

B. CONDITIONAL REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION ORIGINAL ZONING

This is a County-initiated rezoning due to de-annexation from the Town of Summerfield under Session Law 2024-20, House Bill 909, effective June 30, 2024. At the Planning Board's August 21, 2024 meeting, the Planning Board voted to delay zoning action assigning General Business (GB) zoning to 11 parcels previously within the Summerfield Town limits until its September 11, 2024 regular meeting and following further consideration. The parcels affected by the de-annexation for which the Board will re-consider at its September 11, 2024 regular meeting are Guilford County Tax Parcels #149642, 149643, 149645, 149651, 149653 149688, 149658,

150130, 217566, 149659, and 149662. The parcels are located within Summerfield Township and comprise approximately 148.58 acres. The parcels are generally located adjacent to the US I-73 and Oak Ridge Road interchange.

The parcels were zoned AG, Agricultural; RS, Residential; OI, Office/Institutional; and BN, Business by the Town of Summerfield. The town development regulations and powers of enforcement shall remain in effect until (i) the county has adopted such development regulations or (ii) a period of 60 days has elapsed following the action by which the town relinquished jurisdiction, whichever is sooner. The parcels subject to this case were omitted from the approval of case #24-07-PLBD-00088. This is a proposal to zone the subject parcels CZ-GB, Conditional Zoning-General Business, with the following conditions:

Use Condition – All uses permitted in the GB District, except: (1) Homeless Shelter; (2) Country Club with Golf Course; (3) Fraternity or Sorority (University or College Related); (4) Cemetery or Mausoleum; (5) Truck and Utility Trailer Rental and Leasing, Light; (6) Bus Terminal and Service Facilities; (7) Taxi Terminal; (8) Construction or Demolition Debris Landfill, Minor; (9) Land Clearing & Inert Debris Landfill, Minor; (10) Electronic Gaming (Other Indoor Uses Not Listed); (11) Psychiatric Facilities (Hospital).

The Planning Board is not limited to the proposed zoning of these parcels and may consider substantial changes to the proposed zoning.

The property owners may initiate a zoning map amendment (rezoning) at any time after the County establishes the original zoning.

The properties are not currently subject to any of Guilford County's area plans. If the request is approved, a land use plan amendment to the Northwest Area Plan will be required to extend the Moderate Commercial (MC) land use classifications to the subject parcels.

Information for **CONDITIONAL REZONING CASE #24-08-PLBD-00093** can be viewed by scrolling to the September 11, 2024, Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the Proposed Zoning Map, Summerfield Zoning Map (before de-annexation), Comparative Zoning and Future Land Use Table and Map ID, and Table of Permitted Uses also are included under the **MEETING CASE INFORMATION** section at the link above.

- C. **UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #24-08-PLBD-00092: AN AMENDMENT TO MODIFY ARTICLE 3 (PERMITS AND PROCEDURES), SECTION 3.5.V TO ADJUST NOTICE AND HEARING REQUIREMENTS AND TERMINOLOGY REGARDING "TEXT AMENDMENTS" AND MAKE A GLOBAL ADJUSTMENT TO TERMINOLOGY USED FOR PUBLIC HEARINGS FOR LEGISLATIVE AND QUASI-JUDICIAL DECISIONS TO ALIGN WITH LANGUAGE ADOPTED UNDER TEXT AMENDMENT CASE #23-06-PLBD-00053 TO MODIFY ASSOCIATED NOTIFICATION REQUIREMENTS**

The Planning staff prepared amendments to Article 3 (Permits and Procedures) of the Guilford County Unified Development Ordinance (Referenced as Subsection 3 in Chapter 15 of the County Code of Ordinances). The amendment will modify Section 3.5.V regarding hearing and public notification procedures and terminology specific to Text Amendments. Also, it will amend the UDO to globally change the nomenclature for “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and “Evidentiary Hearing” in reference to quasi-judicial decisions as established under the UDO and consistent with NCGS 160D. The purpose of the amendment is to align with modifications to Section 3.2.D, Public Notice Procedures, and Table 3.2, Public Notification Requirements, under Text Amendment Case #23-06-PLBD-00053, adopted by the Guilford County Board of Commissioners on May 16, 2024. That amendment changed the public notice requirements for the Planning Board’s review of text amendments after a legislative hearing from “Required” to “Optional” to reflect its advisory role in decisions on text amendments established under the UDO and by NCGS 160D. Additionally, it changes the nomenclature for “Public Hearings” on legislative decisions, such as Text Amendments, to “Legislative Hearings,” and on quasi-judicial decisions, such as “Special Use Permits” to “Evidentiary Hearings.” The following amendments are proposed.

- Amend Section 3.5.V.2.d(1) to change the wording in the first sentence as follows: “...the Guilford County Planning Board ~~shall~~ may hold a ~~public~~ legislative hearing to consider the proposed amendment.”
- Amend Section 3.5.V to change the nomenclature for “public hearing” to “legislative hearing” in reference to legislative decisions on Text Amendments.
- Amend Section 3.5.V.2.c(1) to revise text as follows: “The Planning and Development Director shall review the application, prepare a staff report, and notice set a legislative public hearing (if provided) per Section 3.2 and Table 3.2, Public Notification Requirements, and provide a recommendation to the Planning Board.”
- Amend Section 3.5.V.2.c(2) to revise text as follows: Necessary research may be required for an application for a text amendment. Presentation of an application and recommendation to the Planning Board The public hearing may be delayed to account for research ...
- Amend Section 3.5.V.2.d(2) to revise text as follows: “Recommendations of the Planning Board shall be reported to the Guilford County Board of Commissioners for a legislative public hearing and final action according to the process set forth in this Ordinance. The Guilford County Board of Commissioners shall schedule the legislative public hearing subsequent to receiving the Planning Board’s report and recommendation. The legislative public hearing shall be scheduled as provided by the Board of Commissioners.”
- Amend Section 3.5.V.2.e(1) to revise text as follows: “Following the receipt of the Guilford County Planning Board’s action on a proposed amendment, the Guilford County Board of Commissioners shall hold a legislative public hearing to consider the proposed amendment. Notice of the legislative public hearing shall be provided per Table 3.2, Public Notification Requirements.”
- Amend Section 3.5.V.2.e(2) to revise text as follows: “Before acting on any proposed amendment, the Board of Commissioners shall consider any recommendations made by the Guilford County Planning Board and/or the County

Planning and Development Department, comments made at the legislative public hearing, and other relevant information.”

- Amend Sec. 15-56, Unified Development Ordinance in the Guilford County Code of Ordinance to globally change the term “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and to “Evidentiary Hearing” in reference to quasi-judicial decisions as established by the UDO and pursuant to NCGS 160D.

Text underlined indicates text to be added to the current ordinance. Text to be deleted is shown with a ~~striketrough~~.

Information for **UDO TEXT AMENDMENT CASE #24-08-PLBD-00092** can be viewed by scrolling to the September 11, 2024 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the proposed text amendment also is included under the **MEETING CASE INFORMATION** section at the link above.

VIII. Other Business

A. 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.

(This page intentionally left blank.)

(Insert Color Paper)

**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD
Regular Meeting Minutes
NC Cooperative Extension – Agricultural Center
3309 Burlington Road, Greensboro, NC 27405
August 14, 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; and Rev. Gregory Drumwright

The following members were absent from this meeting:

Dr. Nho Bui and Cara Buchanan

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 I; Tim McNeil, Fire Plans Examiner; Andrea Leslie-Fite, County Attorney, and Matthew Mason, Chief Deputy County Attorney

II. Agenda Amendments

None

III. Approval of Minutes: July 10, 2024

Chair Donnelly stated that there were a few corrections to the July 10, 2024, meeting minutes. Chair Donnelly identified several items that he had some questions about. Mr. Bass passed out a revised set of minutes this evening. There was a piece in the minutes that captured a request by Reverend Drumwright, and it has been included. On the final motion there was some language regarding the

public interest that had not been included in the original minutes and that has now been included.

Chair Donnelly noted that Mr. Stalder had arrived for the remainder of the meeting. Rev. Drumwright moved approval of the minutes of the July 10, 2024, meeting as amended, seconded by Mr. Little. The Board voted 7-0 unanimously in favor of the motion. (Ayes: Donnelly, Gullick, Drumwright, Little, Alston, Stalder, Craft. 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 for legislative and evidentiary hearings.

V. Continuance Requests

Bo Rodenbough is an attorney with Brooks Pierce Law Firm, representing Mr. Bill Stover, one of the adjoining owners of the property that is up for an application for a Special Use Permit filed by Duke Energy. Mr. Stover is the principal of SA Associates Limited Partnership, which owns property that is identified as Parcel "B" on the adjacent properties map. Mr. Rodenbough stated that the item was heard by the Board on April 12, 2023, at which time Duke Energy made an almost identical application for a Special Use Permit on this same piece of property, and there was an evidentiary hearing convened, and the Board voted to deny that request. Mr. Rodenbough stated that no petition for appeal was filed with the superior court following that meeting. The opponents of this request, who are all adjoining owners on both McConnell Road and Andrew Farms Road, thought the matter was dead. However, they recently received the notice of this meeting tonight and have tried to spring into action to respond to this. One of the things they want to do to respond is to retain appraiser(s) to evaluate the diminution of their properties as a result of the location of this electric substation on this property, and they have clearly not had the time to do so at this point. They have checked with a number of appraisers who have said they could do it, but it would take at least 30 days for them to conduct an appraisal. On behalf of the owners who oppose this request, they would ask for a continuance of this case.

In response to a question posed by Mr. Gullick as to the reasons for the continuance, Mr. Rodenbough stated that along with appraisals, they want experts to testify about the public safety hazards of an electric substation.

Rev. Drumwright asked Mr. Rodenbough to speak a little more about the timeline of their awareness and their advisement to this matter. Mr. Rodenbough responded that he could not speak for all of the neighbors, but Mr. Stover received notice of the meeting on or about July 31, 2024.

Chair Donnelly asked Mr. Bell to remind everyone what the procedures are for notice so that information is available. Mr. Bell stated that according to NC General Statute 160D, notice must be given no less than ten (10) days and no more than twenty-five (25) days prior to the meeting. The staff tries to give as much notice as possible, given the deadlines. For legal notice on the County's website, posting the signs, and mailing the notice, staff tries to make all three of those notifications roughly within the same day or twenty-four (24) hours of the same day.

Rev. Drumwright stated that just because there are so many people here, and they brought legal representation to make this request, this is on day fourteen (14), so within the allowable period, but would staff speak to when they actually sent the notice out?

Oliver Bass stated that the notices went out on approximately July 26 or July 27 and were mailed to the owners of the subject property, the adjacent properties, and the applicant.

Mr. Rodenbough stated that they did contact Duke Energy's counsel the day before yesterday to let them know they were going to make a motion to continue.

Mr. Gullick stated that it sounds like they need a minimum of 30 days, and he suggested they may need as much as 60 days because it may be difficult to get appraisals done within that 30 days.

Chair Donnelly stated that Special Use Permit continuances could be allowed for a maximum of 60 days.

Chair Donnelly asked if the counsel for the applicant would come forward at this time.

Anthony Fox, the attorney for Duke Energy, stated that he did receive a call from Pearson Cost with Brooks Pierce yesterday. and he sought to review the Rules of Procedure for this Board concerning continuance and was not able to find anything that governed the granting of a continuance by this Board. He also is familiar with General Statute 160(D) with regard to timing. The staff has complied with the Statutory requirements for notice of a Special Use Permit as well as a zoning matter. The adequate notice has been met. His client is prepared to proceed this evening and is well-represented here with a number of subject matter experts to answer any questions that this Board may have, and that is at a substantial cost to his client. In addition, this is a matter that is of the utmost urgency for the client in that the reason they are here tonight for a Special Use Permit is because of the growth that this community is experiencing. The longer they delay, the more it jeopardizes his client's ability to meet the demands of the growth that the community is experiencing. On behalf of his clients, Mr. Fox opposed the request for a continuance tonight.

Chair Donnelly asked Mr. Bell if either of the next two (2) Planning Board meetings would be appropriate to continue this matter. Mr. Bell stated that the next scheduled meetings are September 11 and October 9.

Mr. Gullick disclosed that his daughter works for Parker Poe Law Firm in Raleigh. Mr. Fox works for Parker Poe Law Firm in Charlotte. He stated that they (his daughter and Mr. Fox) do not know each other, they have never met to his knowledge, and he wants everyone to know that fact, and if anyone is uncomfortable with him being involved in this decision, now is the time to say something. There did not appear to be anyone who objected to Mr. Gullick being involved in this matter. The staff attorneys also stated that there was no reason for a conflict in this matter.

Andrea Leslie-Fite, County Attorney, confirmed with Mr. Gullick that he did not know Mr. Fox, he was not a member or a recipient of any funds committed to Parker Poe, he has not engaged in any conversation with Mr. Fox about this case, and he can be impartial regarding this case. Chair Donnelly asked board members if they had any concerns with Mr. Gullick's participation in this case. No concerns were expressed.

Discussion

Mr. Craft stated that he appreciates that Duke Energy has brought expert witnesses and understands the costs involved, but a continuance is not unusual for this Board to grant, particularly with the timing and additional information that the neighbors are asking for. He does not feel that they have had a reasonable amount of time to gather their information, and he would support a 60-day continuance.

Mr. Gullick stated that he agreed with Mr. Craft. Rev. Drumwright stated that everybody is here, and he recognizes it is a disappointment to the applicants to entertain this request for a continuance, but he believes that the residents have to live with this near their properties if the request is granted; therefore, he feels it is reasonable for them to have this opportunity to do due diligence.

Counsel Mason stated that the October meeting date will fall beyond the 60-day time period, and he would suggest that the wording of the motion be changed to "up to October 9th, 2024."

After consulting with the applicant's counsel, it was confirmed that a date of October 9 would not be appropriate and asked this Board to entertain a special meeting for purposes of hearing this matter on October 2, 2024. Mr. Rodenbough stated that this would be amenable to his clients.

Mr. Craft amended his original motion and moved for a continuance for this case to a special meeting on October 2, 2024, seconded by Mr. Gullick. The Board voted

7-0 (unanimously) in favor of the motion. (Ayes: Donnelly, Gullick, Drumwright, Little, Alston, Stalder, Craft. Nays: None.)

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. (GRANTED)**

Avery Tew, Guilford County Planner, stated that this is a request to conditionally rezone the portions of Guilford County Tax Parcels #169155 and #227088, located at 5541 Macy Grove Road and 423 Farley Drive, 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.

To the west and southwest of the properties are single-family residences and medical facilities located within the town of Kernersville and its extraterritorial jurisdiction. To the north is a large warehousing and distribution facility within the town of Kernersville, and the rest of the area is predominantly residential. The subject parcels are located in both the Guilford County Airport Area Plan and the Heart of the Triad Area Plan. The Town of Kernersville boundaries are immediately to the north and south, and all the surrounding properties within Guilford County's jurisdiction are zoned AG. The existing use of the property consists of an Automotive Towing and Storage Services operation, a single-family house and various residential outbuildings. The subject properties are associated with an active zoning violation case #22-04-GVPU-00129, which is related to the use of the properties for Automotive Towing and Storage Services on AG-zoned property. In terms of historic resources, there are no historic resources within the subject properties and no cemeteries are shown to be

located on or adjacent to subject properties. There is no anticipated impact on public school facilities. The closest fire station is #16 in Colfax, approximately three miles away from the subject properties.

Staff recommends denial of the request to conditionally rezone the subject properties from AG to CZ-LI because it is reasonable and in the public interest due to the proposed rezoning being 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 states:

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, an amendment to the Heart of the Triad Area Plan will be required.

Chair Donnelly stated that it is his understanding that if this Board were to approve this request, that is just the beginning of the process, and this site would then go under a site plan review in order for this to move forward. Mr. Tew stated that was correct.

Mr. Craft asked for some clarification regarding the illustrative map submitted by the applicant.

Chair Donnelly opened the public hearing and asked for those wishing to speak in favor of the request to come to the speaker's table and state their name and address for the record.

Pearson Cost, Brooks Pierce Law Firm, Raleigh, NC, representing the applicant, Mr. Angel, stated that he would like to address Mr. Craft's previous question. The Planning staff had originally asked the applicant to have a representational map to show the three (3) properties that were listed, in terms of where the berm would need to be located. Because they are not proposing a berm across the entire property, they decided to list the condition for the berm based on the properties that it would be adjacent to and those were originally, before the revised application, 411 -417 Farley and 5529 Macy Grove Road. They have now extended that from those properties to be fully connected from one end to the other. Mr. Angel runs a successful towing and repair business throughout Forsyth, Stokes, Randolph, Davidson and Guilford Counties. This business has been in operation for many decades. The primary location is in Forsyth County where they conduct the majority of the business operations, including all of the repair side of the business. The intended use of this property is simply to store vehicles.

Throughout this process, Mr. Angel has shown a willingness to do whatever it takes to make this rezoning work. He has followed up with the Planning Department's questions and revision requests. In February, there was a pre-application conference, and in follow-up discussions, the Planning staff advised him to rezone to Light Industrial for Automotive Towing and Storage Services. In April, they conducted a neighborhood meeting, and several neighbors attended, and they discussed the application. As soon as the rezoning request was explained, and assurances that the use would be conditioned to automotive towing and storage, no one had any issues. Because Mr. Angel wanted to ensure that his use of the property did not detrimentally affect his neighbors, he asked if there was anything else he could do. In addition to the UDO requirements, there will be site plan review to mitigate the effects on their land. Certain neighbors, represented by the three (3) properties, suggested that a berm may be helpful to the situation.

Shortly before the June Planning Board meeting, they heard several of the Planning staff's concerns over the initial application, which is why they sought the continuance. Mr. Angel revised the application to take care of all the concerns staff had at the time. Since June, Mr. Angel has increased the length of the berm and added conditions limiting traffic to twelve (12) vehicles per day, exclusively accessing the site from Macy Grove Road. He highlighted that Mr. Angel grew up on these properties with many of the same neighbors that are there now. In part, due to that relationship, Mr. Angel is eager to do whatever he can to shield any potential harm from those neighbors. Signatures were collected on a petition in support of this rezoning, which was submitted to the record. All these neighbors support the rezoning request. The property is almost entirely surrounded by neighbors who support the request.

This area is in a period of transition, and whether today or in the future, this property will transition to some type of business-like use. The Heart of Triad Plan is one example of this region's commitment to economic development, and transitioning away from agricultural use targets this area for transition. Mr. Angel is proposing to continue this transition with a limited, non-residential business-like use that considers his neighbors and overall community. Regarding the staff report, in the revised report, Planning staff removed their concerns about detrimental impacts on neighbors. The staff includes concerns of a lack of similar uses in the area, and an inconsistency with the Heart of Triad Area Plan. They respectfully disagree with staff's assessment on similar uses. There is something similar to automotive towing and storage in the immediate vicinity; in fact, there are substantial non-residential and business-like uses directly adjacent and in the immediate vicinity. Immediately to the north, adjoining the Macy Grove property is 53 acres, zoned Business Industrial, and this continues to various properties north of that.

Regarding the Heart of Triad Area Plan, they also disagree with staff's assessment for the same reasons. That Plan was published nearly fourteen years ago, and it recommends business center use for this property. The Planning staff are reading the plan too technically. Instead, this Board should focus on the overall plan for this area within the greater community. Allowing this use would make the area more consistent with the Heart of Triad Area Plan. The issue is not whether the proposed use fits precisely into the business support category or the overlapping definition of business center, but rather, the focus should be on the fact that the current agricultural use of the greater area does not fit into those descriptions at all. Therefore, approval of the rezoning today would make the area more consistent with the Heart of the Triad Area Plan. They ask that this rezoning request be approved and allow this successful business to continue to thrive in Guilford County, which would continue the transition that the County started seeking long ago.

In response to questions concerning what some of the outbuildings were, Chair Donnelly asked the applicant to come forward.

Bill Angel, 423 Farley Drive, the applicant, stated that the outbuildings are the shop and adjacent to that to the north of it was a shed, from when they farmed the land. To the left side is a stick barn and a car shed. There are also three small car lots that his dad used, and there is another shop on the other side of the house. His dad was a mechanic for many years and had several buildings for different uses until he passed away. He continues to use the large shop that is located in Forsyth County.

Mr. Bell stated that the way that the Tax Department works is that there may be a parcel that shows up or part of a parcel that shows up in both counties,

but it was described to him as there is a gentlemen's agreement that maybe Forsyth will decide to tax it or Guilford may decide to tax it. Currently, it is being taxed in Forsyth County.

Counsel Cost stated that they would be willing to consider a condition that moved the line that does not take all of both of the properties or possibly table this to another meeting for them to fully understand everything that is involved and what that would mean for the required buffers and all of that.

In response to a question concerning whether the signed petition should be certified or notarized, Counsel Leslie-Fite stated that these particular signatures are not required to have notarized signatures of that type, the signatures are just taken as information and guidance that has been tendered.

Scott Murray, 5543 Macy Grove Road, stated that he did sign the petition, and he does agree with it. He does have the longest border on the east side, and he does have concerns about the area because it has been a mess for many, many years. He is curious about this being spot zoning, and he doesn't understand why the entire area wouldn't be at least available to be rezoned. He does support Mr. Angel's request.

Mr. Gullick asked Mr. Angel if he felt that he needed more time on this to come at it from other angles? Mr. Angel responded that if they just do the larger parcel, as far as the driveway, it would come in from an abutting property, and they have used that driveway for a very long time, and it would be hard to put a buffer there. But, if he does that, he wouldn't be able to use the shop.

Counsel Cost advised Mr. Angel to table that, if it came to suggesting a condition, simply because they have not analyzed what the buffer and planting requirements would be under that new proposal. They would also need to consider the legal ramifications and the economic ramifications first.

Mr. Craft said, just for historical perspective, this property was farmed and was used for mechanical purposes, and over time, the farming went away, and the mechanical part grew. At what point were vehicles starting to be stored on the property in significant numbers? Mr. Angel stated that was about 20 years ago.

