



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

**Regular Meeting Agenda**

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

**July 14, 2021**

6:00 PM

**(SEE ATTACHED VIRTUAL MEETING AND PUBLIC HEARING PROCEDURES)**

**A. Roll Call**

**B. Agenda Amendments**

**C. Approval of Minutes: June 9, 2021 and June 10, 2021**

**D. Rules and Procedures**

**E. Continuance Requests**

**F. Old Business**

**G. New Business:**

**Public Hearing Items:**

**EASEMENT CLOSING CASE #21-05-GCPL-04166: (Request to Continue)**

All of a 20-foot utility easement (also aligns with drainage) located on Lot #s 31 (part of), 32, 33, 35, 36, 37, 38, 39, & 40 as shown on Plat Book 32 Page 20 and located on Guilford County Tax Parcel #125757.

**REZONING CASE #21-06-GCPL-05007: AG to RS-40 622 Plainfield Rd**

Located on the north side of Plainfield Rd, approximately 3000 feet east from its intersection of Lake Brandt Rd, approximately 130.36 acres, Guilford County Tax Parcel #137606 owned by First Acres LLC.

The proposed Rezoning is consistent with the Northern Lakes Area Plan land use classification of AG Residential, thus if approved, no plan amendment would be required.



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

**CONDITIONAL ZONING CASE #21-06-GCPL-05096: RS-30 to CZ-LI 4118 and 4116 US Hwy 29 N**

Located on the east side of US Hwy 29 N, approximately 100 feet east from its intersection of Pine Cone Dr, approximately .92 acres, Guilford County Tax Parcel #126059, and #126068 owned by Highway 29 North Properties LLC.

Proposed Conditional Zoning from RS-30 to CZ-LI limited to the following uses: Includes all uses allowed in the LI District, except for the following; 1. Animal Services (Livestock) 2. Animal Services (Other) 3. Go-cart Raceway, and 4. Taxi Terminal. Conditions: N/A along with the attached Zoning Sketch Plan. No development conditions were offered by the applicant.

The proposed Conditional Zoning is inconsistent with the Northern Lakes Area Plan land use classification of Residential Single-Family, thus if approved, an area plan amendment to Light Industrial would be required.

The parcels are in the US Highway 29 N Scenic Corridor established under Section 4.9.B of the Guilford County Unified Development Ordinance. Standards of the General requirements B.3.a (2) and (3) shall apply to the US-29 North Scenic Corridor.

**H. Other Business**

Election of Vice Chair

**I. Adjourn**

## **VIRTUAL MEETING AND PUBLIC HEARING PROCEDURES**

Guilford County remains committed to providing an open and transparent public process during the COVID-19 pandemic. To ensure the safety of our community and staff, this public hearing will be **open for citizen participation through the virtual platform, GoToWebinar.**

**THE MEETING ROOM WILL BE OPEN ONLY FOR THE PUBLIC UNABLE TO PARTICIPATE VIRTUALLY. LIMITED SEATING WILL BE AVAILABLE ON A FIRST-COME, FIRST-SERVED BASIS, WITH SOCIAL DISTANCING GUIDELINES IN PLACE.**

The public hearing agenda will be available for review prior to the start of the meeting at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

**Virtual Regular Meeting & Public Hearing(s)** Wednesday, July 14, 2021 @ 6:00 pm

**Those wishing to participate in the virtual meeting, must register by Jul 14, 2021 5:30 PM EDT at:**

<https://attendee.gotowebinar.com/register/5949834966221583115>

Webinar ID 444-532-915

After registering, you will receive a confirmation email containing information about joining the webinar. **Comments can be made in writing for up to 24 hours after the regular meeting via email to [mbyers0@guilfordcountync.gov](mailto:mbyers0@guilfordcountync.gov) and must be received by 6:00 PM on Thursday, July 15, 2021.**

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**In-Person (Not Virtual) Special Meeting** Wednesday, July 15, 2021 @ 6:00 PM

Located at the **NC Cooperative Extension-Agricultural Center 3309 Burlington Road, Greensboro, NC 27405**

Voting on July 14<sup>th</sup> Public Hearing items & Evidentiary Hearing for Special Use Permit Case #21-06-GCPL-05148: Special Event Venue

**SPECIAL USE PERMIT CASE #21-06-GCPL-05148: Special Event Venue**

Located on the west side of Church St, approximately 2500 feet south from its intersection of Prima Dr, approximately 10.53 acres, Guilford County Tax Parcel #139372 zoned AG, and owned by Eddie McLaurin.