Counsel Cost added that this is not a legal quandary that they set up; this has been a very difficult situation to navigate on this County line, and nobody knows about complying with two different UDOs, to the extent that staff is not able to enforce buffers, he doesn't know a way around that in a conditional zoning request. They are certainly willing to comply with the conditions and do whatever they can to get this rezoning approved.

Chair Donnelly asked, as a suggestion, if it would be more acceptable to his colleagues if there was a planted berm, and that way to have any consideration of all of these other barriers but have created something that they would have some confidence might provide the protection everyone is trying to provide. Mr. Angel stated that he has spoken with the neighbors about planting a type of tree that stays green and grows really fast, and he would certainly be agreeable to that. Mr. Cost asked if there is a way that they can officially propose that as a condition. Chair Donnelly stated that any new condition would have to be offered and approved by the Board members.

Mr. Gullick stated that one other suggestion might be to continue the case, allow them to figure out exactly what is needed to develop a new plan, and come back.

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

Crystal Ridge, 5529 Macy Grove Road, stated that they live adjacent to this property, and they support this business and are not in opposition to the request, but much of the discussion tonight pertaining the County line and the question there is very much of a concern. One moment, there will be berms, and then in another moment, they can't be enforced, so they are a little confused. She pointed out that the property lines on the maps shared are also very confusing and not where they thought they should be. They pay taxes in Forsyth County and have for the past 23 years.

Counsel Cost stated that the maps they provided were for demonstration purposes and because there is the uncertainty about where the line is and what that would mean for the buffer requirements.

Chair Donnelly asked if there was anyone wishing to speak in opposition to the request, and there being none, the public hearing was closed by acclamation.

Discussion:

Mr. Alston asked if he could entertain a motion to table this until a later meeting. It seems as though that there may be a few things that they need to work out, as far as the buffers and things of that nature. He feels that there needs to be a little more clarification.

Counsel Cost stated that they would certainly be willing to table the request; however, he is not aware of anything that they can provide in writing that is going to bind them by the Planning staff's interpretation, outside of Guilford County's jurisdiction. If they had another month, they would take that time

to consider just rezoning the Macy Grove property and talk about plans if there is anything else they can do to get this binding on them. They are willing to take that on, but that opportunity has not been presented to them.

Chair Donnelly stated that it is his understanding that Mr. Alston wanted to make the motion to table this request. Mr. Alston affirmed that was correct.

Leslie Bell stated that he would ask for consideration in accordance with the Ordinance to say, "up to two (2) months" because they still have to juggle a few things with existing cases.

Mr. Gullick stated that he would second Mr. Alston's motion.

Chair Donnelly stated that the motion that is on the table is to continue this request for up to two (2) months to allow for some additional work on conditions and options to be brought back at that point in the future, seconded by Mr. Gullick.

Mr. Little stated that he was unsure whether their counsel was saying that they can come back with something if they work with staff or not? Mr. Gullick stated that he felt it would be helpful if the neighbors would come and speak on this matter. Rev. Drumwright stated that it was his understanding that was why they signed the petition.

Mr. Alston stated that there was one witness here who stated that he had signed the petition, but he didn't really understand what he was signing. That was a red flag for him, and he would like to hear back from some of the other neighbors as to whether they are clear about what is being presented and requested. Rev. Drumwright pointed out that that was not a requirement and before this applicant is sent back, what happens if those neighbors decline to attend the next time? The gentleman that spoke earlier, as a neighbor, did clarify that he has not changed his support, even after hearing all that he had heard tonight. He feels that should be taken into consideration also. In addition, the applicant has said there's really not anymore that they can do, even given more time.

Counsel Leslie-Fite stated that there has been a motion and a second, but no vote has been registered as yet. She asked them to be clear about a date-certain motion, if they could. Mr. Bell interjected that he knows what is on the schedule for the next couple of months, and there are already two (2) special meetings to do. Staff still sends notices out to the public because some people may not be here, and they need to be here. He would much prefer that they have the latitude of when to do that, and they would send notices out because they normally do that anyway. He would prefer that it be stated as "up to two (2) months" rather than a date-certain motion.

Mr. Gullick stated that when he made the statement about bringing neighbors in for the meeting, that is certainly not a requirement, and that was not his intention to make it sound like that. That was just simply for discussion.

Chair Donnelly stated that there is a motion on the table and properly seconded to continue the request for up to two (2) months. He asked for a roll-call vote. The Board voted 2-5 and the motion to continue was denied (Ayes: Alston and Gullick. Nays: Craft, Drumwright, Little, Stalder and Donnelly). Therefore, the motion to continue was denied and the case continued to be heard.

Discussion:

Mr. Craft stated that areas redevelop when landowners get together or developers come in and consolidate land and create office parks and business centers. This is a well-established business in this area and has evolved and grown, and it is generally supported by the area. It is the type of business that is extremely limited in the zoning. This is not opening up the Light Industrial genie bottle. This is not an unusual business right off a major highway and interstate.

Mr. Little stated that he is very familiar with this area, and it goes well with the area, and it is a very limited type of business.

Rev. Drumwright stated that counsel did a great job of presenting the information to the staff's recommendation to not approve it, but he feels that the proposed use is well within the description of the use of this particular property. He would support the request with the added conditions.

Mr. Stalder stated that he would support Mr. Craft's motion. He is fearful that not rezoning this now, it would lead to something where the area ends up in limbo and doesn't end up developing at all. The existing use has outgrown the AG zoning in the area.

Chair Donnelly pointed out that having a business there is something that is valuable for the community and could be considered reasonable and in the public interest. This is a relevant consideration in what the Board does here. This does not fit neatly into a box, and there are some challenges associated with the County line here. There are buffers and protections that will help those neighbors, and it sounds like there may also be some in the adjoining jurisdiction. The conditions articulated here seem to address the concerns of some of the neighbors. He will be inclined to support the request.

Mr. Craft moved to approve this zoning map amendment located on Guilford County Parcels # 169155 and 227088 from AG to CZ-LI and noted that

although this approval does not amend the Airport Area Plan, as the requested action is consistent with that plan, it does amend the Heart of the Triad Area Plan recommendation to Business Support. The zoning map amendment and associated Heart of the Triad Area Plan amendment are based on the following changes and conditions of the Heart of the Triad Area Plan; this is an existing use that has operated here for many years close to a major highway and generally supported by surrounding residents in an area that is evolving with many different types of uses. This amendment is reasonable and in the public interest because it helps coordinate Comprehensive Planning efforts with Greensboro, High Point, incorporated towns, and neighboring counties to promote thoughtful and complementary land development patterns and policies. Mr. Stalder seconded the motion. The Board voted 6-1 in favor of the motion, and the request was granted (Ayes: Donnelly, Alston, Craft, Drumwright, Stalder, Little. Nays: Gullick).

Mr. Alston asked to be excused from the remainder of the meeting as he has another engagement.

Mr. Craft moved to excuse Mr. Alston, seconded by Mr. Little. The motion was approved by acclamation.

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.

Aaron Calloway, Guilford County Planner, stated that WHEREAS, pursuant to NC. General Statute 153(a)-239.1, Notices were posted for the Public Hearing for 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.

Chair Donnelly opened the public hearing and asked if there was anyone wishing to speak on this matter.

Cathy Richmond, 3707 Cleggsmith Road, stated that she just bought this property from the Cleggsmiths, and she would like for the road to be

renamed for her family as Richmond Jones Lane. There is another neighbor who has their mailbox sitting on that side of the road, but who actually lives on Wiley Lewis Road. He has already signed the petition, and she has met with other neighbors, and no one has any objections.

Chair Donnelly asked if there was anyone else wishing to speak on this matter, and no one came forward. Therefore, the public hearing was closed by acclamation.

Rev. Drumwright moved to adopt the road renaming petition, as presented, seconded by Mr. Gullick. The Board voted unanimously, 6-0-1, in favor of the motion (Ayes: Donnelly, Gulick, Little, Stalder, Craft, Drumwright. Nays: None. Excused: Alston).

Evidentiary Hearing Item(s)

B. SPECIAL USE PERMIT CASE #24-05-PLBD-00084: ENERGY SUBSTATION (MAJOR UTILITY): 1872 ANDREWS FARM RD (CONTINUED TO OCTOBER 2 - SPECIAL MEETING)

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.

VIII. Other Business

Comprehensive Plan Update

Leslie Bell stated that the Comprehensive Plan public review and comment period has been extended until August 31, 2024, and it is available on the County's website for any responses.

On August 21, there will be a legislative hearing on approximately 1,000 acres de-annexed from Summerfield. Members may have received or should receive information on this hearing via US Mail. Chair Donnelly also indicated that there will be a Zoom option for those who want to listen and/or watch virtually.

IX. Adjourn

There being no further business before the Board the meeting adjourned at 8:23 P.M.

A called special meeting will take place August 21, 2024.

The next regular meeting will take place September 11, 2024.

(Insert Color Paper)



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board
Easement Closing
Petition

Date Submitted: 08/13/24 Fee **\$266.00** Receipt #: 019182-2024 Case Number: 24-08-PLBD-00090
(includes \$26 recording fee)

The undersigned, being the owner(s) of the property abutting the easement, or portion of said easement, described below request(s) that said easement be closed and removed from dedication.

The easement on the property located at 1458 NC Highway 61

As recorded in Plat Book 185 Page 85 in Rock Creek Township. Also refer to attached map.

The following utility companies have installed facilities within the easement: N/A

Electric _____ Natural Gas _____

Phone _____ Cable Television _____

The following utility companies that provide service or would provide service in the area do not have facilities installed within the easement:

Electric _____ Natural Gas _____

Phone _____ Cable Television _____

All companies, regardless of availability of services in the area, listed above must provide the applicant with a written statement on company letterhead that they have no objection to the easement being closed. Contact must be made by the applicant. Refer to the Area Utility List for utility company contacts.

According to North Carolina General Statue 153A-241, the Planning Board may close the easement if the closing of said easement is not contrary to the public interest.

Petitioners:

	Name	Address
1.	<u>Peacehaven Farm Inc.</u>	<u>1458 Highway NC 61 Whitsett, NC 27377</u>
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____

Additional sheets for petitioners are available upon request.

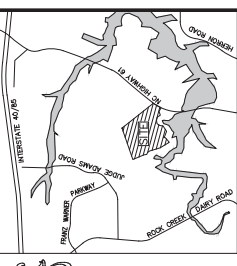
YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted By:

Neal Sharpe
Contact Name

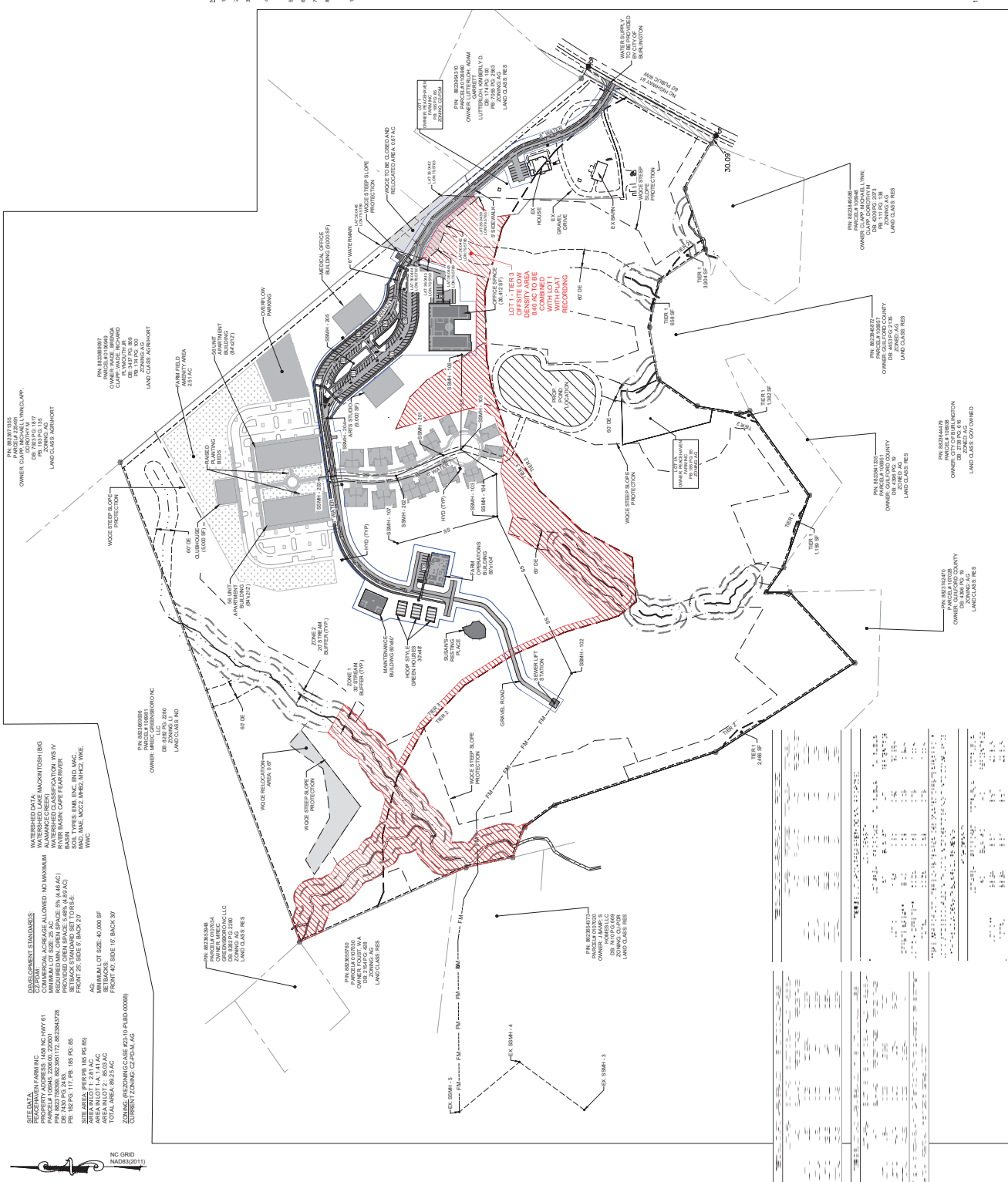
1458 NC-61 Whitsett, NC 27377
Address

204-582-8851
neal.sharpe@peacehavenfarm.org
Contact Phone #/Email



- NOTES:**
1. THE PROPOSED LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

- PERMANENT CONTROL MEASURES MAINTENANCE RESPONSIBILITY:**
- 1. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 2. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 3. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 4. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 5. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 6. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 7. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 8. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 9. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 10. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 11. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE
 - 12. ALL ALLOWABLE USES TO BE INCLUDED EXCEPT ROOMINGHOUSE IS OR MORE



(This page intentionally left blank.)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**RESOLUTION OF INTENT
TO CLOSE AN EASEMENT(S)**

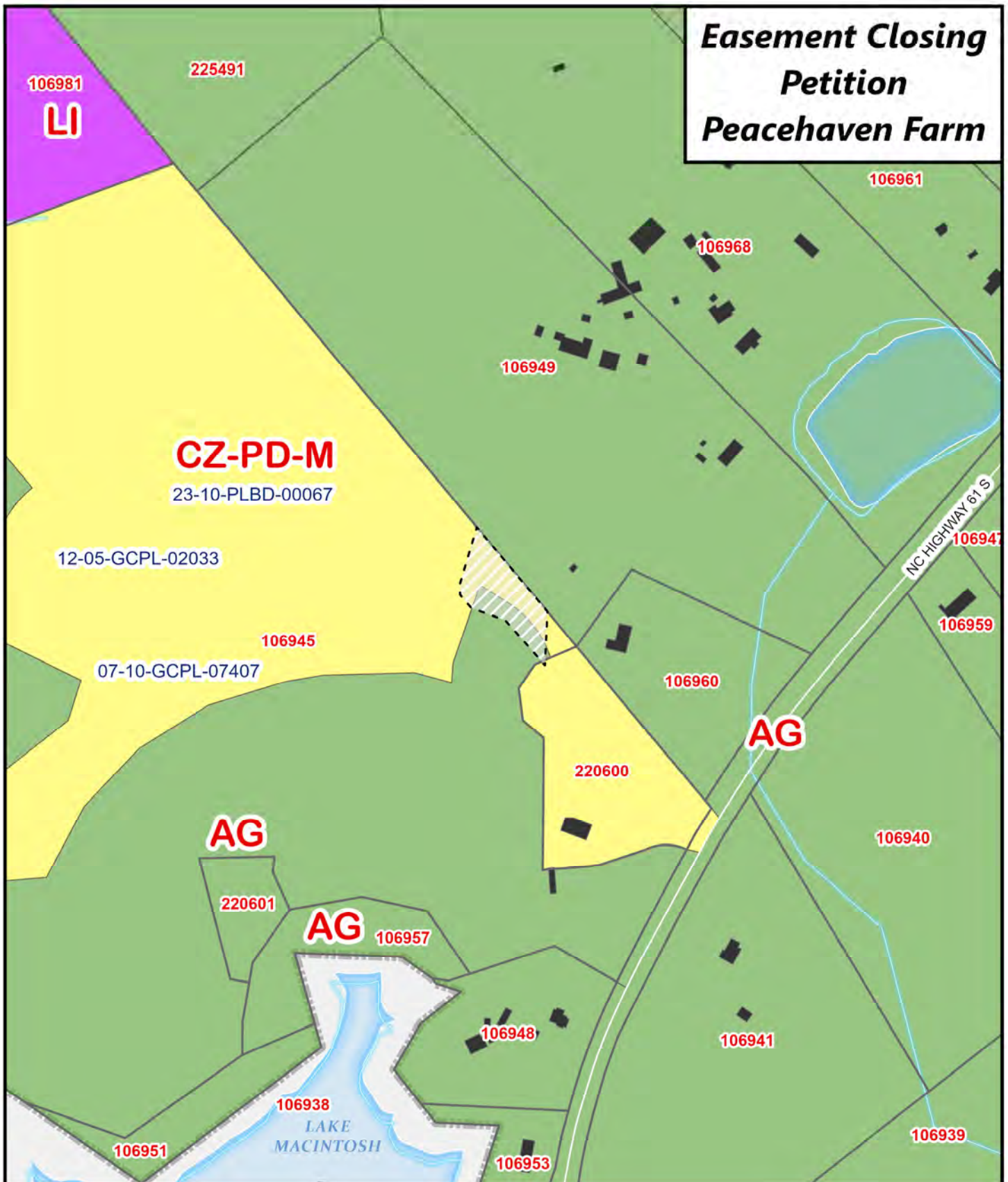
WHEREAS, a petition has been filed, pursuant to G.S. 153A-241, requesting the Board to close and remove from dedication the following described easement(s):

**RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #24-08-
PLBD-00090: 1458 NC HWY 61 S**

Request to adopt a Resolution of Intent to schedule a legislative hearing for October 9, 2024, as presented herein, to close approximately 0.67 acres of a water quality control easement, located on Lot 2 as shown on Plat Book 185, Page 85 and located in Rock Creek Township on Guilford County Tax Parcel #106945, approximately 1.5 miles south-southwest of the overpass of NC Highway 61 South over Interstate 85 North / 40 East..

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of this Board to close said easement(s) to public use, and that a public hearing on this request will be held on the 9th day of October, 2024, at 6:00 PM at the NC Cooperative Extension-Agricultural Center located at 3309 Burlington Road, Greensboro, NC 27405, at which time the Board will hear all interested citizens and make a final determination as to whether the easements(s) shall be closed and removed from dedication.

Easement Closing Petition Peacehaven Farm



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

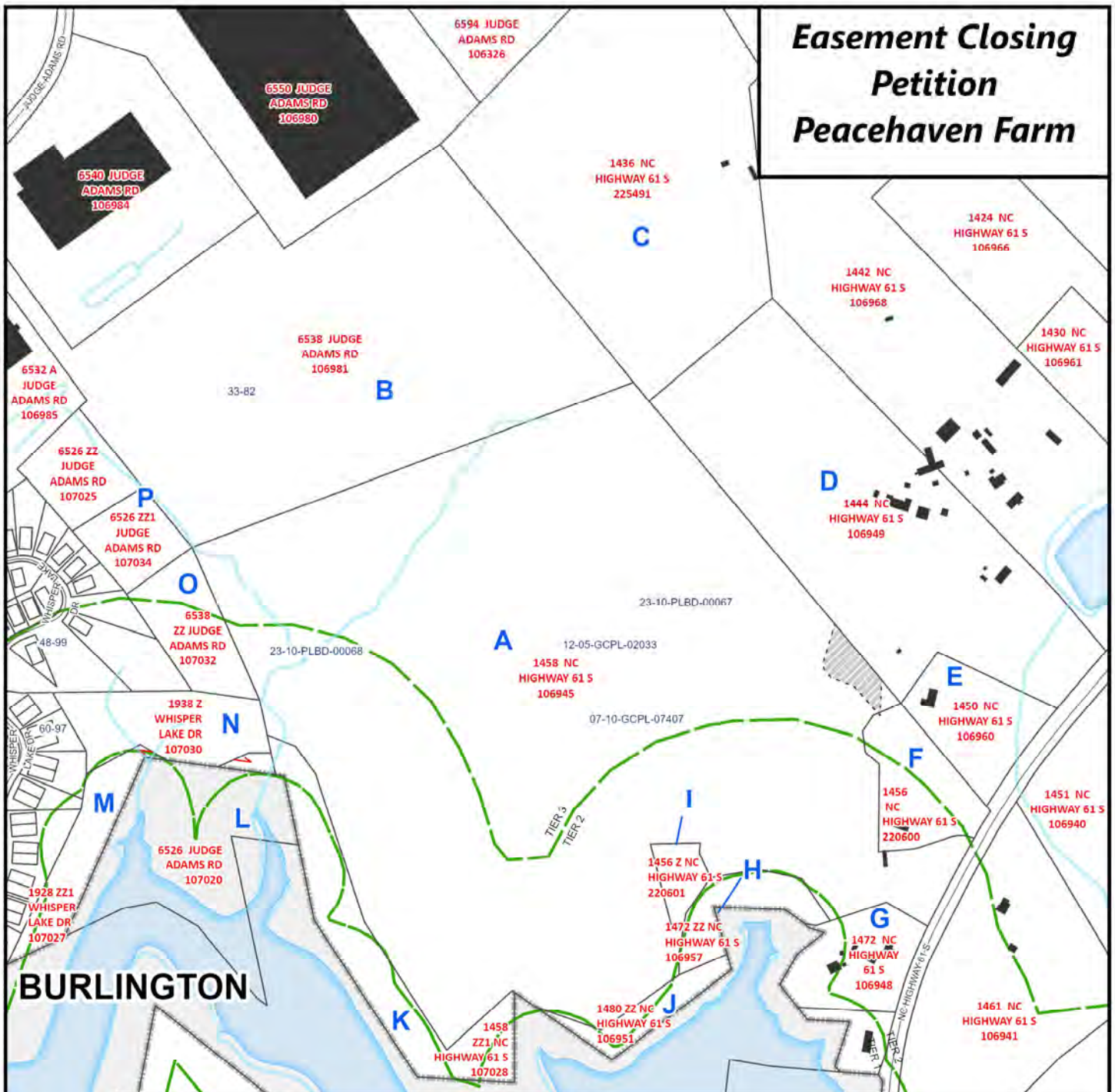
Case Number:
24-08-PLBD-00090

Case Area:
Parcel - 106945
1458 NC Highway 61 S



Scale: 1" = 300'

Easement Closing Petition Peacehaven Farm



- A. PEACEHAVEN FARM INC
- B. MREIC GREENSBORO NC LLC
- C. CLAPP, MICHAEL LYNN; CLAPP, DOROTHY M
- D. WADE, BRENDA CLAPP; WADE, RICHARD PLYMOUTH JR
- E. LUTTERLOH, ADAM GARRETT; LUTTERLOH, KIMBERLY D
- F. PEACEHAVEN FARM INC
- G. CLAPP, MICHAEL LYNN; CLAPP, DOROTHY M
- H. GUILFORD COUNTY

- I. PEACEHAVEN FARM INC
- J. GUILFORD COUNTY
- K. GUILFORD COUNTY
- L. CITY OF BURLINGTON
- M. GUILFORD COUNTY
- N. WHISPER CREEK AT WATERBURY HOMEOWNERS ASSOCIATION INC
- O. FOUST, W A
- P. MREIC GREENSBORO NC LLC



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

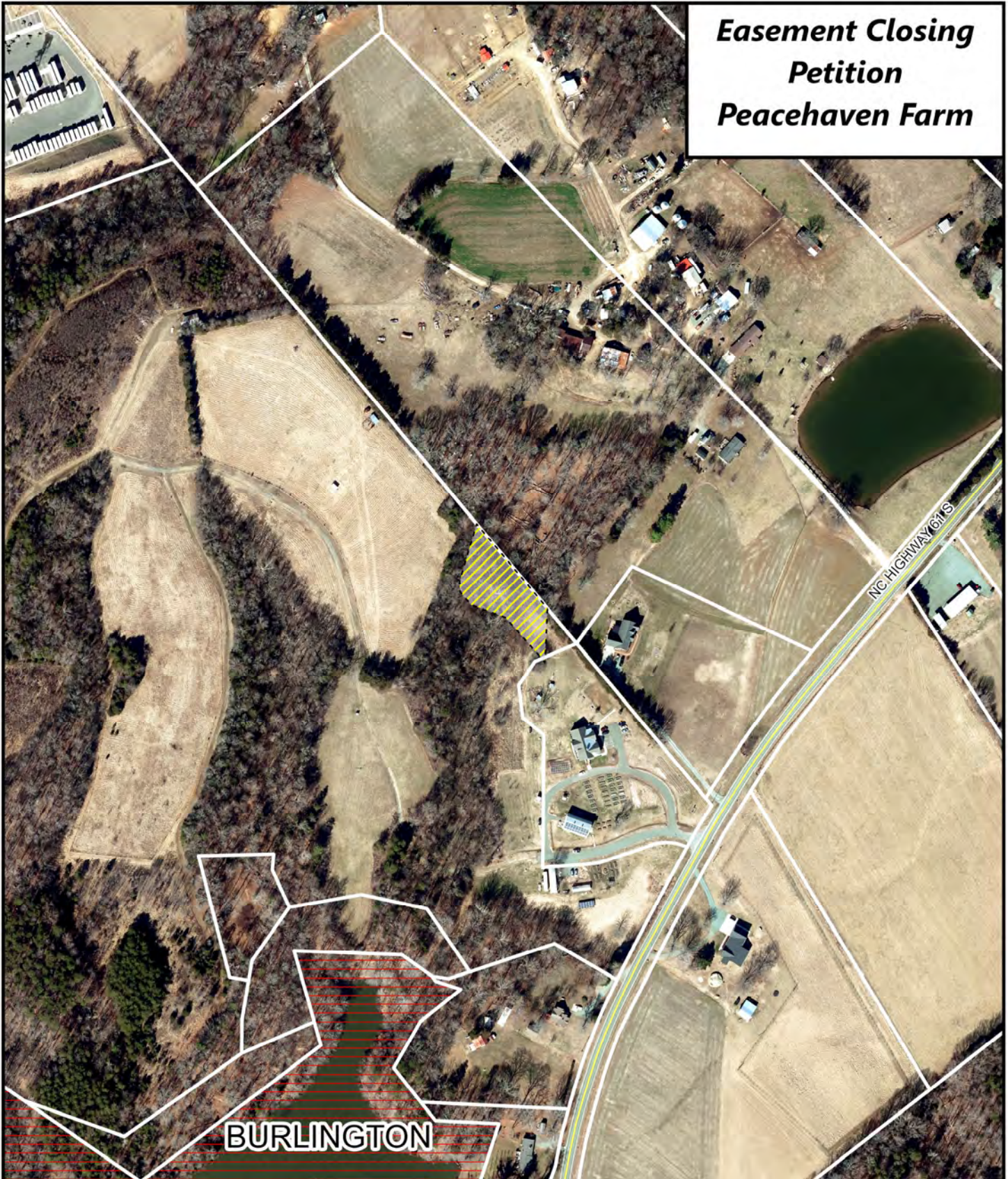
Case Number:
24-08-PLBD-00090

Case Area:
Parcel - 106945
1458 NC Highway 61 S



Scale: 1" = 500'

**Easement Closing
Petition
Peacehaven Farm**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
24-08-PLBD-00090

Case Area:
Parcel - 106945
1458 NC Highway 61 S



Scale: 1" = 300'

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Conditional Rezoning
Application**

Fees: < 1 acre: \$750.00 1-4.99 acres: \$1,200.00 5-24.99 acres: \$1,500.00 25+ acres or Planned Unit Development: \$2,000.00

Date Submitted: 7/26/2024 Receipt # 018743-2024 Case Number 24-07-PUBD-00089

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 CZ-LB zoning district to the CZ-LB zoning district.

Said property is located at 4710 Hicone Road, Greensboro, NC 27405

in Monroe Township; Being a total of: 1.59 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 126901

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 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 DEPARTMENT

October 12, 2006

James O. Hudgins
4710 Hicone Road
Greensboro, NC 27405

RE: REZONING CASE #06-09-GCPL-04709

Following a public hearing on October 11, 2006, the Guilford County Planning Board approved your request to rezone the following property from AG to CU-LB:

Located on the south side of Hicone Road (SR 2565) approximately 890 feet west of Eckerson Road (SR 2790) in Monroe Township. Being Guilford County Tax Map 4-193, Block 440-N, Parcel 20, approximately 1.97 acres. Greensboro Watershed.

Use(s): All uses permitted in the LB District excluding Billiard Parlors, Fortune Tellers, Astrologers, Convenience Stores, Kennels or Pet Grooming Services, Veterinary Services, Junked Motor Vehicles, and Land Clearing and Inert Debris Landfills.

Condition(s):

1. Building materials on fascia of any building shall be brick or masonry.
2. Any outside lighting shall be directed away from adjoining residential property.
3. Along the adjacent property line with residential property, an opaque fence and/or earth berm shall be constructed and maintained.
4. Within any planting area along the adjacent property line of any residential property, the plantings shall be evergreen vegetation to provide a buffer.
5. One monument sign shall be permitted at the street.

This decision is final unless it is appealed by 5:00 pm on October 26, 2006. Please contact the Planning and Development Department for the fee and form required to file an appeal. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

Very truly yours,

Leslie P. Eger, Secretary
Guilford County Planning Board

/1

cc: Effie Varitimidis, Clerk to Board of County Commissioners
Post Office Box 3427, Greensboro • North Carolina 27402
Telephone: (336) 641-3334



**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) All uses permitted in the LB District, excluding Billiard Parlors, Fortune Tellers, Astrologers, Kennels or Pet Grooming Services, Veterinary Services, Junked Motor Vehicles, and Land Clearing and Inert Debris Landfills. (same as prior zoning save that convenience stores will be allowed going forward)

minor AP

2)

3)

4)

Development Conditions

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

- 1) ~~Not applicable~~ Conditions met for prior Rezoning case #06-09-6CPL-04709. see Exhibit A attached for list of conditions. AP

2)

3)

4)

**A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND
YOU OR SOMEONE REPRESENTING YOU IS ENCOURAGED TO 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,

Ajay Patel
Property Owner Signature

Ajay Patel, as Manager for AMJB, LLC
Name

AMJB, LLC
Mailing Address

3020 Colony Drive, Jamestown, NC 27282
City, State and Zip Code

City, State and Zip Code

336-259-4482
Phone Number

AJAYHPATEL5@gmail.com
Email Address

David L. Cecil
Owner/ Representative/ Applicant Signature (if applicable)

David L. Cecil
Name

407 Ferndale Blvd
Mailing Address

High Point, NC 27262
City, State and Zip Code

City, State and Zip Code

(336) 883-8303
Phone Number

dcecilececil@attorneys.com
Email Address

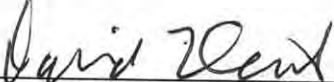
Additional sheets for conditions and signatures are available upon request.

Supplement to Conditional Rezoning Application
for AMJB, LLC
4710 Hicone Road, Greensboro, NC 27405

For clarification in above referenced Application, the following Use and Development Conditions are sought pursuant to the current planning and zoning regulations:

Use Condition – All uses permitted in the LB District, excluding: (1) Billard Parlors (Other Indoor Uses Not Listed); (2) Fortune Tellers (Personal Service); (3) Astrologers (Personal Service); (4) Kennels or Pet Grooming Services; (5) Veterinary Services (Animal Services); (6) and Land Clearing and Inert Debris Landfills, Minor. (Same use condition as the reference case save that convenience stores will be allowed)

Development Conditions – (1) Building materials on fascia of any building shall be brick or masonry. (2) Any outside lighting shall be directed away from adjoining residential property. (3) Along the adjacent property line with residential property, an opaque fence and/or earth berm shall be constructed and maintained. (4) Within any planting area along the adjacent property line of any residential property, the plantings shall be evergreen vegetation to provide a buffer. (5) One monument sign shall be permitted at the street. (Same development conditions as the reference case)


David L. Cecil, as attorney for AMJB, LLC

8-13-2024
Date

CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING-LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING-LIGHT BUSINESS: 4710 HICONE ROAD

Property Information

Located at 4710 Hicone Road (Guilford County Tax Parcel #126901 in Monroe Township) approximately 250 feet east of the intersection of Hicone Road and Rankin Mill Road and comprises approximately 1.59 acres.

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

Nature of the Request

This is a request to conditionally rezone the property from CZ-LB, Conditional Zoning-Limited Business to CZ-LB Amended (reference case #06-09-GCPL-04709) to allow **convenience stores** as a permitted use (all other existing use and development conditions will remain) with the following conditions:

Use Condition – All uses permitted in the LB District, excluding: (1) Billiard Parlors (Other Indoor Uses Not Listed); (2) Fortune Tellers (Personal Service); (3) Astrologers (Personal Service); (4) Kennels or Pet Grooming Services; (5) Veterinary Services (Animal Services); (6) and Land Clearing and Inert Debris Landfills, Minor (Same use condition as the reference case save that convenience stores will be allowed.)

Development Conditions – (1) Building materials on fascia of any building shall be brick or masonry. (2) Any outside lighting shall be directed away from adjoining residential property. (3) Along the adjacent property line with residential property, an opaque fence and/or earth berm shall be constructed and maintained. (4) Within any planting area along the adjacent property line of any residential property, the plantings shall be evergreen vegetation to provide a buffer. (5) One monument sign shall be permitted at the street. (Same development conditions as the reference case)

District Descriptions

The **LB, Limited Business District** is intended to accommodate low-intensity office and retail services in a rural setting. This district serves nearby neighborhoods with basic convenience goods and services. It is typically located at the intersection of local collectors or thoroughfares. Pedestrian and vehicular access should be provided.

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.

Character of the Area

The subject property abuts a commercial plaza to the west along the intersection of Hicone Road and Rankin Mill Road zoned CD-C-L, Conditional District Commercial-Low within the City of Greensboro. North of Hicone Road, across from the subject property, is a church on a lot split zoned PI, Public and Institutional, and RS-3, Residential, and the Briar major subdivision zoned RS-3. The parcel east of the subject property is vacant and falls under the same CZ-LB zoning as the subject parcel. Abutting the subject lot to the south are lots within the Burlwood major subdivision, zoned RS-30.

Existing Land Use(s) on the Property: Developed commercial plaza.

Surrounding Uses:

North: Single-family residential and place of worship
South: Single-family residential
East: Vacant
West: Commercial

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

Cemeteries: No cemeteries are shown to be located on or adjacent to the subject property, 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: Fire District 13
Miles from Fire Station: Approximately 3 miles

Water and Sewer Services:

Provider: Greensboro
Within Service Area: Yes
Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Hicone Road is a major thoroughfare under the 2005 Greensboro Urban Area MPO Thoroughfare Plan with annual average daily traffic (AADT) of 4,400 vehicles per the 2023 NCDOT traffic count.

Proposed Improvements: There are currently no proposed road improvements in the area. New development would be subject to an NCDOT driveway permit.

Projected Traffic Generation: Not available.

Environmental Assessment

Topography: Gently sloping.

Regulated Floodplain/Wetlands: No regulated floodplain exists on the site per the Effective FIRM. No mapped wetlands exist on site per NWI.

Streams and Watershed: No mapped streams on site per USGS and/or Soil Survey Map of Guilford County.

Land Use Analysis

Land Use Plan: Northeast Area Plan

Plan Recommendation: Light Commercial

The **Light Commercial, LC**, designation is intended to recognize land currently zoned, or recommended to be zoned, Limited Business (LB), Neighborhood Business (NB), and Limited Office (LO).

Consistency: The proposed rezoning is consistent with the recommendation of Light Commercial under the Northeast Area Plan and with Objective 1.5 and Policy 1.4.3 of the Future Land Use Element of Guilford County's Comprehensive Plan which state:

- Objective 1.5 - Recognize and respect the unique characteristics of Guilford County's unincorporated and emerging communities.
- 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.

Recommendation

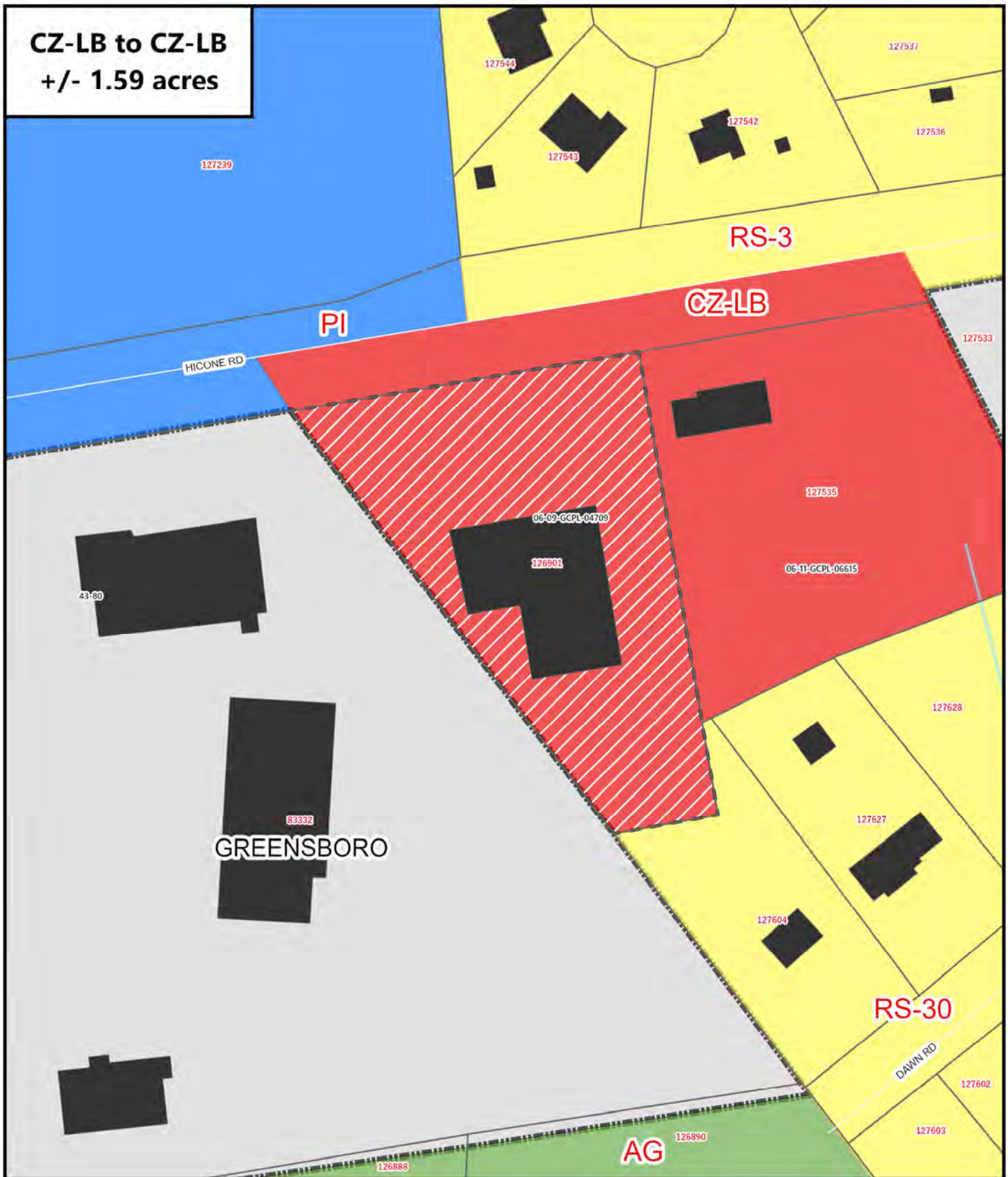
Staff Recommendation: Approval

The request to conditionally rezone the subject parcel from CZ-LB to CZ-LB amended is reasonable and in the public interest because it is consistent with the Comprehensive Plan and the amendment to the conditions of the reference case (#06-09-GCPL-04709) would only alter the permissibility of convenience stores as a use. The convenience store at the location has been in business since 2008 without complaint.

Area Plan Amendment Recommendation:

The proposed rezoning is consistent with the Guilford County Northeast Area Plan recommendation of Light Commercial. If the request is approved, no land use plan amendment will be required.

**CZ-LB to CZ-LB
+/- 1.59 acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

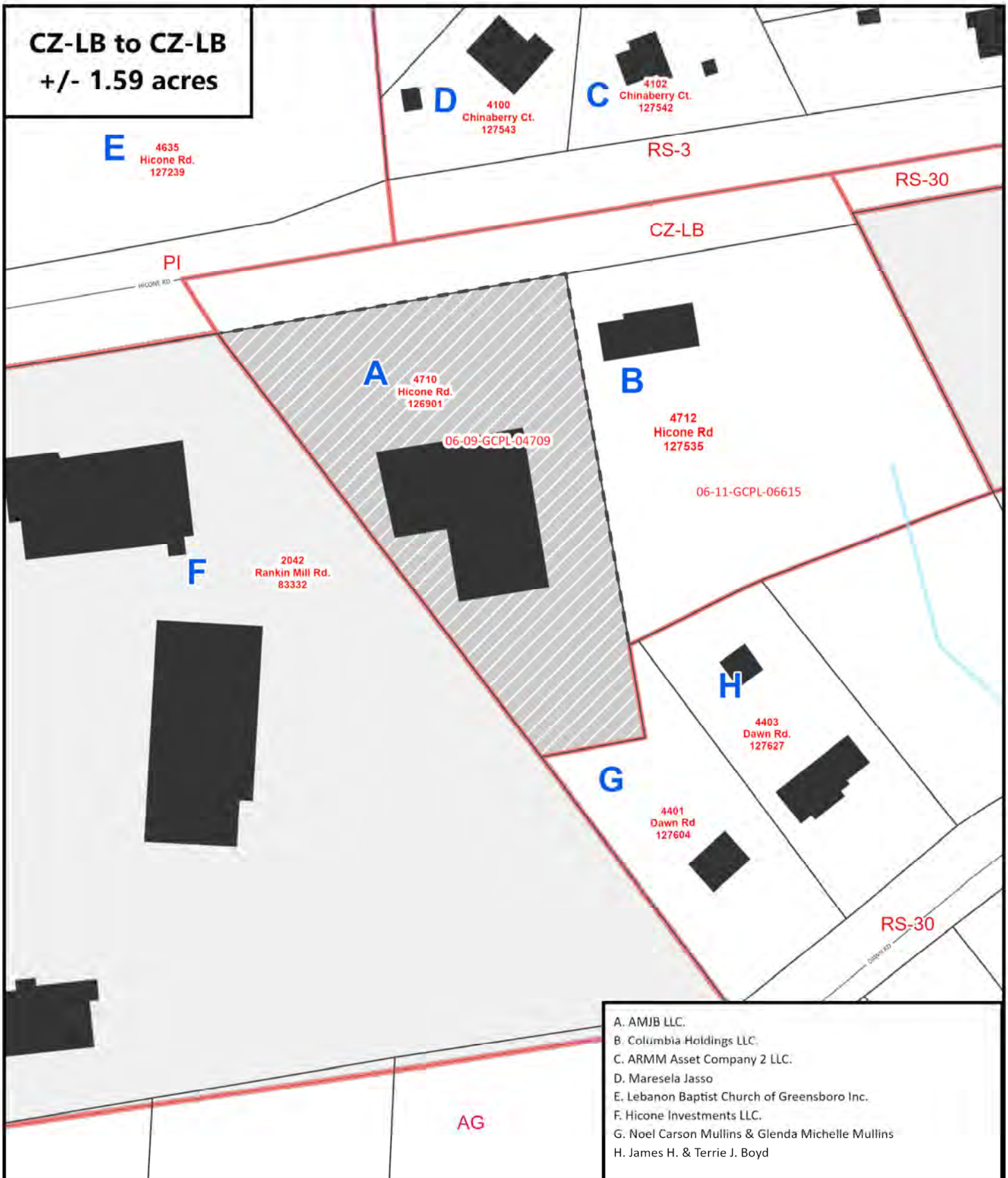
Case Number:
CZ 24-07-PLBD-00089

Case Area:
Parcels - 126901
4710 Hicone Rd Greensboro 27405



Scale: 1" = 100'

CZ-LB to CZ-LB
+/- 1.59 acres



- A. AMJB LLC.
- B. Columbia Holdings LLC.
- C. ARMM Asset Company 2 LLC.
- D. Maresela Jasso
- E. Lebanon Baptist Church of Greensboro Inc.
- F. Hicone Investments LLC.
- G. Noel Carson Mullins & Glenda Michelle Mullins
- H. James H. & Terrie J. Boyd



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
CZ 24-07-PLBD-00089

Case Area:
Parcels - 126901
4710 Hicone Rd Greensboro 27405



Scale: 1" = 100'

CZ-LB to CZ-LB
+/- 1.59 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

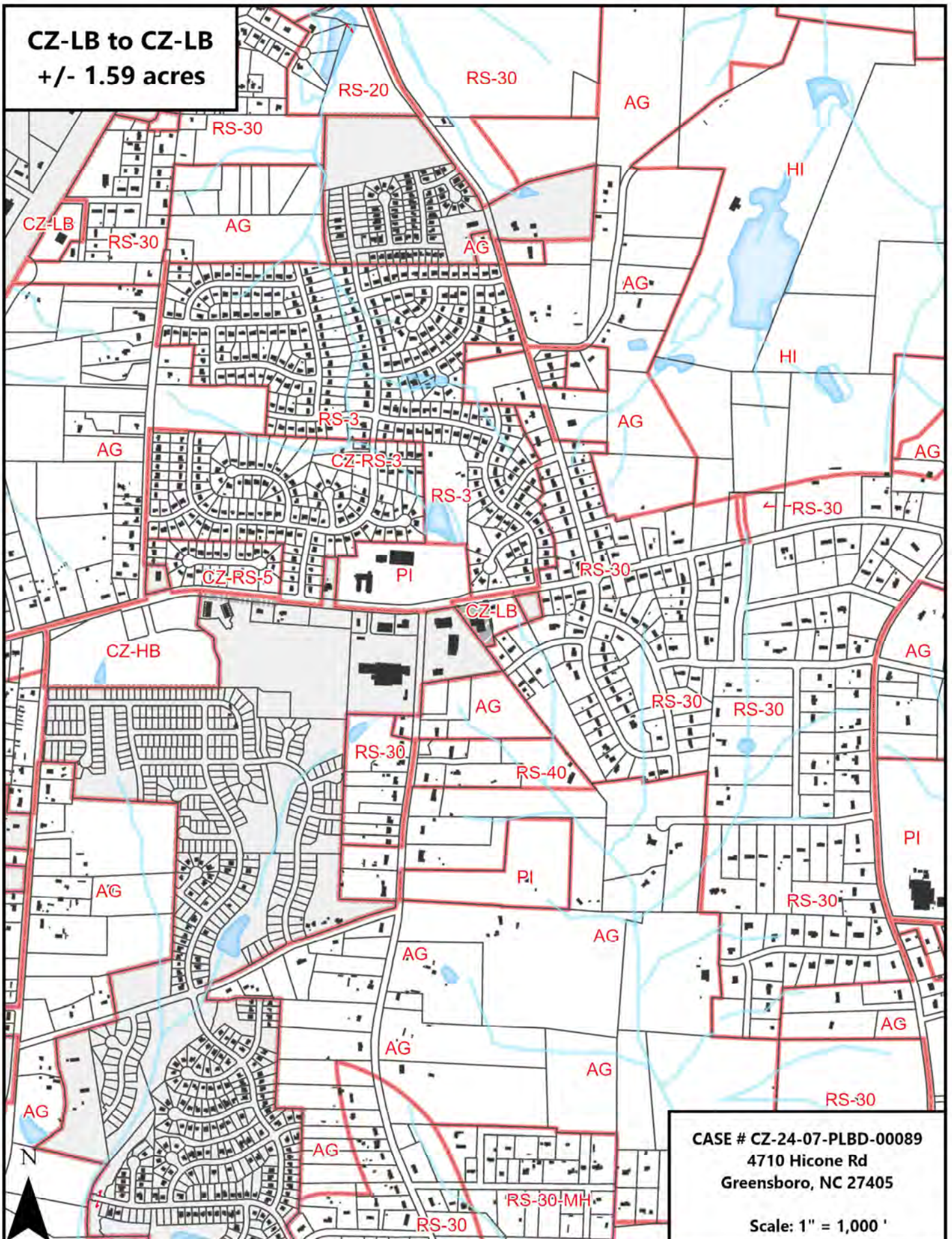
Case Number:
CZ 24-07-PLBD-00089

Case Area:
Parcels - 126901
4710 Hicone Rd Greensboro 27405



Scale: 1" = 100'

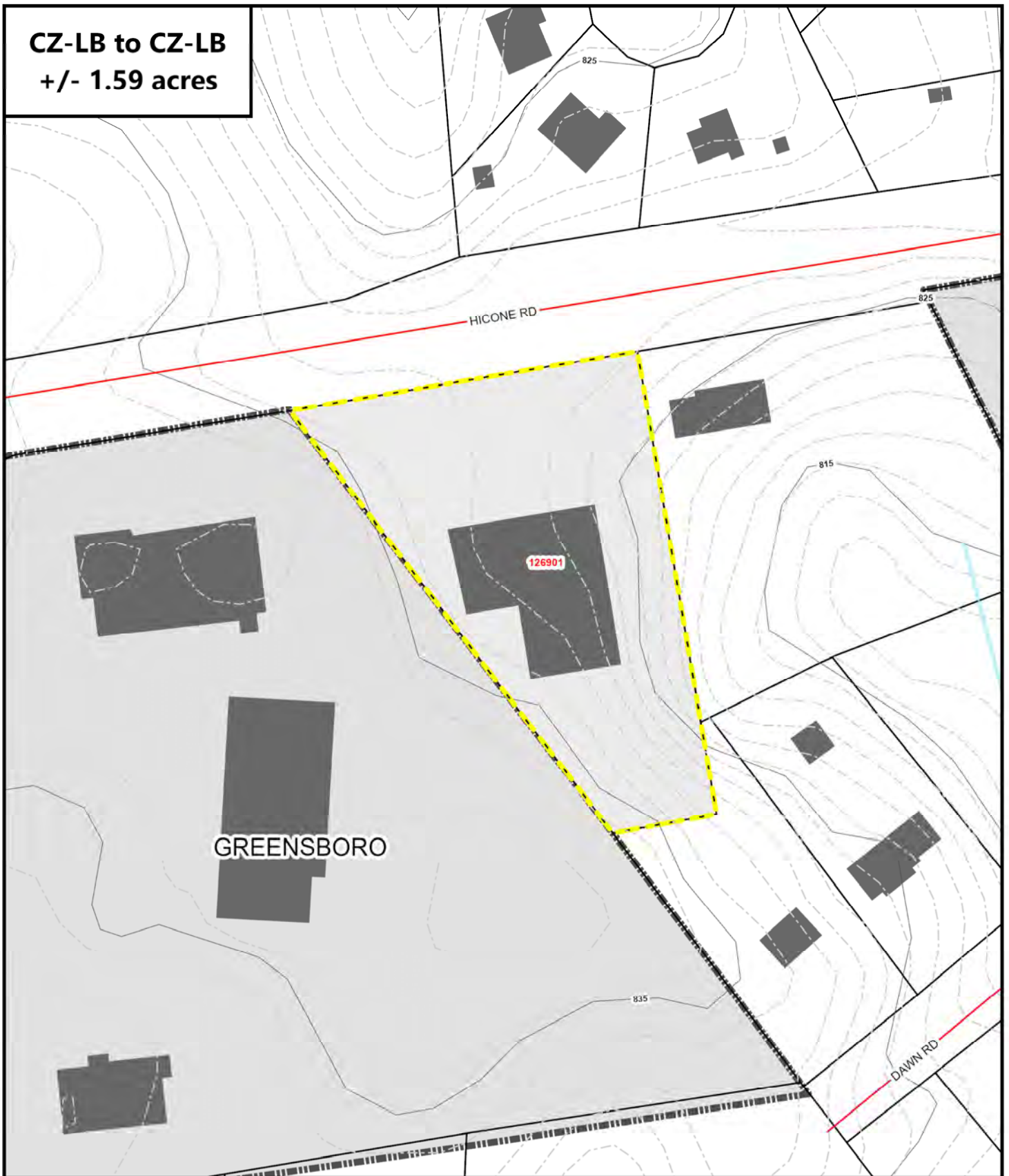
**CZ-LB to CZ-LB
+/- 1.59 acres**



CASE # CZ-24-07-PLBD-00089
4710 Hicone Rd
Greensboro, NC 27405

Scale: 1" = 1,000'

CZ-LB to CZ-LB
+/- 1.59 acres



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
CZ 24-07-PLBD-00089

Case Area:
Parcels - 126901
4710 Hicone Rd. Greensboro 27405



Scale: 1" = 100'

TABLE OF PERMITTED USES FOR LB ZONING DISTRICT

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

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

Struckthrough Text=Excluded uses proposed by applicant

Use Category	Use Type	LB
Agriculture/Animal Services	Animal Services (Other) (Veterinary Services)	D
	Townhouse Dwelling	P
	Caretaker Dwelling (Accessory)	D
Household Living	Multifamily Dwelling (including Condominium)	P
Recreation and Entertainment (Light)	Athletic Fields	P
	Physical Fitness Center	P
	Club or Lodge	P
	Public Park or Public Recreation Facility (incl. Indoor Batting Cages)	D
	Golf Course, Miniature	P
	Physical Fitness Center	P
Recreation and Entertainment (Heavy)	Theater (Outdoor)	D
Other Recreation and Entertainment Uses	Other Indoor Uses Not Listed (Billard Parlors)	P
Civic, Educational, and Institutional	Place of Worship	P
	Vocational, Business or Secretarial School	P
	Daycare Centers in Residence (In-Home) (12 or Less)	D
	Daycare Center (Not In-Home)	D
	Emergency Services	P
	Community or Social Service Agencies	P
	Fraternity or Sorority (University or College Related)	P
	Government Office	P
	Library	P
	Museum or Art Gallery	P
	Post Office	P
	Office (General)	P
	Medical or Professional Office	P
Business, Professional, and Personal Services	Personal Service (Fortune Tellers, Astrologers)	P
	Bank or Finance without Drive- through	P
	Bank or Finance with Drive- through	P
	Insurance Agency (Carriers and On-Site Claims Inspections)	P
	Kennels or Pet Grooming	D
	Laundromat or Dry Cleaner	P
	Studios-Artists and Recording	P
Lodging	Bed and Breakfast Home for 8 or Less Guest Rooms	D
	Retail (General)	P

TABLE OF PERMITTED USES FOR LB ZONING DISTRICT

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

Struckthrough Text=Excluded uses proposed by applicant

Use Category	Use Type	LB
Retail Trade	Convenience Store (with Gasoline Pumps)	P
	Service Station, Gasoline	P
	Bakery	P
Food Service	Restaurant (Without Drive-thru)	D
Funeral and Internment Services	Cemetery or Mausoleum	D
Transportation, Warehousing, and Wholesale	Beneficial Fill Area	D
Utilities and Communication	Wireless Communication Tower – Stealth Camouflage Design	D
	Small Cell Wireless Tower	S
	Utilities, Major	S
	Utilities, Minor	P
	Construction or Demolition Debris Landfill, Minor	D
Waste-Related Uses	Land Clearing & Inert Debris Landfill, Minor	D
General Industrial	Laundry or Dry Cleaning Plant	D
	Laundry or Dry Cleaning Substation	P
Special Events	Temporary Events/Uses	D

**CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING–
LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL
ZONING–LIGHT BUSINESS: 4710 HICONE ROAD**

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

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	N/A
Approve	Inconsistent	N/A
Deny	Consistent	#4

CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING-LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING-LIGHT BUSINESS: 4710 HICONE ROAD

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

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

I move to **Approve** this zoning map amendment located on Guilford County Tax Parcel #126901 from **CZ-LB** to **CZ-LB** Amended because:

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

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

CONDITIONAL REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING-LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING-LIGHT BUSINESS: 4710 HICONE ROAD

GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY

DECISION #2
DENY-INCONSISTENT
NO PLAN AMENDMENT

I move to **Deny** this zoning map amendment located on Guilford County Parcel #126901 from **CZ-LB** to **CZ-LB** Amended because:

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

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

GUILFORD COUNTY PLANNING BOARD
ZONING MAP AMENDMENT STATEMENT OF CONSISTENCY

DECISION #3
APPROVE-INCONSISTENT
PLAN AMENDMENT

I move to **Approve** this zoning map amendment located on Guilford County Parcel #126901 from **CZ-LB** to **CZ-LB** Amended because:

1. This approval also amends the **Northeastern Area Plan** [Applicable element of Comp Plan].
2. The zoning map amendment and associated **Northeastern Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Northeastern 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 REZONING CASE #24-07-PLBD-00089: CZ-LB, CONDITIONAL ZONING-LIGHT BUSINESS (CASE #06-09-GCPL-04709) TO CZ-LB AMENDED, CONDITIONAL ZONING-LIGHT BUSINESS: 4710 HICONE ROAD

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

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

I move to **Deny** this zoning map amendment located on Guilford County Parcel #126901 from **CZ-LB** to **CZ-LB** Amended because:

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

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

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

Limited Liability Company

Legal Name

AMJB LLC

Information

SosId: 1205635

Status: Current-Active ⓘ

Date Formed: 5/26/2011

Citizenship: Domestic

Annual Report Due Date: April 15th

Current**Annual Report Status:**

Registered Agent: Patel, Ajay

Addresses

Mailing

3020 Colony Drive
Jamestown, NC 27282-9005

Principal Office

3020 Colony Drive
Jamestown, NC 27282-9005

Reg Office

3020 Colony Drive
Jamestown, NC 27282-9005

Reg Mailing

3020 Colony Drive
Jamestown, NC 27282-9005

Company Officials

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

Member

Ajay Patel
3020 Colony Drive
Jamestown NC 27282

Member

Shital Patel
853 Cardiff Road
Naperville IL 60565

(Insert Color Paper)



GUILFORD COUNTY **PLANNING AND DEVELOPMENT**

Planning Board **Conditional Rezoning** **Application**

Fees: < 1 acre: \$750.00 1-4.99 acres: \$1,200.00 5-24.99 acres: \$1,500.00 25+ acres or Planned Unit Development: \$2,000.00

Date Submitted: 8/28/24 Receipt # No fees for County-initiated original zoning cases Case Number 24-08-PLBD-00093

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, RS, O/I, and BN zoning districts under the Town of Summerfield zoning district to the CZ-GB zoning district.

Said property is located at the US I-73 and Oak Ridge Road interchange, generally
in Bruce Township; Being a total of: 148.58 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # <u>149642, 149643, 149645, 149651,</u>	Tax Parcel # _____
<u>149653 149688, 149658, 150130,</u>	
Tax Parcel # <u>217566, 149659, and 149662</u>	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) All uses permitted in the GB District, except: (1) Homeless Shelter; (2) Country Club with Golf Course; (3) Fraternity or Sorority (University or College Related); (4) Cemetery or Mausoleum; (5) Truck and Utility Trailer Rental and Leasing, Light; (6) Bus Terminal and Service Facilities; (7) Taxi Terminal; (8) Construction or Demolition Debris Landfill, Minor; (9) Land Clearing & Inert Debris Landfill, Minor; (10) Electronic Gaming (Other Indoor Uses Not Listed); (11) Psychiatric Treatment Facilities (Hospital)
- 4) See Attached Correspondence

Development Conditions

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

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

**A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND
YOU OR SOMEONE REPRESENTING YOU IS ENCOURAGED TO 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,

Property Owner Signature

County-initiated

Name

400 W. Market St

Mailing Address

Greensboro, NC, 27401

City, State and Zip Code

336-641-3334

Phone Number

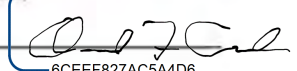
Email Address

Summerfield Acquisition LLC, Summerfield Retail LLC, Summerfield Oak Ridge Road LLC, Summerfield Oak Ridge Road LLC & Rachel S. Terrell, Summerfield Beeson LLC, Summerfield Professional Office LLC

Owner/ Representative/ Applicant Signature (if applicable)

David Couch

Signed by:


6CEE827AC5A4D6...

Name

David couch

Mailing Address

5826 Samet drove suite 105

City, State and Zip Code

High point nc 27265

Phone Number

Email Address

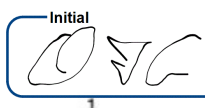
Additional sheets for conditions and signatures are available upon request.
3363624613

Oliver Bass

From: Misty McCall <misty@blueridgecompanies.com>
Sent: Friday, August 30, 2024 11:42 AM
To: Oliver Bass; J. Leslie Bell
Cc: David Couch; Terrell, Tom; Jim Grdich
Subject: Proposed Guilford County Zoning Exclusion Clarification

WARNING This email originated outside Guilford County's email system. *WARNING*
Do not click unrecognized links or attachments. When in doubt, use the Phish Alert Report button.

> Hi Oliver,
>
> Thank you for your time. We reviewed your current application.
>
> David is willing to condition these uses out of the zoning designation of CU-GB for the 11 parcels at the I-73 interchange.
>
> Shelter for the homeless
> Psychiatric hospital
> Bus terminal
> Cemetary or mausoleum
> Country club with a golf course
> Theater, Adult
> Landfills of any kind
> Fraternity or sorority
> Taxi terminal
> Truck & utility trailer rental and leasing, light
> Electronic gaming establishments and internet sweepstakes
>
> **David is willing to condition these uses from the Summerfield Zoning, yet they are not uses currently allowed in CU-GB in Guilford County
>
> Junked motor vehicles**
> Massage parlor **
> Live entertainment business adult **
> Ice manufacturing **
> Bookstore, adult**
>
> Thank you so much!
> Misty McCall
>
>
>

Initial

1



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

COUNCIL MINUTES AUGUST 13, 2019, 6:30PM, SFD COMMUNITY CENTER

The meeting was called to order at 6:30pm by Gail Dunham. Pastor Larry Kirby, of Summerfield First Baptist Church, provided the invocation, followed by the Pledge of Allegiance. The following were present:

Council

Gail Dunham, Mayor
Dena Barnes, Mayor Pro-tem
Dianne Laughlin
John O'Day (via telephone)
Teresa Pegram
Reece Walker

Staff

Scott Whitaker, Town Manager
Dee Hall, Finance Officer
William Hill, Town Attorney
Lance Heater, Town Clerk
Chris York, Town Planner

Upon motion by Barnes, seconded by Laughlin and carried 4-1 (Pegram opposed), O'Day was allowed to participate in the meeting by telephone, in accordance with Policy 2016-001. O'Day explained that he was away from the Town due to business needs.

CONSENT AGENDA

Pegram made a motion to amend the closed session minutes of 5/14 to attach an email from Dunham regarding the minutes. The motion died for lack of a second. Upon motion by Walker, seconded by Barnes and carried by a vote of 4-1 (Pegram opposed), the consent agenda was approved. It consisted of the meeting agenda, closed session minutes of 5/14, open and closed session minutes of 6/11 and Council budget amendment #1.

ANNOUNCEMENTS

Whitaker reminded those present of the music-in-the-park event scheduled for 8/24. Dunham noted upcoming Zoning Board UDO work sessions scheduled for 8/19 and 8/26.

EMERGENCY SERVICES REPORTS

- A. **Summerfield Fire District:** During July, the department responded to 25 fire calls, 73 EMS calls, and 23 other for a total of 121 incidents.
- B. **Guil. Co. Sheriff's Dept.:** During July, the department responded to 153 calls in District 1. There were 5 part-one crimes reported during the month. It was announced that George Moore was the new commander for District 1.

COMMITTEE / BOARD / EVENT REPORTS

- A. **Finance:** Hall reported that the Finance Committee had met 6/17 and had discussed the budget and investments.
- B. **Historical:** Gary Brown reported on the Committee's 6/27 and 7/25 meetings.

[Handwritten signature]



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

C. Trails & Open Space: Jane Doggett reported that the Committee is working on a scope of services prior to vetting vendors for the Trails & Open Space master plan.

ATTACHMENTS FOR COUNCIL'S INFORMATION

Council received the following information with no action being taken: committee minutes, event after-action reports, and the financial reports for June and July.

PUBLIC COMMENTS

Mike Lopez, 3104 Annry Drive, reported on the first meeting of the Citizen Advisory Committee (CAC) of the Piedmont Triad Airport Authority's (PTAA's) "PTI Noise Compatibility Planning Study." Four quarterly meetings are planned with the next meeting scheduled for October.

Beth Kaplan, 7979, Highfill Road, expressed appreciation regarding the US*220 sidewalk project and to the Town's volunteers.

Dwayne Crawford, 1106 NC-150 West, stated that statutory requirements relating to the rezoning scheduled for later in the agenda had not been met.

Zowie Knight, 1106 NC-150 West, stated that candidates for office were not following statutory requirements regarding the placement of political signs.

Rich Schlobohm, 6162 Lake Brandt Road, noted that he was a candidate for Town Council in the November election and reviewed his background and platform.

Sean Dwyer, 5902 Mary Hall Court, noted that he was a candidate for Town Council in the November election and reviewed his background and platform.

Danny Nelson, 2500 Pleasant Ridge Road, noted that he was a candidate for Mayor in the November election and reviewed his background and platform.

Dana Luther, 5406 Deer Trail Road, noted that she was a candidate for Town Council in the November election and reviewed her background and platform.

COUNCIL AND MANAGER RESPONSE TO COMMENTS

Pegram and Dunham criticized O'Day for not responding promptly to a public records request for his Town business emails contained in a personal account. O'Day responded that he was nearing completion of his response.

PUBLIC HEARING/ACTION RE: REZONING CASE RZ-02-19

Dunham and Pegram stated that the notice of public hearing sign which is posted on properties prior to rezoning public hearings did not meet the requirements of state statute. Whitaker and Hill disagreed. Whitaker noted the sign was enlarged and, he believed improved, when it was changed approximately 4.5 years ago.

A recess was declared at 7:45pm. The meeting was reconvened at 7:50pm.

Initial



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

York stated that the request was to rezone parcels at 3683 and 3685 Oak Ridge Road from RS-40 to CU-GB and a parcel at 3687 Oak Ridge Road from AG to CU-GB. York noted the rezoning would complete a tract bordered by I-73, Deboe Road, and Oak Ridge Road, consisting of approximately 86 acres, all of which would be zoned CU-GB. The request by the applicant included all permitted uses in the General Business District, except the following uses which would not be permitted:

<i>Junked motor vehicles</i>	<i>Landfills of any kind</i>
<i>Shelter for the homeless</i>	<i>Fraternity or sorority (university or college related)</i>
<i>Psychiatric hospital</i>	<i>Taxi terminal</i>
<i>Bus Terminal</i>	<i>Warehouse, general storage, enclosed</i>
<i>Cemetery or mausoleum</i>	<i>Truck & utility trailer rental and leasing, light</i>
<i>Country club with golf course</i>	<i>Boat sales</i>
<i>Theater, adult</i>	<i>Bookstore, adult</i>
<i>Massage parlor, adult</i>	<i>Motor vehicle sales</i>
<i>Equipment repair, light</i>	<i>Boat repair</i>
<i>Live entertainment business, adult</i>	<i>Electronic gaming establishments and internet sweepstakes</i>
<i>Ice manufacturing</i>	<i>Fortune tellers and astrologers</i>

The applicant submitted the following development conditions in addition to those specified in the Summerfield Development Ordinance:

- 1) All parcels under this rezoning (approximately 6.71 acres) shall be combined with earlier zoning (approximately 79.28 acres) to allow a comprehensive review of all improvements and requirements of the ordinance and other regulations. This will include the design of proposed water source and wastewater treatment and stormwater provisions for the entire combined site.
- 2) A comprehensive master plan will be prepared and submitted for approval for the entire site (approximately 86 acres) using the site plans requirement for required submittals.
- 3) The construction of the project may be phased, provided adequate utilities, parking, landscaping and access is constructed with each phase. Revisions to the master plan may be approved by the Town of Summerfield, if such should become necessary or desirable.
- 4) A comprehensive traffic analysis will be submitted, if required, with the master plan to identify appropriate access points and necessary improvements or traffic controls to minimize impacts to the community.
- 5) A master sign plan will be prepared and submitted with the comprehensive master plan for approval.
- 6) The front setback from existing road(s) will be increased from fifteen feet (15') to thirty feet (30') to allow for planting and preservation of shade trees, provided no additional right-of-way dedication is required.
- 7) Tree preservation will be addressed as a part of the master plan. The owner and developer agree that tree removal will not occur until a comprehensive master site plan and a tree conservation plan has been submitted and approved by the Town of Summerfield. The tree conservation plan will include an inventory of the types of trees,

Initial



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
 ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

the approximate age of the trees, the number and location of the trees and an assessment of the physical condition of the trees. The owner and developer agree to make every effort to include significant existing tree stands or any extraordinary individual tree into their development plans.

York stated that staff recommended approval of the request and noted that the Zoning Board had conducted a public hearing 6/24 and had recommended Council approval.

Dunham asked for applicant comments. Doug Stimmell, of Stimmell Associates representing the developer, Summerfield/Oak Ridge Properties, was present to support the request.

Dunham declared the public hearing open at 8:00pm. No speakers spoke in favor of the request. Dwayne Crawford, 1106 NC-150 West, expressed opposition to the proposal, stating he believed Council action on 10/13/13 related to a rezoning request for properties adjacent to these properties was not legal. There being no other public comment, Dunham declared the public hearing closed at 8:05pm.

Pegram asked the applicant to add an exclusion for high-density apartments. York and Hill noted that this type of development is not allowed under the Development Ordinance.

Laughlin made a motion to approve the request as submitted with the conditions proposed by the applicant. Laughlin stated the request was consistent with the Summerfield Comprehensive Plan's Policy 1: "Appropriate, Limited Commercial Development" and is reasonable and in the public interest because it: 1) complies with all regulations and standards of the Development Ordinance and other applicable regulations; 2) does not substantially hurt adjoining or abutting property values and is a public necessity; and, 3) will be in harmony with the area in which it is to be located and with the general plans for land use and development of the Town of Summerfield and its environs. This motion was seconded by Barnes and carried by a vote of 4-1 (Pegram opposed).

BUSINESS FROM TOWN MANAGER

- A. Consolidated Committee Ordinance revisions:** Upon motion by Barnes, seconded by Walker and carried unanimously, ORD-2015-002 was amended to add Section C12 regarding service recognition for Committee members leaving service.
- B. Mobile town generator:** Whitaker stated the Town's emergency generator was in need of a repair estimated at \$4,000. The generator was purchased in the late 1990s primarily to power emergency shelters at Summerfield Peace UMC and Center UMC. Whitaker said the Town had been in contact with Don Campbell, Director of Guilford County Emergency Management, who stated that in the event power was needed for an emergency shelter in Summerfield, the County would be able to provide it; therefore, this particular need for the generator is no longer valid. Upon motion by Walker, seconded by Barnes and carried unanimously, Council approved selling the generator through appropriate means dictated by statute and/or R-2010-010.
- C. Signage within NCDOT right-of-way:** York recommended that Council ask NCDOT for authority to enforce sign regulations within its right-of-way (ROW). He explained that the Town often receives complaints regarding non-compliant signs in the State ROW, but the Town does not have authority to enforce either its own sign regulations or NCDOT's sign regulations without NCDOT approval. Council consensus was for staff to pursue such authorization.

————— Council: Mayor Gail Dunham, Mayor Pro-tem Dena Barnes, Dianne Laughlin, John O'Day, Teresa Pegram, Reece Walker ————— Manager: Scott Whitaker —————

Initial



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358
ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

Town Attorney Hill was excused from the meeting at this point (8:50pm).

- D. Special authorization and balance sheet adjustment re: transportation (F18-19):** Upon motion by Barnes, seconded by Pegram and carried unanimously, Council approved an adjustment to the FY2018-19 balance sheet to decrease Committed Fund Balance-Transportation by \$50,000 and to increase Unassigned Fund Balance by the same amount. Hall noted that funds were committed by Council in 2006 for future, non-specific transportation projects and that the committed amount had been expended.
- E. Summerfield Historic District boundary signage:** Whitaker described a budgeted item to place four historic district boundary signs on Oak Ridge Road and Summerfield Road and distinguished them from the historic markers found elsewhere that note historic assets/sites. He shared a close rendering of what could be expected visually along with approximate locations to keep Council and citizens informed.
- F. Reports, updates, or comments:** Whitaker stated that the SAP shelter project had been completed within the last fiscal year and that the SCP parking lot project would be completed by the end of the week. He also reported on progress toward completion for the US-220 sidewalk project.

BUSINESS FROM MAYOR AND COUNCIL

- A. Recruitment of Contract Attorney for Legal Services:** Council discussed procedures for interviewing candidate firms who had responded to the Town's RFQ for contract legal services. The consensus was that interviews be conducted in a special called meeting scheduled either Saturday, 9/7, (9-11am) or Monday, 9/9, (7-9pm). Whitaker was directed to contact the firms.
- B. Reports, updates, or comments:** Dunham requested that the Zoning Board consider referral of the site plan for the Henson Village development to Council when it is presented with it.

OTHER BUSINESS – none.

Upon motion by O'Day, seconded by Walker and carried unanimously, the meeting was adjourned at 9:43pm.

Gail Dunham, Mayor

Lance G. Heater, Town Clerk

Initial

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

Limited Liability Company

Legal Name

SUMMERFIELD ACQUISITION, LLC

Information

SosId: 1523787

Status: Current-Active ⓘ

Date Formed: 6/13/2016

Citizenship: Domestic

Annual Report Due Date: April 15th

CurrentAnnual Report Status:

Registered Agent: Sheridan, Desmond G

Addresses

Mailing

5826 Samet Drive, Suite 105
High Point, NC 27265

Principal Office

5826 Samet Drive, Suite 105
High Point, NC 27265

Reg Office

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Reg Mailing

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Company Officials

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

Manager

David Couch
5826 Samet Drive Suite 105
High Point NC 27265

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

Limited Liability Company

Legal Name

Summerfield Retail, LLC

Information

SosId: 1338373

Status: Current-Active ⓘ

Date Formed: 9/17/2013

Citizenship: Domestic

Annual Report Due Date: April 15th

CurrentAnnual Report Status:

Registered Agent: Sheridan, Desmond G

Addresses

Mailing	Principal Office	Reg Office	Reg Mailing
5826 Samet Drive Suite 105 High Point, NC 27265	5826 Samet Drive Suite 105 High Point, NC 27265	804 Green Valley Road, Suite 200 Greensboro, NC 27408	804 Green Valley Road, Suite 200 Greensboro, NC 27408

Company Officials

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

Manager

David F. Couch
5826 Samet Drive, Suite 105
High Point NC 27265

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

Limited Liability Company

Legal Name
Summerfield Oak Ridge Road, LLC

Information

SosId: 1515464
Status: Current-Active ⓘ
Date Formed: 5/6/2016
Citizenship: Domestic
Annual Report Due Date: April 15th
Current**Annual Report Status:**
Registered Agent: Leftwich, Tessa T

Addresses

Mailing	Principal Office	Reg Office	Reg Mailing
5826 Samet Dr, Ste 105 High Point, NC 27265	5826 Samet Dr, Ste 105 High Point, NC 27265	804 Green Valley Road Suite 200 Greensboro, NC 27408	804 Green Valley Road Suite 200 Greensboro, NC 27408

Company Officials

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

Manager
David F Couch
5826 Samet Dr, Ste 105
High Point NC 27265

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

Limited Liability Company

Legal Name

SUMMERFIELD BEESON, LLC

Information

SosId: 1582101

Status: Current-Active ⓘ

Date Formed: 3/20/2017

Citizenship: Domestic

Annual Report Due Date: April 15th

CurrentAnnual Report Status:

Registered Agent: Sheridan, Desmond G.

Addresses

Mailing

5826 Samet Drive, Suite 105
High Point, NC 27265

Principal Office

5826 Samet Drive, Suite 105
High Point, NC 27265

Reg Office

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Reg Mailing

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Company Officials

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

Manager

David F Couch
5826 Samet Drive, Suite 105
High Point NC 27265

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

Limited Liability Company

Legal Name

SUMMERFIELD PROFESSIONAL OFFICE, LLC

Information

SosId: 1415079

Status: Current-Active ⓘ

Date Formed: 12/4/2014

Citizenship: Domestic

Annual Report Due Date: April 15th

Current**Annual Report Status:**

Registered Agent: Sheridan, Desmond G.

Addresses

Mailing

5826 Samet Drive, Suite 105
High Point, NC 27265

Principal Office

5826 Samet Drive, Suite 105
High Point, NC 27265

Reg Office

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Reg Mailing

804 Green Valley Road, Suite 200
Greensboro, NC 27408

Company Officials

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

Manager

David F. Couch
5826 Samet Drive, Suite 105
High Point NC 27265

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

Limited Liability Company

Legal Name

Summerfield Oak Ridge Road, LLC

Information

SosId: 1515464

Status: Current-Active ⓘ

Date Formed: 5/6/2016

Citizenship: Domestic

Annual Report Due Date: April 15th

Current**Annual Report Status:**

Registered Agent: Leftwich, Tessa T

Addresses

Mailing

5826 Samet Dr, Ste 105
High Point, NC 27265

Principal Office

5826 Samet Dr, Ste 105
High Point, NC 27265

Reg Office

804 Green Valley Road Suite 200
Greensboro, NC 27408

Reg Mailing

804 Green Valley Road Suite 200
Greensboro, NC 27408

Company Officials

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

Manager

David F Couch
5826 Samet Dr, Ste 105
High Point NC 27265

Town Council of the town of Stanley, to the best of their ability, which oath shall be subscribed to and entered upon the minutes of the corporation, and attested to by the ~~justice of the peace~~ individual administering the oath, shall take their seats and remain in office for a period of four years and until ~~their successors are~~ a successor is elected and qualified, except such as may be removed for cause or otherwise. They shall organize by electing one of ~~their members~~ chairman, member chair, who shall act as a mayor *pro tempore*, in case of a vacancy, absence, or illness of the mayor. ~~They shall proceed to elect members to fill such vacancies as may arise by death, or failure to elect in the town, whether by virtue of a tie or on certificate of fraud, and shall fill any and all vacancies as may occur from time to time during their term of office, either elective or appointive offices.~~ Notwithstanding G.S. 160A-63, vacancies on the Town Council shall be filled by appointment of the remaining members of the Town Council for the remainder of the unexpired term. A majority of the Town Council shall constitute a quorum for the transaction of business. Said Town Council shall meet for the transaction of business at least once a month, and shall meet on the call of the mayor, or a majority of the Town Council, as often as may be necessary. ~~Said board of aldermen at its first meeting after having been qualified shall proceed to elect a chief of police for said town, and as many assistant policemen as may be deemed necessary from time to time. The chief of police shall also act as tax collector, and as chief of the fire department, until the board of aldermen shall deem it best to elect separate officers for these offices. The board of aldermen shall also elect at this meeting a town clerk, who shall also fill the office of town secretary and treasurer, until the board of aldermen shall deem it best to elect separate officers to fill these offices. They shall also elect a sanitary officer for said town and when deemed necessary a city attorney, and any and all other officers which may be deemed necessary to promote the general welfare of the people and for the good government of the town. Said officers so elected shall hold their respective offices for a period of two years, or until their successors have been elected and qualified, except such as may be removed for cause or otherwise."~~

SECTION 9.(b) This section is effective when it becomes law and applies to vacancies occurring on or after that date.

TOWN OF SUMMERFIELD DEANNEXATION

SECTION 10.(a) The following described property, identified by Guilford County Tax Parcel Property Identification Numbers, is removed from the corporate limits of the Town of Summerfield: 149612, 218953, 146198, 146128, 146205, 146160, 219823, 228628, 146200, 146052, 146207, 146127, 146119, 146149, 146126, 146327, 146325, 146324, 146321, 145496, 145413, 145583, 145568, 150103, **149659, 217566, 149658, 150130, 149642, 149643, 149688, 146919, 146880, 149645, 149651, 149653, 149662, 146952, 146311, 146129, and 146323.**

SECTION 10.(b) This section has no effect upon the validity of any liens of the Town of Summerfield for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the Town of Summerfield.

SECTION 10.(c) Property described in this section shall not be subject to any existing or future joint annexation agreement entered into between the Town of Summerfield and the City of Greensboro and shall not be subject to the extraterritorial powers of any municipality.

SECTION 10.(d) This section becomes effective June 30, 2024. Property in the territory described in this section as of January 1, 2024, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2024.

CITY OF WASHINGTON DEANNEXATION

SECTION 11.(a) The following described property is removed from the corporate limits of the City of Washington:

(This page intentionally left blank.)

TOWN OF SUMMERFIELD**TABLE 4.D.2(a) PERMITTED USE TABLE**

USE CATEGORY	USE TYPE	SPECIAL		ZONING DISTRICTS											TOWN CORE	
				AGRICULTURE	RESIDENTIAL		COMMERCIAL				INSTITUTIONAL	OPEN SPACE DEVELOPMENT				
		WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM	
Agriculture	Agricultural Production (crops)		1	P	P	P	P	P	P	P	P	M P	M P	P	P	
	Agricultural Production, (Pasture for Livestock)		1	P	D	D				D		M P	M P			
	Plant nursery	X	4	P				P		P		M P	M P			
	Agriculture, all other		4	P								M P	M P			
Agriculture Related Support Services	Agricultural Tourism Facility, minor		2	D								M P	M P			
	Agricultural Tourism Facility, major		2	D									M P			
	Animal Feeder/Breeder	X	1	D												
	Animal Services & Care (livestock)		3	P						P						
	Equestrian facility, w/o spectator events		2	S		S					S	M P	M P			
	Equestrian facility w spectator events		2	S							S	M P	M P			
	Horse Farm		4	D	D	D						M P	M P			
	Winery			D									M P			
	All other agriculturally related services		3	P								M P	M P			
Forestry	Forestry		1	P	P	P	P	P	P	P	P	M P	M P	P	P	

"P": uses permitted by right || "D": uses requiring special development standards || "S": uses requiring a Special Use Permit || "Z": uses requiring a Manufactured Housing overlay || "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Household Living	Dwelling, Caretaker		1	D	D		D	D	D	D	D	M P	M P	D	D
	Dwelling, Live/work		2				P	P	P				M P		P
	Dwelling, Multi-family (Triplex, Quadplex)		2									M P	M P		
	Dwelling, Single-family attached (townhouses)		2									M P	M P		
	Dwelling, Single-family detached		1	P	P	P	P					M P	M P	P	P
	Dwelling, Duplex		1	P	P	P	P					M P	M P		P
	Dwelling, Upper story												M P		
	Manufactured Home, Class AA		1	D	D	Z									
	Manufactured Home, Class A & B		1	D	D	Z									
	Manufactured Home Park		2												
	Residential Compound		1	D	D										
	Subdivision, Major					P	P					M P	M P	P	P
	Subdivision, Minor			P	P	P	P					M P	M P	P	P
Group Living	Boarding or rooming house, < 9 residents		2	S	S										S
	Boarding or rooming house, ≥9 residents		2											P	P
	Dormitory		2								P				
	Dwelling, Tenant (for migrant labor)			D											
	Family Care Home		1			P	P	P				M P	M P	P	P
	Fraternity or sorority house		3					P	P	P	P				
	Group Care Facility		2				S	S			S	M P	M P		
	Therapeutic home		1		P	P	P	P				M P	M P		

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Community Services	Community center		3	P	S	S	P	P	P		P	MP	MP		P
	Cultural facility		3				P	P	P		P		MP		P
	Library		3				P	P	P		P		MP		P
	Museum		3				P	P	P		P		MP		P
	Senior center		3				S	S	S		P		MP		
	Youth club facility		3				S	S	S		P		MP		
Day Care	Day care center Adult, 5 or less		1	D	D	D	D	D	D	D	D	MP	MP	D	D
	Day care center Adult, 6 or more		3	S	S		D	D	D	D	D		MP		S
	Day care center Child, 5 or less		1	D	D	D	D	D	D	D	D	MP	MP	D	D
	Day care center Child, 6 or more		3	S	S		D	D	D	D	D		MP		
Educational Facilities	Community College		3					P			P				
	College, 4-year, on-campus housing		3					P			P				
	School, elementary		3	D	D	D					P	MP	MP	D	D
	School, middle		3	D	D	D					P	MP	MP	D	D
	School, high		3	D	D	D					P	MP	MP	D	D
	Vocational, business, or trade school		3					P	P	P					P
Government Facilities	Government maintenance, storage, or distribution facility		3					P		P	P				
	Government office		3				P	P	P	P	P				P
	Post office		3				P	P	P	P	P		MP		P
Health Care Facilities	Blood/tissue collection facility		3				P	P	P						P
	Drug or alcohol treatment facility		3				S	P			P				
	Hospital		3								P				
	Medical or dental clinic		3				P	P	P		P		MP		P
	Medical or dental lab		3				P	P	P	P	P				P
	Medical or dental office(s)		3				P	P	P		P		MP		P
	Outpatient facility		3				P	P	P		P		MP		P

"P": uses permitted by right • "D": uses requiring special development standards • "S": uses requiring a Special Use Permit • "Z": uses requiring a Manufactured Housing overlay • "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Institutions	Assisted Living Facility		2		S	S	P	P			P		MP		P
	Auditorium, Assembly Hall		3					P	P	P	P				P
	Club or lodge		3	S	S	S	S	P	P			MP	MP	S	S
	Congregate Care / Nursing Home		3					P	P		S		MP		P
	Halfway house		3					D			D				D
	Homeless Shelter		3					D			D				
	Place of worship, religious institution		3	P	D	D	P	P	P	P	P	MP	MP	D	D
	Psychiatric treatment facility		3					P			P				
	Retirement Community, Continuing Care		2								P		MP		
Parks and Open Areas	Arboretum or botanical garden		2	D	D	D	D	D	D	D	D	MP	MP		
	Athletic Field		3	D	D	D	D					MP	MP	S	S
	Cemetery/ Mausoleum		2	D	D	D	D	D	D	D	D	MP	MP	D	D
	Golf course, public		1	D	D	D		D			D	MP	MP		
	Greenway		P	P	P	P	P	P	P	P	P	P	P	P	P
	Park, public		1	D	D	D	D	D	D	D	D	MP	MP	D	D
	Public square or plaza					P	P	P	P		P	MP	MP		
Public Safety/ Emergency Services	Ambulance Service		3	P	P			P	P	P	P		MP		P
	Fire or EMS facility		3	P	P	P	D	D	D	P	P	MP	MP		P
	Police substation		2	P	P	P	P	P	P	P	P	MP	MP	P	P
	Police station		3	P	S	S	P	P	P	P	P	MP	MP	P	P
Transportation	Airport	X	5							S	S				
	Transportation/Taxi/Bus Terminal	X	4					P		P					
	Helicopter landing facility	X	5					S		P	S				
	Landing field, private	X		S						D	D	MP	MP		

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Utilities	Solar farms		5	D						D					
	Utility, major		5	S	S	S	S	S	S	S	S	MP	MP		
	Utility, minor		4	D	D	D	D	D	D	D	D	MP	MP	D	D
	Wireless Communication Facility, collocation on existing tower			P	P	P	P	P	P	P	P	MP	MP	D	D
	Wireless Communication Facility, placement on existing building			D	D	D	D	D	D	D	D	MP	MP	D	D
	Wireless Communication Facility, new freestanding		3	S				S		S	S		MP	D	D
Adult Oriented Businesses	Adult Oriented Business		3							D					
Animal Care	Animal shelter		3	S			D	D	D	P	S				
	Kennel, indoor		3	D				D	D	P					
	Kennel, outdoor		3	S						P					
	Pet grooming		3	P				D	D	P			MP		P
	Veterinary services, large animal		3	S						P					
	Veterinary services, domestic animals, outdoor kennel			S						P					
	Veterinary services, domestic animals, indoor kennel		3	P				D	D	P			MP		P
Conference and Training Centers	Conference, retreat or training center		3					P	P	D	P				P
Eating Establishments	Dinner theater		3					P	P						P
	Restaurant, indoor seating only		3				P	P	P	P			MP		P
	Restaurant with outdoor seating		3				D	D	D	D			MP		D
	Restaurant, take out, no drive thru		3				P	P	P				MP		P
	Restaurant, with drive-thru		3					P	P						

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Offices	Business services		3				D	P	P	P			MP		P
	Financial services, drive-through		3					P	P	P			MP		
	Financial services, no drive-through		3					P	P	P			MP		P
	Insurance Agency, No On-Site Claims Inspections		3				P	P	P	P			MP		P
	Insurance Agency, On-Site Claims Inspections		3					P	P	P					
	Professional services		3				P	P	P	P			MP		P
	Radio and television broadcasting studio		3					P	P	P					P
	Sales (including real estate)		3				P	P	P	P			MP		P
Parking, Commercial	Parking lot		3					P	P	P	S		MP	P	P
Recreation Facility, Indoor, Privately Owned	Bowling Centers		3					P	P	P					P
	Fitness Centers		3					P	P	P			MP		
	Shooting range, indoor		3	S				D		D					
	Skating rink		3					P	P	P					
	Theater		3					P	P						P
Recreation Facility, Outdoor, Privately Owned	Amusement park, Fairgrounds		4					S		S					S
	Arena, amphitheater, or stadium, privately owned		4							P	P				
	Athletic field, privately owned		1	S	S	S	P	P	P	P	P	MP	MP	S	S
	Batting Cages		3					D		D					
	Go-cart track		4					P		P					
	Golf course, w small clubhouse, private		1	S	S	S		D			D	MP	MP		
	Golf course with country club, private		1	D	D	S		D			D	MP	MP		
	Golf driving range		3	S				D		D					

"P": uses permitted by right | "D": uses requiring special development standards | "S": uses requiring a Special Use Permit | "Z": uses requiring a Manufactured Housing overlay | "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
	Miniature Golf		3					P	P						
	Paint ball facility		3	S				S		S	S				
	Recreational vehicle park or campsite		4												P
	Shooting range, outdoor		5	S							S				
	Swimming pool, private with outside members		3	D	S	S		D		D	D	MP	MP		S
	Swimming pool, private only		3	D	S	S	D	D		D	D	MP	MP		S
	Tennis court, private		3	D	S	S		D		D	D	MP	MP		S
	Tennis court, private w/ outside members		3	D	S	S		D		D	D	MP	MP		S
	Tennis court, public		3	D				D			D		MP		D
Retail Sales & Services	Bars, Nightclubs and Similar														
	Bar, nightclub, cocktail lounge, bottle shop, or microbrewery		3					D	D	D					
	Hookah lounge														
	Wine Bar		3					D	D	D					
	Entertainment Establishments														
	Bingo games		3					P	P						
	Coin operated amusements		3					P	P						
	Electronic gaming establishment, Internet sweepstakes		3												
	Pool halls		3					P	P						
	Convenience														
	Convenience store, without gas sales	X	3					P	P	P			MP		P
	Convenience store, with gas sales	X	4					P	P	P			MP		
	Service station, gasoline sales	X	4					P	P	P					

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Retail Sales & Services (continued)	Personal Services Establishments														
	Crematorium		3					S		P					
	Dance studio		3					P	P				MP		P
	Dry cleaner, drop off/ pick up		3				P	P	P				MP		P
	Dry cleaner, on-site cleaning, but not a plant	X	3				D	P	D	P					
	Financial services, with drive-through or walk up service		3					P	P						P
	Fortune tellers, astrologers		3					P	P						P
	Funeral home		3					P		P					P
	Martial arts instruction schools		3					P	P						P
	Personal services (e.g. barber, beauty shop, manicurist, spas, massage)		3	D	D	D	P	P	P	P		MP	MP		P
	Tattoo parlor/body piercing		3					P	P						
	Repair Establishments														
	Clothing alterations		3				P	P	D				MP		P
	Equipment repair, light	X	3					D		P					P
	Furniture repair shop	X	3					P		P					
	Gunsmith		3					P		P					
	Lawnmower Repair		3					P		P					
	Repair & service shop (large & small appliances, washing machines, TV's, microwaves, etc.)		3					D		P					
	Retail Establishments														
	Antique Store		3				P	P	P						P
	Art and picture framing		3				P	P	P						P
	Art gallery, with works for sale		3				P	P	P						P

P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Retail Sales & Services (continued)	Drug store or pharmacy, without drive thru service		3				P	P	P				MP		P
	Drug store or pharmacy, with drive thru service		4					P	P				MP		
	Equipment & Tool Rental/Leasing, no outside storage	X	3					P	P	P					P
	Equipment & Tool Rental/Leasing with outside storage	X	4							P					
	Farmers Market		3	D			D	D	D	D	D		D		D
	Flea Markets, Swap Meets and Open-Air Markets		3					D	D	D	D				
	Florist		3				P	P	P				MP		P
	Garden Center or Retail Nursery		3					P	D	P					P
	Grocery store		3				D	P	P				MP		P
	Home Improvement Stores, no outdoor storage		3					P	P						P
	Home Improvement Stores, with outdoor storage		4					D	D	P					
	Landscape and horticultural services	X	4	S						P					P
	Laundromat	X	3				P	P	P						P
	Liquor Store (ABC)		3					P	P				MP		P
	Manufactured Home Sales		4					P		P					
	Musical Instrument Sales & Instruction		3				P	P	P						P
	Paint and Wallpaper Sales		3					P	P	P					P
	Pawn Shop		3						P						P
	Pest control	X	3					P		P					
	Photocopying and duplicating		3				P	P	P	P			MP		P
	Photography studio		3				P	P	P						P
	Retail sales, bulky items (furniture, white goods)		3					P	P						P
	Retail sales, large establishment		3					P	P						

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Retail Sales & Services (continued)	Warehouse, Self-Service Storage		4					D		P					
	Shopping Center: < 250K ft² GFA		4					P	P						
	Shopping Center: > 250K ft² GFA		4						P						
	Taxidermist	X	3					P							P
Vehicle Sales and Services, Heavy	Automotive painting/body shop	X	4					P		P					
	Automotive towing and storage	X	3					D		D					
	Boat and marine rental, sales and service	X	4					P		P					
	Recreational vehicle rental, sales and service	X	4					P		P					
	Transmission shop	X	4					P		P					
	Truck and utility trailer rental and leasing, heavy	X	5							P					
	Truck stop	X	4					D		P					
	Truck washing	X	5							P					
Vehicle Sales and Services, Light	Automotive supply and parts		3					P	P						
	Automobile repair & servicing (w/out painting/bodywork)	X	3					P	P	P					
	Automobile sales or rentals	X	4					P		P					P
	Car wash, automatic	X	4					D	D	P					
	Car wash, full service	X	4					D	D	P					
	Car wash, self service	X	4					D	D	P					
	Tire/muffler sales and mounting	X	3					P	P	P					
	Truck and utility trailer rental and leasing, light	X	4					P		P					

"P": uses permitted by right □ "D": uses requiring special development standards □ "S": uses requiring a Special Use Permit □ "Z": uses requiring a Manufactured Housing overlay □ "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Visitor Accommodations	Bed and breakfast inn, tourist home		2	D	S	S	D	D					MP	S	S
	Hotels and motels with ≤ 5,000 ft² of ancillary space, or a restaurant/lounge with ≤ 3,000 ft²		3					P	P						
	Hotels and motels with > 5,000 ft² of ancillary space, or a restaurant/lounge with >3,000 ft²		3					P	P						
Extractive Industry	All uses														
Industrial Services	Contractor, no outside storage		3					P		P					P
	Contractor, with outside storage		4							P					
	Contractor, heavy construction		5							P					
	Electric motor repair		4					P		P					
	Fuel oil/bottled gas distributor	X	4							P					
	General industrial service		4							P					
	Heavy equipment sales, rental, or storage	X	4						P	P					
	Heavy equipment servicing and repair	X	4							P					
	Laundry, dry cleaning, and carpet cleaning plants	X	3					P	D	P					
	Machine shop		3							P					
	Repair of scientific or professional instruments		3							P					
	Research and development, testing		3							P					
	Tool repair	X													
	Welding shop	X	4							P					

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
Manufacture and Production	Manufacturing, heavy	X	5							P					
	Manufacturing, light		4							P					
Warehouse and Freight Movement	Cold storage plant		4							P					
	Moving companies		4							P					
	Outdoor storage (as a principal use)	X	4					S		P					
	Parcel and courier services, central facility		4							P					
	Truck or freight terminal	X	5							P					
	Warehouse, distribution		4					D		P					
	Warehouse, storage, except self-service		4					D		P					
	Warehouse, storage, except self-service		4					D		P					
Waste-Related Services	Energy recovery plant	X	5							P					
	Hazardous & Radioactive Waste, Transportation, Storage & Disposal	X	5												
	Incinerator	X	5												
	Land application of wastes	X													
	Landfill, land clearing and inert debris or construction debris	X	5												
	Landfill, sanitary (*also WS-III)	X	5												
	Recycling processing center		4							D					
	Recycling drop-off Station		3					D		P					
	Salvage and junkyard	X	5												
	Septic Tank Services	X	4							P					
	Tire disposal or recycling	X	5												

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

USE CATEGORY	USE TYPE	WCA	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OSR	OSM	TCR	TCM
	Waste composting	X	4	S						P					
	Waste transfer stations		4							P					
Wholesale Sales (See Article 5 for Special Development Standards for all Wholesale Sales Uses)	Agricultural Chemicals, Farm Supplies, Plants and Plant Products, Animals and Animal Products	X	5	D						P					
	Chemicals, Pesticides and Fertilizers	X	5							P					
	Minerals		5							P					
	Motor vehicles	X	4							P					
	Paints and varnishes	X	4							P					
	Petroleum and petroleum products	X	5							D					
	Retail Goods		4					P		P					
	Scrap and waste materials	X	5							P					
	All other wholesale sales		4							P					
Miscellaneous Uses	Beneficial Fill Area			D	D	D	D	D	D	D	D	D	D		
	Billboards		1	S	E	E	S	I	G	N		S	E	C	
	Mixed Development							D	D				MP		D
	Special Events Facility			D				D	D						D

"P": uses permitted by right "D": uses requiring special development standards "S": uses requiring a Special Use Permit "Z": uses requiring a Manufactured Housing overlay "MP": uses permitted under a master plan and which may have special development standards.

TABLE 4.D.2(b) TEMPORARY USES AND EVENTS (WITH PERMIT)

USE CATEGORY	USE TYPE	SPECIAL		ZONING DISTRICTS											TOWN CORE	
				AGRICULTURE	RESIDENTIAL		COMMERCIAL				INSTITUTIONAL	OPEN SPACE DEVELOPMENT				
		WC	LUC	AG	RR	RS	NB	BN	SC	IND	OI	OS	OS	TCR	TC	
	Arts and Craft Shows						P	P	P	P	P				P	
	Beverage, Food or Snack Wagon			D				D	D	D	D				D	
	Carnivals and Fairs			D				D	D	D	D					
	Christmas Tree Sales			D				D	D	D	D		D		P	
	Concerts, Stage Shows			P				P	P	P	P					
	Contractor's Office and Equipment Shed			D	D	D	D	D	D	D	D	D	D	D	D	
	Corn Mazes			D			D	D	D	D	D		D		P	
	Fireworks Sales															
	Fresh Foods Seller			D			D	D	D	D	D		D		D	
	Outdoor Storage Container			D	D	D	D	D	D	D	D	D	D			
	Retail Sales, Outdoor							P	P							
	Real Estate Sales/ Rental Office			D	D	D	D	D	D	D	D	D	D	D	D	
	Religious Events, Outdoor			D				D	D	D	D	D	D		D	
	Seasonal Buildings			D				D		D	D					
	Shelter, Temporary			D			D	D	D	D	D					
	Pumpkin Sales			D			D	D	D	D	D	D	D		P	
	Turkey Shoots			S	S											

"P": uses permitted by right || "D": uses requiring special development standards || "S": uses requiring a Special Use Permit || "Z": uses requiring a Manufactured Housing overlay || "MP": uses permitted under a master plan and which may have special development standards.

TABLE OF PERMITTED USES FOR GB 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

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="display: flex; align-items: center;"> <div>Use Type allowed in County GB, but not in Summerfield's BN District</div> </div> <div style="display: flex; align-items: center;"> <div style="background-color: yellow; width: 20px; height: 10px; margin-right: 5px;"></div> <div>Use Type excluded under Summerfield's CZ-BN zoning, property owner requests to be allowed</div> </div> </div>			
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="display: flex; align-items: center;"> <div>Use Type allowed in County GB, but not in Summerfield's BN District</div> </div> <div style="display: flex; align-items: center;"> <div style="background-color: yellow; width: 20px; height: 10px; margin-right: 5px;"></div> <div>Use Type excluded under Summerfield's CZ-BN zoning, property owner requests to be allowed</div> </div> </div>			
Use Category	Use Type	WCA Prohibited Use	GB
Agriculture/Animal Services	Animal Services (Other)		D
	Multifamily Dwelling (including Condominium)		P
Household Living	Caretaker Dwelling (Accessory)		D
	Nursing and Convalescent Home		P
Group Living/Social Service	Homeless Shelter		D
Recreation and Entertainment (Light)	Athletic Fields [if publicly owned]		P
	Club or Lodge		P
	Country Club with Golf Course		D
	Public Park or Public Recreation Facility (incl. Indoor Batting Cages)		D
	Swim and Tennis Club		D
Recreation and Entertainment (Heavy)	Golf Course, Miniature		P
	Physical Fitness Center		P
	Special Event Venue		P
	Shooting Range, Indoor		D
	Theater (Outdoor)		D
	Theater (Indoor)		P
Other Recreation and Entertainment Uses	Other Indoor Uses Not Listed (Electronic Gaming Establishment, Internet Sweepstake)		P
Civic, Educational, and Institutional	Place of Worship		P
	College or University		P
	Vocational, Business or Secretarial School		P
	Daycare Centers in Residence (In-Home) (12 or Less)		D
	Daycare Center (Not In-Home)		D
	Emergency Services		P
	Community or Social Service Agencies		P
	Fraternity or Sorority (University or College Related)		P
	Government Office		P
	Library		P
	Museum or Art Gallery		P
	Post Office		P
	Hospital (Psychiatric Facilities)		P
	Office (General)		P
	Medical or Professional Office		P
	Personal Service		P
	Advertising, Outdoor Services		D
	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

TABLE OF PERMITTED USES FOR GB 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

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; width: 40px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px);"></div> <div>Use Type allowed in County GB, but not in Summerfield's BN District</div> </div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="background-color: yellow; width: 40px; height: 15px;"></div> <div>Use Type excluded under Summerfield's CZ-BN zoning, property owner requests to be allowed</div> </div>			
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="background-color: yellow; width: 40px; height: 15px;"></div> <div>Use Type excluded under Summerfield's CZ-BN zoning, property owner requests to be allowed</div> </div>			
Use Category	Use Type	WCA Prohibited Use	GB
Business, Professional, and Personal Services	Insurance Agency (Carriers and On-Site Claims Inspections)		P
	Kennels or Pet Grooming		D
	Laundromat or Dry Cleaner	X	P
	Motion Picture Production		P
	Pest or Termite Control Services	X	P
	Studios-Artists and Recording		P
Lodging	Bed and Breakfast Home for 8 or Less Guest Rooms		P
	Hotel or Motel		P
Retail Trade	Retail (General)		P
	ABC Store (Liquor)		P
	Auto Supply Sales		P
	Automobile Rental or Leasing	X	P
	Automobile Repair Services	X	P
	Car Wash	X	D
	Building Supply Sales (with Storage Yard)		D
	Convenience Store (with Gasoline Pumps)	X	P
	Equipment Rental and Repair, Light		D
	Garden Center or Retail Nursery		P
	Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)	X	P
	Pawnshop or Used Merchandise Store		P
	Service Station, Gasoline	X	P
	Tire Sales		P
Food Service	Bakery		P
	Bar Private Club/Tavern		D
	Microbrewery, Private Club/Tavern		D
	Restaurant (With Drive-thru)		P
	Restaurant (Without Drive-thru)		P
Funeral and Internment Services	Cemetery or Mausoleum		D
	Funeral Home or Crematorium		P
	Automobile Parking (Commercial)		P
	Automotive Towing and Storage Services	X	D
	Equipment Rental and Leasing (No Outside Storage)		P
	Equipment Repair, Light		D
	Truck and Utility Trailer Rental and Leasing, Light	X	P
	Beneficial Fill Area		D
	Bus Terminal and Service Facilities	X	P
	Courier Service Substation		P
Transportation, Warehousing, and Wholesale	Taxi Terminal		P
	Communication or Broadcasting Facility		P
	Wireless Communication Tower – Stealth Camouflage Design		D
	Wireless Communication Tower – Non-Stealth Design		D

TABLE OF PERMITTED USES FOR GB 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

	Use Type allowed in County GB, but not in Summerfield's BN District		
Struckthrough	Text: Use Types excluded under Summerfield's CZ-BN zoning (see Packet)		
	Use Type excluded under Summerfield's CZ-BN zoning, property owner requests to be allowed		
Use Category	Use Type	WCA Prohibited Use	GB
Utilities and Communication	Small Cell Wireless Tower		S
	Radio or TV Station		P
	Utilities, Major		S
	Utilities, Minor		P
	Utility Company Office		P
Waste-Related Uses	Construction or Demolition Debris Landfill, Minor		D
	Land Clearing & Inert Debris Landfill, Minor		D
	Warehouse (General Storage, Enclosed)		D
	Warehouse (Self-Storage)		D
General Industrial	Laundry or Dry Cleaning Plant	X	P
	Laundry or Dry Cleaning Substation	X	P
Special Events	Temporary Events/Uses		D

CONDITIONAL REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE- ANNEXATION ORIGINAL ZONING

Property Information

Guilford County Tax Parcel #149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662 in Summerfield Township comprise approximately 148.58 acres. The parcels are generally located adjacent to the US I-73 and Oak Ridge Road interchange.

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

Nature of the Request

The parcels were zoned AG, Agricultural; RS, Residential; OI, Office/Institutional; and BN, Business by the Town of Summerfield. The town development regulations and powers of enforcement shall remain in effect until (i) the county has adopted such development regulations or (ii) a period of 60 days has elapsed following the action by which the town relinquished jurisdiction, whichever is sooner. The parcels subject to this case were omitted from the approval of case #24-07-PLBD-00088. This is a proposal to zone the subject parcels CZ-GB, Conditional Zoning-General Business, with the following conditions:

Use Condition – All uses permitted in the GB District, except: (1) Homeless Shelter; (2) Country Club with Golf Course; (3) Fraternity or Sorority (University or College Related); (4) Cemetery or Mausoleum; (5) Truck and Utility Trailer Rental and Leasing, Light; (6) Bus Terminal and Service Facilities; (7) Taxi Terminal; (8) Construction or Demolition Debris Landfill, Minor; (9) Land Clearing & Inert Debris Landfill, Minor; (10) Electronic Gaming (Other Indoor Uses Not Listed); (11) Psychiatric Treatment Facilities (Hospital)

The Planning Board is not limited to the proposed zoning of these parcels and may consider substantial changes to the proposed zoning.

The property owners may initiate a zoning map amendment (rezoning) at any time after the County establishes the original zoning.

District Descriptions

The **GB, General Business District** is intended to accommodate moderate to large-scale retail, business, and service uses along thoroughfares and at key intersections. The district is characterized minimal front setbacks, off-street parking. Quality design, shared access, and shared parking are encouraged.

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.

Character of the Area

The 11 parcels that were de-annexed from the Town of Summerfield are adjacent to the I-73 and Oak Ridge Road interchange.

Existing Land Use(s) on the Properties: Undeveloped, vacant, and single-family residential.

Historic Properties:

Cemeteries: No known 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: Summerfield FPSD

Miles from Fire Station: Variable

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

Land Use Analysis

Land Use Plan: The parcels are not currently under any Guilford County area plan. However, the de-annexed parcels are geographically close to the area of the County covered by the Northwest Area Plan. To be covered by an existing area plan, the Northwest Area Plan would need to be amended to incorporate the affected parcels.

The **Moderate Commercial (MC)** land use classification would be appropriate for parcels that were zoned BN within Summerfield and those adjacent to the Oak Ridge Road and I-73 interchange. Thus, the proposed zoning of GB would be conditionally consistent with the MC land use classification. MC is intended to recognize land currently zoned Mixed-Use (MXU) and a range of moderate intensity uses in land currently zoned Highway Business (HB) and General Business (GB).

Similarly, the draft Guiding Guilford Comprehensive Plan was prepared prior to the de-annexation of the subject parcels. Therefore, the parcels would fall within the northwest quadrant of the Plan's Future Land Use Map (FLUM) element, if approved. The proposal of GB zonings would be reflected in the Commercial FLUM place type.

Plan Recommendation: Currently not covered (see Area Plan Amendment Recommendation below).

Consistency: The request is consistent with Objective 1.5 and Policy 1.4.3 of the Future Land Use Element of Guilford County's Comprehensive Plan which state:

- Objective 1.5 - Recognize and respect the unique characteristics of Guilford County's unincorporated and emerging communities.
- 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.

Recommendation

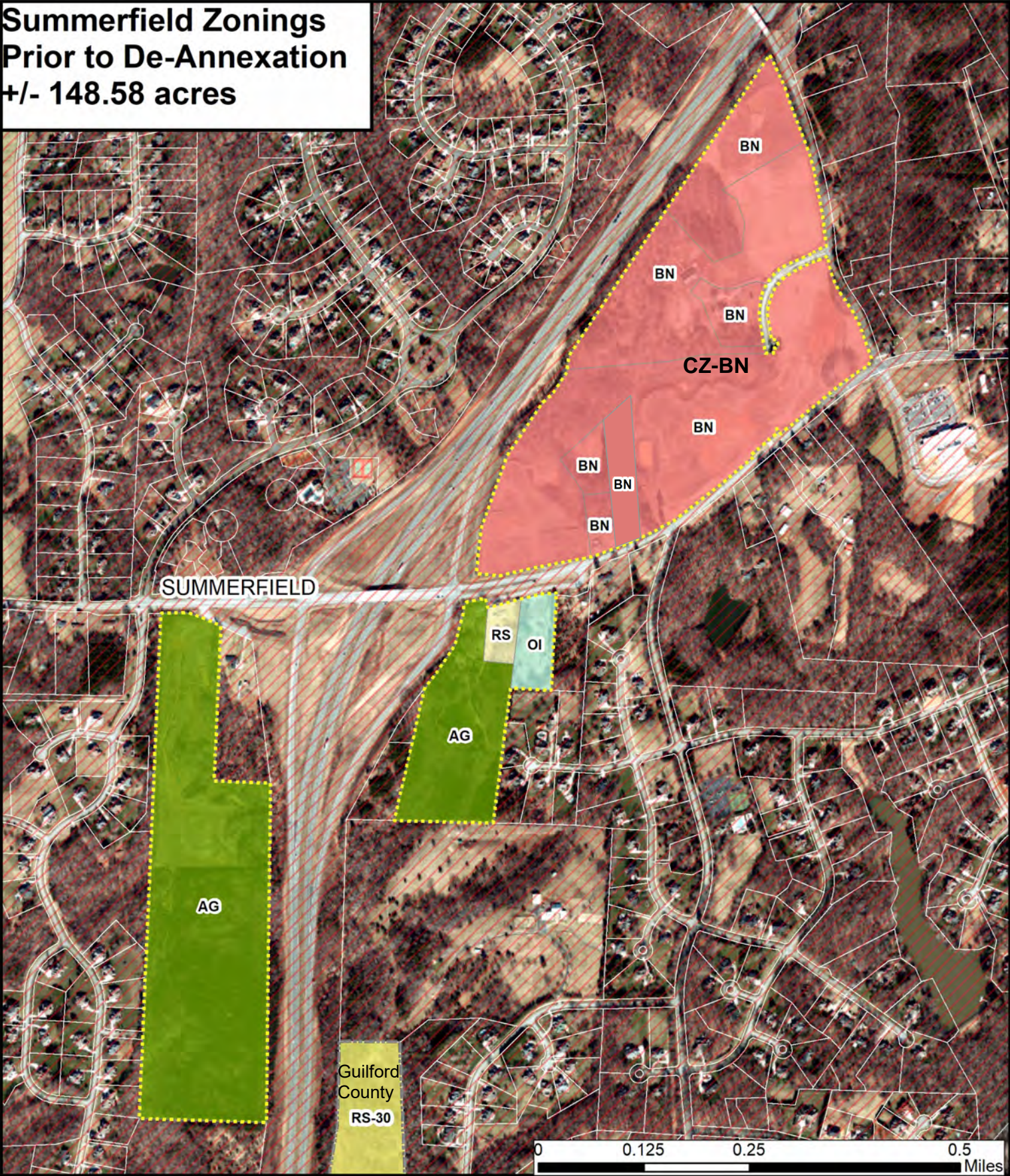
Staff Recommendation: Approval



The request to conditionally zone the subject parcels to CZ-GB (applying use conditions) under the Guilford County UDO is reasonable and in the public interest because initiating this action complies with **NCGS 160D-202(h)** and **UDO Sec 1.4.B**. The CZ-GB zoning district is recommended for the parcels adjacent to the Oak Ridge Road and I-73 interchange, because Oak Ridge Road is a major thoroughfare and creates a key interchange with I-73, which conforms with the intent of the GB district. The CZ-GB zoning district conforms to the original zoning designation of BN, Business, in Summerfield for 7 (see Map Index #s for list of parcels) of the 11 parcels that were originally zoned BN in Summerfield. The town development regulations and powers of enforcement shall remain in effect until (i) the county has adopted such development regulations or (ii) a period of 60 days has elapsed following the action by which the town relinquished jurisdiction, whichever is sooner.

Area Plan Amendment Recommendation:

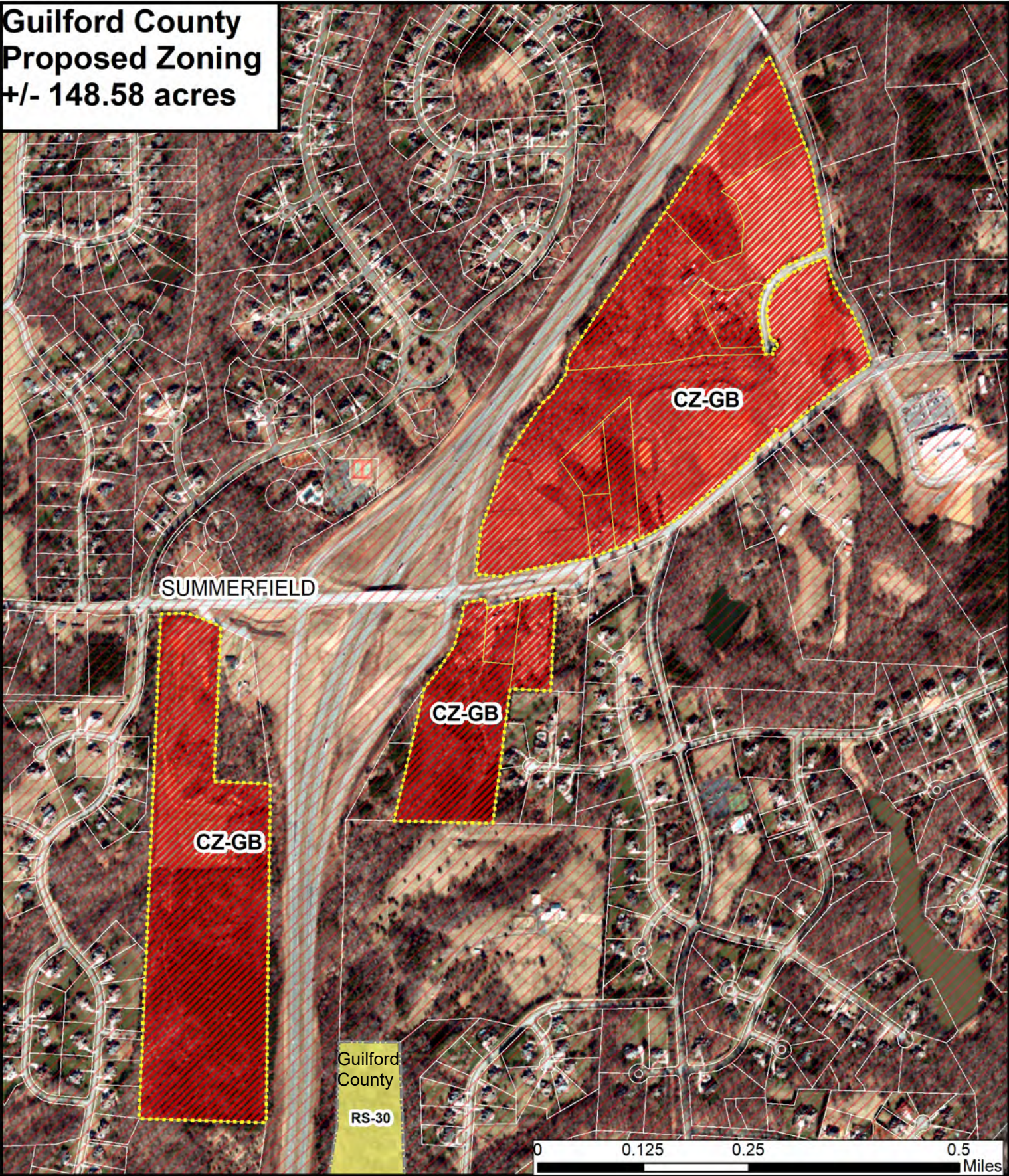
The properties are not currently subject to any of Guilford County's area plans. If the request is approved, a land use plan amendment to the Northwest Area Plan will be required to extend the Moderate Commercial (MC) land use classifications to the subject parcels.



Summerfield Zonings
Prior to De-Annexation
+/- 148.58 acres

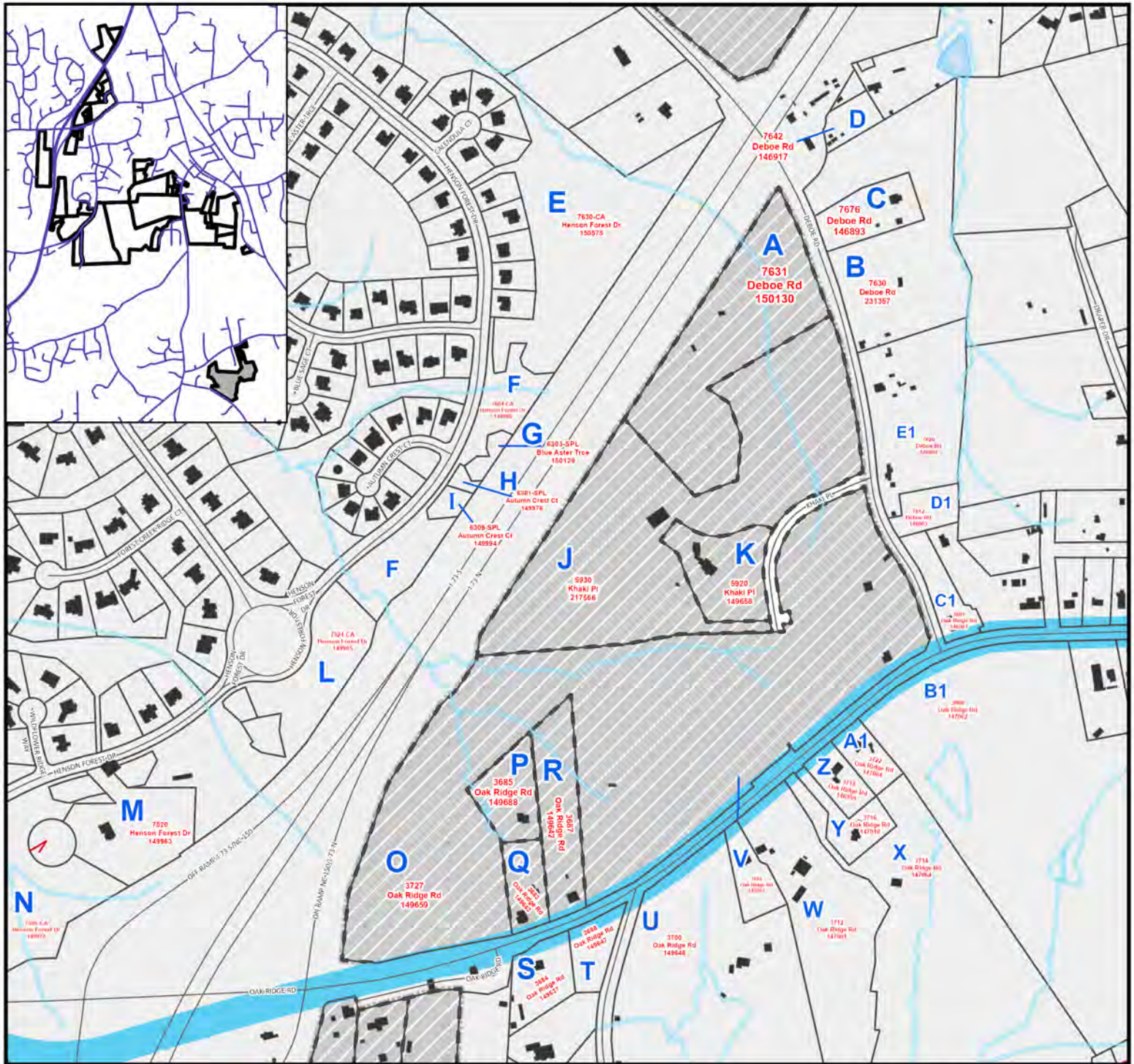


	<p>Jurisdiction:</p> <p>Guilford County</p> <p>Date: 8/27/2024</p>	<p>Original Case Number:</p> <p>24-07-PLBD-00088</p> <p>Current Case Number:</p> <p>24-08-PLBD-00093</p>	<p>Case Area:</p> <p>149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662</p>	
-------------------------------------------------------------------------------------	--------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------

**Guilford County
Proposed Zoning
+/- 148.58 acres**



	<p>Jurisdiction: Guilford County</p> <p>Date: 8/27/2024</p>	<p>Original Case Number: 24-07-PLBD-00088</p> <p>Current Case Number: 24-08-PLBD-00093</p>	<p>Case Area: 149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662</p>	
-------------------------------------------------------------------------------------	----------------------------------------------------------------------	----------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------



A. SUMMERFIELD ACQUISITION LLC

B. SAMUEL WAYNE ANGEL

C. SABRINA ANGEL & JEFFREY WAYNE KEEN

D. BRANDIE L. CONNOLLY

E. HENSON FOREST HOMEOWNERS ASSOCIATION INC

F. HENSON FOREST HOMEOWNER ASSOCIATION INC

G. HENSON FOREST HOMEOWNER ASSOCIATION INC

H. SANA & NIHAD KATTAN

I. ROBERT L. & SHARON A. STUART

J. SUMMERFIELD ACQUISITION LLC

K. SUMMERFIELD ACQUISITION LLC

L. HENSON FOREST HOMEOWNERS ASSOCIATION INC

M. HENSON FOREST HOMEOWNERS ASSOCIATION INC

N. HENSON FOREST HOMEOWNERS ASSOCIATION INC

O. SUMMERFIELD RETAIL LLC

P. SUMMERFIELD OAK RIDGE ROAD LLC

Q. SUMMERFIELD OAK RIDGE ROAD LLC &

RACHEL S. TERRELL

R. SUMMERFIELD OAK RIDGE ROAD LLC

S. PHILLIP R & REBEKAH A. WESTMORELAND

T. HENSON FARMS HOMEOWNERS ASSOCIATION INC

U. MAGNOLIA ESTATE OF SUMMERFIELD LLC

V. KIRAN SUBEDI & ANUPAMA TULADHAR

W. JAMES M. & BRENDA A. CHAMBERS

X. KEVIN J. & DIANNE M. PUSCH

Y. JACKIE MARIE SAUNDERS

Z. RUTH G. SELF ESTATE

A1. MARGARET O. BOLEN

B1. REVOLUTION ACADEMY

C1. CAROLYN M & RONALD H ADCOCK

D1. CAROLYN M & RONALD H ADCOCK

E1. JTCM PROPERTIES LLC



Planning & Development
Department

Jurisdiction:

Guilford County

Case Number:

24-07-PLBD-00088

Partial Case Area:

Parcels - 149642, 149643, 150130,
217566, 149658, 149659 & 149688

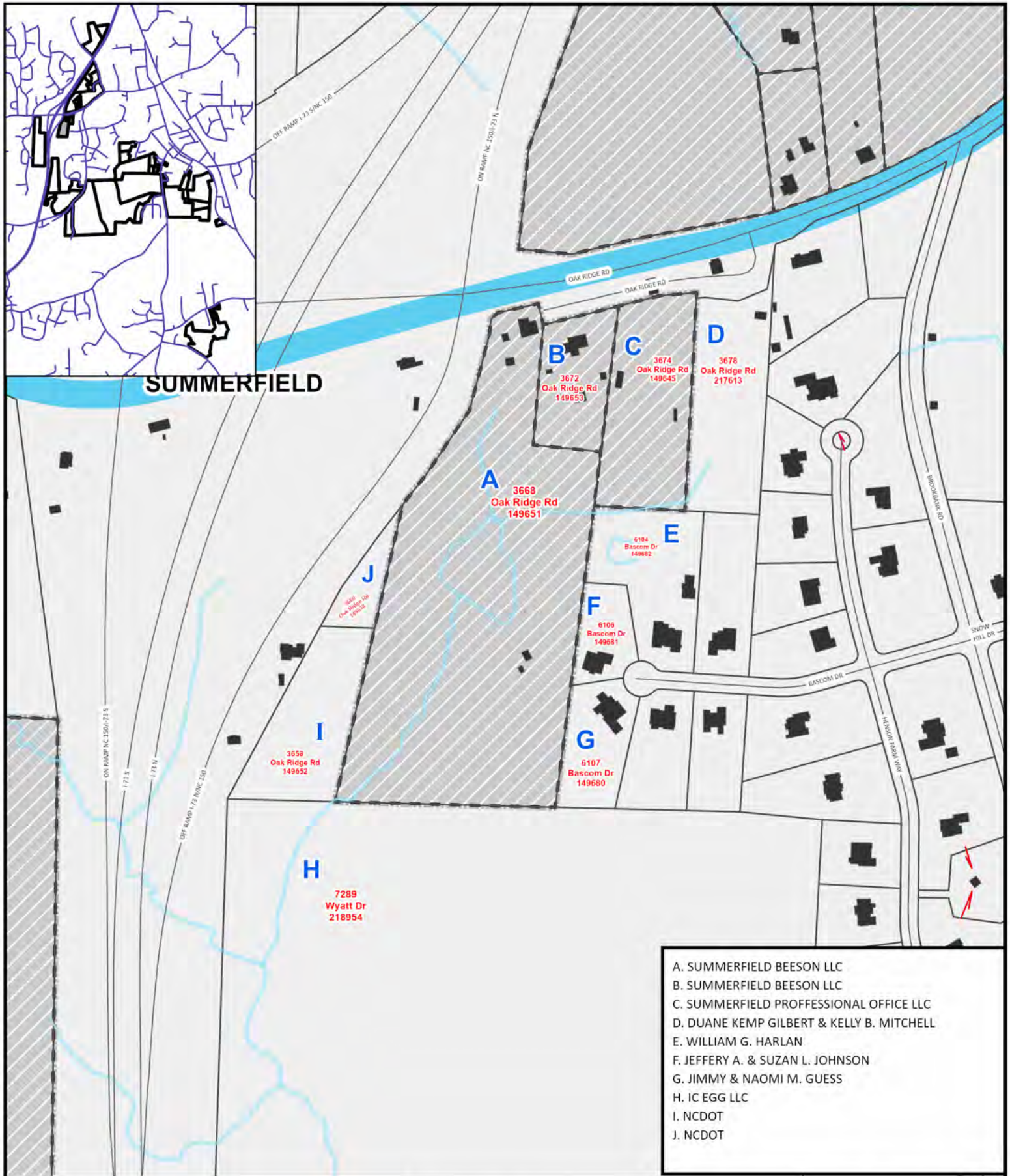
7631 Deboe Rd; 5920 & 5930 Khaki
Pl; 3683, 3685, 3687 & 3727 Oak
Ridge Rd

Legend:

 = parcels either owned directly by David Couch or a company that he owns



Scale: 1" = 590'



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

24-07-PLBD-00088

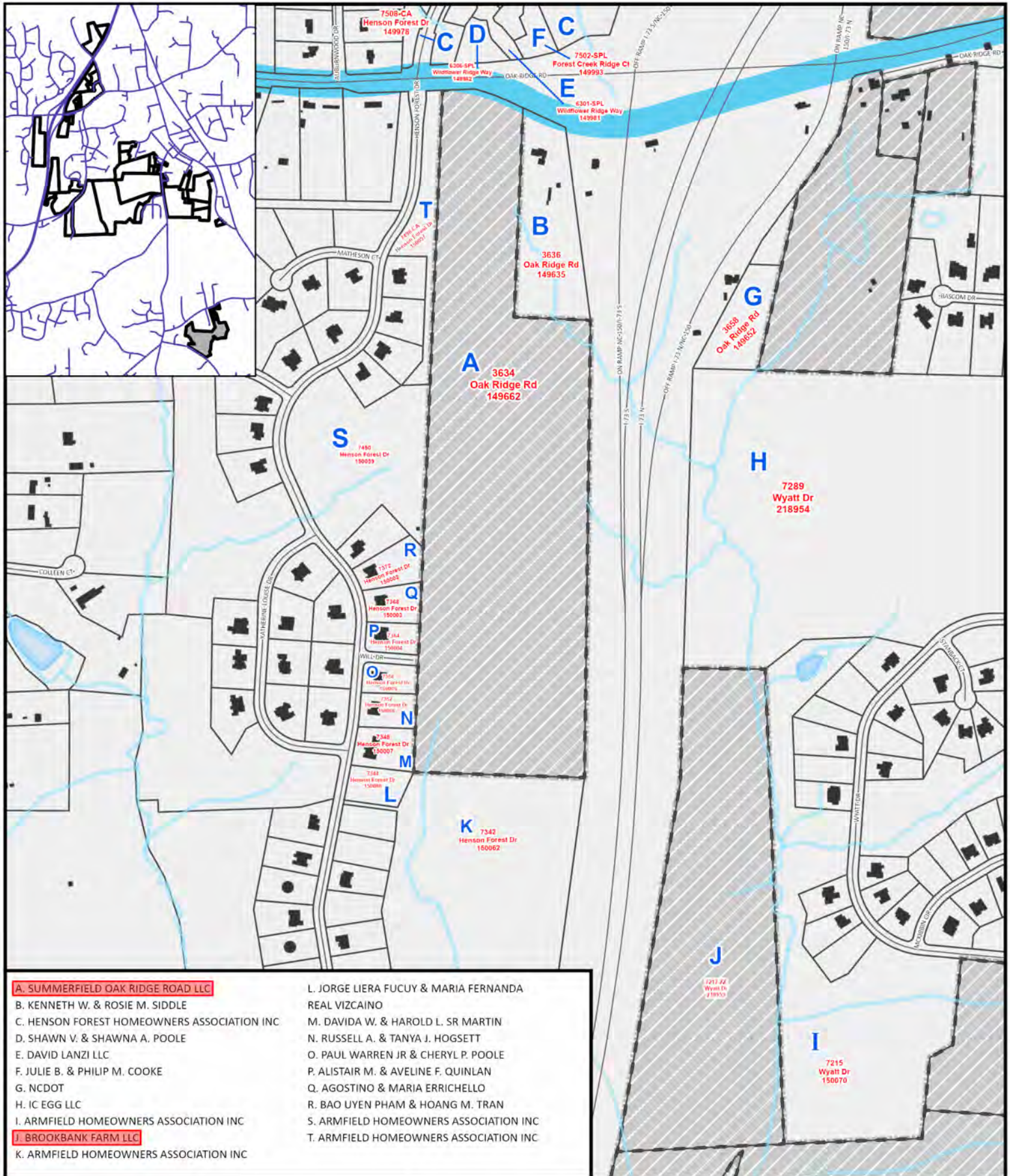
Partial Case Area:

Parcels - 149651, 149653, & 149645

3668, 3672 & 3674 Oak Ridge Rd



Scale: 1" = 350'



Planning & Development
Department

Jurisdiction:

Guilford County

Case Number:

24-07-PLBD-00088

Partial Case Area:

Parcels - 149662 & 218953

3634 Oak Ridge Rd & 7217 ZZ Wyatt Dr

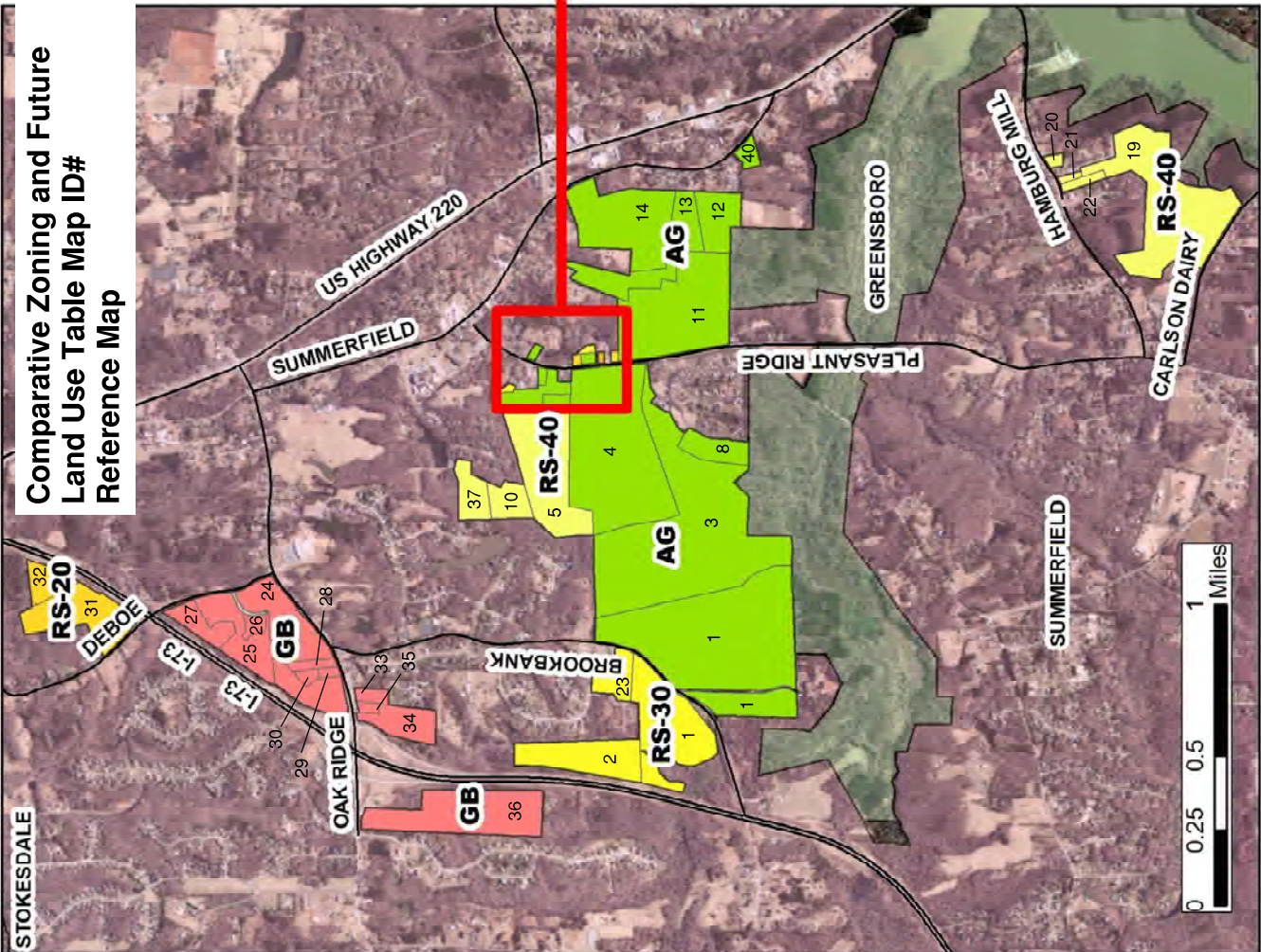
Legend:



= parcels either owned directly by David Couch or a company that he owns



Scale: 1" = 580'



Date: 8/8/2024



Case Number
24-07-PLBD-00088

Draft Proposed Guilford County Zoning

- AG, Agricultural
- RS-40, SF Residential
- RS-30, SF Residential
- RS-20, SF Residential
- RS-3, SF Residential
- GB, General Business

Comparative Zoning and Future Land Use Table

Map ID #	Guilford County Tax Parcel #	Property Address	Owner	Summerfield Former Zoning District	Tract Acreage	Summerfield Future Land Use Designation	Guilford County Comprehensive Plan Update Crosswalk from Summerfield FLU Designation	Guilford County Initial Proposed Zoning District	Northwest Area Plan Consistency	Guilford County Comprehensive Plan Update Crosswalk from NW Area Plan Designation Based on Proposed Zoning	Owner Mailing Address
31	146919	7650 DEBOE RD	SUMMERFIELD REAL ESTATE HOLDINGS LLC	AG	29.48	Working Farm/Agriculture	Rural Living	RS-20	Conditionally Consistent if Plan is amended to include RS-20 under RSF Classification	Residential	5826 SAMET DR STE 105
32	146880	7650 R1 DEBOE RD	SUMMERFIELD REAL ESTATE HOLDINGS LLC	AG	9.12	Residential	Residential	RS-20	Conditionally Consistent if Plan is amended to include RS-20 under RSF Classification	Residential	5826 SAMET DR STE 105
24	149659	3727 OAK RIDGE RD	SUMMERFIELD RETAIL LLC	BN	42.23	Office	Commercial	GB	Conditionally Consistent	Commercial	5826 SAMET DR
25	217566	5930 KHAKI PL	SUMMERFIELD ACQUISITION LLC	BN	21.11	Office	Commercial	GB	Consistent	Commercial	5826 SAMET DR STE 105
26	149658	5920 KHAKI PL	SUMMERFIELD ACQUISITION LLC	BN	3.02	Office	Commercial	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
27	150130	7631 DEBOE RD	SUMMERFIELD ACQUISITION LLC	BN	10.06	Office	Commercial	GB	Consistent	Commercial	5826 SAMET DR STE 105
28	149642	3687 OAK RIDGE RD	SUMMERFIELD OAK RIDGE ROAD LLC	BN	3.34	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
29	149643	3683 OAK RIDGE RD	TERRELL, RACHEL S L/T;SUMMERFIELD OAK RIDGE ROAD LLC	BN (Business)	1.41	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
30	149688	3685 OAK RIDGE RD	SUMMERFIELD OAK RIDGE ROAD LLC	BN	1.95	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
33	149645	3674 A OAK RIDGE RD	SUMMERFIELD PROFESSIONAL OFFICE LLC	OI (Office Institutional)	3.18	Office	Commercial	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
34	149651	3668 OAK RIDGE RD	SUMMERFIELD BEESON LLC	AG	14.46	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
35	149653	3672 OAK RIDGE RD	SUMMERFIELD BEESON LLC	RS	1.69	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
36	149662	3640 REAR OAK RIDGE RD	SUMMERFIELD OAK RIDGE ROAD LLC	AG	46.01	Residential	Residential	GB	Conditionally Consistent	Commercial	5826 SAMET DR STE 105
1	149612	6846 BANNING RD	BROOKBANK FARM LLC	OSR	174.32	Working Farm/Agriculture	Rural Living	AG, RS-30	Generally Consistent	Working Farm/Agricultural, Rural Living, or Residential	5826 SAMET DR STE 105
2	218953	6887 NEAR BROOKBANK RD	BROOKBANK FARM LLC	OSR	27.78	Working Farm/Agriculture	Rural Living	RS-30	Generally Consistent	Residential	5826 SAMET DR STE 105
23	150103	7211 WYATT DR	ARMFIELD AMENITIES LLC	OSR (Open Space Residential)	10.14	Residential	Residential	RS-30	Generally Consistent	Residential	5826 SAMET DR STE 105
3	146198	6784 MEADOW VIEW DR	COUCH, DAVID F	RS	140.07	Working Farm/Agriculture	Rural Living	AG	Generally Consistent	Working Farm/Agricultural, Rural Living, or Residential	5826 SAMET DR STE 105
4	146128	3203 PLEASANT RIDGE RD	SUMMERFIELD HOLDINGS LLC	AG	95.54	Working Farm/Agriculture	Rural Living	AG	Generally Consistent	Working Farm/Agricultural, Rural Living, or Residential	5826 SAMET DR STE 105

**CONDITIONAL REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION
ORIGINAL ZONING**

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

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	N/A
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	N/A

**CONDITIONAL REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION
ORIGINAL ZONING**

**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 #149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662 from **AG, BN, OI, and RS** previously zoned under Summerfield to **CZ-GB** 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 REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION
ORIGINAL ZONING**

**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 #149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662 from **AG, BN, OI, and RS** previously zoned under Summerfield to **CZ-GB** 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 REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION
ORIGINAL ZONING**

**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 #149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662 from **AG, BN, OI, and RS** previously zoned under Summerfield to **CZ-GB** because:

1. This approval also amends the **Northwest Area Plan** [Applicable element of Comp Plan].
2. The zoning map amendment and associated **Northwest Area Plan** amendment **are** based on the following change(s) in condition(s) in the **Northwest 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 REZONING CASE #24-08-PLBD-00093: SUMMERFIELD DE-ANNEXATION
ORIGINAL ZONING**

**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 #149642, 149643, 149645, 149651, 149653 149688, 149658, 150130, 217566, 149659, and 149662 from **AG, BN, OI, and RS** previously zoned under Summerfield to **CZ-GB** because:

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

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

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

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

(Insert Color Paper)

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT CASE #24-08-PLBD-00092: AN AMENDMENT TO MODIFY ARTICLE 3 (PERMITS AND PROCEDURES), SECTION 3.5.V TO ADJUST NOTICE AND HEARING REQUIREMENTS AND TERMINOLOGY REGARDING “TEXT AMENDMENTS” AND MAKE A GLOBAL ADJUSTMENT TO TERMINOLOGY USED FOR PUBLIC HEARINGS FOR LEGISLATIVE AND QUASI-JUDICIAL DECISIONS TO ALIGN WITH LANGUAGE ADOPTED UNDER TEXT AMENDMENT CASE #23-06-PLBD-00053 TO MODIFY ASSOCIATED NOTIFICATION REQUIREMENTS

Description

The Planning staff prepared amendments to Article 3 (Permits and Procedures) of the Guilford County Unified Development Ordinance (Referenced as Subsection 3 in Chapter 15 of the County Code of Ordinances). The amendment will modify Section 3.5.V regarding hearing and public notification procedures and terminology specific to Text Amendments. Also, it will amend the UDO to globally change the nomenclature for “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and “Evidentiary Hearing” in reference to quasi-judicial decisions as established under the UDO and consistent with NCGS 160D. The purpose of the amendment is to align with modifications to Section 3.2.D, Public Notice Procedures, and Table 3.2, Public Notification Requirements, under Text Amendment Case #23-06-PLBD-00053, adopted by the Guilford County Board of Commissioners on May 16, 2024. That amendment changed the public notice requirements for the Planning Board’s review of text amendments after a legislative hearing from “Required” to “Optional” to reflect its advisory role in decisions on text amendments established under the UDO and by NCGS 160D. Additionally, it changed the nomenclature for “Public Hearings” on legislative decisions, such as Text Amendments, to “Legislative Hearings,” and on quasi-judicial decisions, such as “Special Use Permits” to “Evidentiary Hearings.” The following amendments are proposed.

- Amend Section 3.5.V.2.d(1) to change the wording in the first sentence as follows: “...the Guilford County Planning Board ~~shall~~ may hold a ~~public~~ legislative hearing to consider the proposed amendment.”
- Amend Section 3.5.V to change the nomenclature for “public hearing” to “legislative hearing” in reference to legislative decisions on Text Amendments.
- Amend Section 3.5.V.2.c(1) to revise text as follows: “The Planning and Development Director shall review the application, prepare a staff report, ~~and notice set~~ a legislative public hearing ~~(if provided)~~ per Section 3.2 and Table 3.2, Public Notification Requirements, and provide a recommendation to the Planning Board.”
- Amend Section 3.5.V.2.c(2) to revise text as follows: Necessary research may be required for an application for a text amendment. Presentation of an application and recommendation to the Planning Board The public hearing may be delayed to account for research ...
- Amend Section 3.5.V.2.d(2) to revise text as follows: “Recommendations of the Planning Board shall be reported to the Guilford County Board of Commissioners for a legislative public hearing and final action according to the process set forth in this Ordinance. The Guilford County Board of Commissioners shall schedule the legislative public hearing subsequent to receiving the Planning Board’s report and recommendation. The legislative public hearing shall be scheduled as provided by the Board of Commissioners.”
- Amend Section 3.5.V.2.e(1) to revise text as follows: “Following the receipt of the Guilford County Planning Board’s action on a proposed amendment, the Guilford County Board of Commissioners shall hold a legislative public hearing to consider the proposed amendment.

Notice of the legislative ~~public~~ hearing shall be provided per Table 3.2, Public Notification Requirements.”

- Amend Section 3.5.V.2.e(2) to revise text as follows: “Before acting on any proposed amendment, the Board of Commissioners shall consider any recommendations made by the Guilford County Planning Board and/or the County Planning and Development Department, comments made at the legislative ~~public~~ hearing, and other relevant information.”
- Amend Sec. 15-56, Unified Development Ordinance in the Guilford County Code of Ordinance to globally change the term “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and to “Evidentiary Hearing” in reference to quasi-judicial decisions as established by the UDO and pursuant to NCGS 160D.

Text underlined indicates text to be added to the current ordinance. Text to be deleted is shown with a ~~strikethrough~~.

SEE ATTACHED

Consistency Statement

Consistency with Adopted Plans:

The Guilford County Comprehensive Plan (effective October 1, 2006) Future Land Use Element-Policy 1.6.2. which states, “Recommend Development Ordinance amendments and Area/Quadrant Plan changes to support and implement regional plans endorsed and adopted by Guilford County.”

Staff Recommendation

Staff Recommendation: Staff recommends approval.

The recommended action is reasonable and in the public interest because it is consistent with the Guilford County Comprehensive Plan (effective October 1, 2006) Future Land Use Element—Policy 1.6.2. It adjusts procedural requirements and updates terminology used under Section 3.5.V specific to Text Amendments consistent with adjustments made to Sections 3.1 and 3.2 with the adoption of Text Amendment Case #23-06-PLBD-00053 by the Guilford County Board of Commissioners on May 16, 2024 and with NCGS 160D.

**Proposed Text Amendment
Case #24-06-PLBD-00092**

V. TEXT AMENDMENT

1. Purpose and Intent

- a. This Section provides a uniform means for amending the text of this Ordinance wherever the public necessity, changed conditions, convenience, general welfare, or appropriate land use practices require doing so. A text amendment may be initiated by Guilford County or an applicant.

2. Procedure

a. Pre-Application Conference

- (1) Before submitting an application for an amendment, the applicant shall meet with the Planning and Development Department to discuss the proposed amendment and to receive information regarding the approval requirements and procedures.

b. Application Submittal

- (1) An application for an amendment shall be filed with the Guilford County Planning and Development Department on a form provided by the Department or found on the County Website. Any fees, as designated by the Guilford County Board of Commissioners, shall be due and payable at the time the application is submitted.
- (2) All information required on the application form shall be contained on or accompany the application.

c. Planning and Development Director Review and Recommendation

- (1) The Planning and Development Director shall review the application, prepare a staff report, and notice set a legislative public hearing (if provided) per Section 3.2 and Table 3.2, Public Notification Requirements, and provide a recommendation to the Planning Board.
- (2) Necessary research may be required for an application for a text amendment. Presentation of an application and recommendation to the Planning Board. The public hearing may be delayed to account for...



**Proposed Text Amendment
Case #24-06-PLBD-00092**

Commentary: SL 2017-210 SB181 authorizes Guilford County to publish legal notices electronically via the Guilford County website in lieu of publishing in a newspaper having general circulation in the area. The Board of Commissioners adopted such an Ordinance authorizing this procedure on March 1, 2018.

d. Planning Board Review and Recommendation

- (1) Following the receipt of the report regarding the Director's recommendation on a proposed amendment, the Guilford County Planning Board shall ~~may~~ hold a ~~legislative~~ public hearing to consider the proposed amendment. The hearing shall be scheduled as provided by the Planning Board's Rules of Procedures.
- (2) Recommendations of the Planning Board shall be reported to the Guilford County Board of Commissioners for a ~~legislative~~ public hearing and final action according to the process set forth in this Ordinance. The Guilford County Board of Commissioners shall schedule the ~~legislative~~ public hearing subsequent to receiving the Planning Board's report and recommendation. The ~~legislative~~ public hearing shall be scheduled as provided by the Board of Commissioners.
- (3) A recommendation by the Planning Board shall include the adoption of a statement describing how the Planning Board considers the action taken to be consistent with the Comprehensive Plan that has been adopted and any other officially adopted plan that is applicable, as amended, reasonable and in the public interest.
- (4) If no action is taken, the petitioner may take the rezoning application to the Board of Commissioners without a recommendation from the Planning Board. A record of the Planning Board's comments regarding the proposed amendment shall accompany the application.

e. Board of Commissioners Review and Decision

- (1) Following the receipt of the Guilford County Planning Board's action on a proposed amendment, the Guilford County Board of Commissioners shall hold a ~~legislative~~ public hearing to consider the proposed amendment. Notice of the ~~legislative~~ public hearing shall be provided per Table 3.2, Public Notification Requirements.
- (2) Before acting on any proposed amendment, the Board of Commissioners shall consider any recommendations made by the Guilford County Planning Board and/or the County Planning and Development Department, comments made at the ~~legislative~~ public hearing, and other relevant information.
- (3) Upon reviewing all pertinent information, the Board of Commissioners may adopt the proposed amendment, reject the proposed amendment, refer the proposed amendment back to the Planning Board for further consideration, or modify the proposed amendment.
- (4) Approval by the Board of Commissioners shall include adoption of a statement describing how the Board of Commissioners considers the action taken to be consistent with the Comprehensive Plan, reasonable and in the public interest.

**Proposed Text Amendment
Case #24-06-PLBD-00092**

- (5) All amendments and changes must be in the form of an ordinance. Copies of adopted ordinances shall be kept on file at the office of the Clerk of the Board of Commissioners and with the Planning and Development Department.
- 3. Appeal
 - a. Applicable. See Section 3.5.C, Appeals.
- 4. Additional Requirements
 - a. Amendments to Soil Erosion and Sedimentation Control Requirements
 - (1) Guilford County shall incorporate revisions required by the Environmental Management Commission (EMC) within eight (8) months following receipt of the required revisions. If standards and provisions of this Ordinance currently meet or exceed the required revisions, the Environmental Management Commission shall be so notified within ninety (90) days of their receipt.
 - b. Amendments to the Watershed Protection/Stormwater Management Regulations
 - (1) Amendments to the watershed protection/stormwater management regulations found in this Ordinance shall be submitted to the Division of Water Quality for necessary review and Environmental Management Commission approval, when the State has statutory oversight, prior to adoption by the Board of Commissioners. All amendments are effective upon adoption by the Board of Commissioners unless otherwise noted.

Sec. 15-56 Unified Development Ordinance

Amend Sec. 15-56, Unified Development Ordinance in the Guilford County Code of Ordinance to globally change the term “Public Hearing” to “Legislative Hearing” in reference to legislative decisions and to “Evidentiary Hearing” in reference to quasi-judicial decisions as established by the UDO and pursuant to NCGS 160D.

(This page intentionally left blank.)