The petitioners are seeking a Special Use Permit to operate a Special Event Venue with associated Site Plan and subject to any conditions of approval.

**THE MEETING ROOM WILL BE OPEN TO THE PUBLIC DURING THE SPECIAL MEETING. LIMITED SEATING WILL BE AVAILABLE ON A FIRST- COME, FIRST-SERVED BASIS, WITH SOCIAL DISTANCING GUIDELINES IN PLACE.**

**To view the Special Use Permit Guidelines please visit the link:**

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

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**Guilford County  
Planning Board  
REMOTE/VIRTUAL REGULAR MEETING  
June 9<sup>th</sup>, 2021**

The Guilford County Planning Board met in regular session on Wednesday, June 9<sup>th</sup>, 2021, at 6:01 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

**Members Present:** Mr. Apple; Mr. Gullick; Mr. Donnelly; Dr. Gathers (remotely); Ms. Buchanan; Mr. Craft; and Chair Frankie Jones

**Members Absent:** Ms. McKinley

**Staff Present:** Mitchell Byers, Planning Technician; Matt Talbott, Sr. Planners/Planner II; Oliver Bass, Sr. Planners/Planner II; J. Leslie Bell, Guilford County Planning Director; Kaye Graybeal, Deputy Planning Director (remotely); and Robert Carmon, Fire Inspections Chief

Chair Jones called the meeting to order and welcomed everyone in attendance.

**AGENDA AMENDMENTS:**

Mr. Bell requested to reschedule **Special Use Permit Case #21-05-GCPL-04192** Solar Collector (Principal) to June 21<sup>st</sup>, 2021, at 6:00 p.m. for a Special Meeting.

Ms. Buchanan moved to reschedule **Special Use Permit Case #21-05-GCPL-04192** Solar Collector (Principal) until June 21<sup>st</sup>, 2021, at 6:00 p.m., seconded by Mr. Apple. The Board voted 6-0-1 in favor of the motion. This was due to Dr. Gathers being present, yet her microphone was having technical issues (Ayes: Apple, Craft, Buchanan, Gullick, Donnelly, and Jones. Nays: None Abstained: Gathers). Subsequently, Dr. Gathers joined the meeting with audio and the Board voted in favor 7-0 of rescheduling **Special Use Permit Case #21-05-GCPL-04192** Solar Collector (Principal) to June 21<sup>st</sup>, 2021 at 6:00 p.m. (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None

**APPROVAL OF MINUTES:**

Mr. Apple moved to approve the April 14<sup>th</sup>, 2021 (Regular Mtg.) & April 15<sup>th</sup>, 2021 (Reconvened Mtg.) minutes, seconded by Ms. Buchanan. The Board voted 6-0-1 in favor of the motion (Ayes: Apple, Craft, Buchanan, Gullick, Donnelly, and Jones. Nays: None Abstained: Gathers). Subsequently, Dr. Gathers joined the meeting with audio and the Board voted in favor 7-0 to approve the April 14<sup>th</sup>, 2021 (Regular Mtg.) & April 15<sup>th</sup>, 2021 (Reconvened Mtg.) minutes. (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None).

**RULES OF PROCEDURE:**

Chairman Frankie Jones read the rules of procedure to be followed during the meeting.

Dr. Gathers joined the meeting with audio and voted in favor of both motions. The Board voted 7-0 in favor of rescheduling **Special Use Permit Case #21-05-GCPL-04192** Solar Collector (Principal) to June 21<sup>st</sup>, 2021 at 6:00

p.m. (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None), and to approve the April 14<sup>th</sup>, 2021 (Regular Mtg.) & April 15<sup>th</sup>, 2021 (Reconvened Mtg.) minutes. (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None).

**CONTINUANCE REQUESTS:** None.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Non-Public Hearing Items:**

**RESOLUTION OF INTENT FOR EASEMENT CLOSING CASE #21-05-GCPL-04166: (CONTINUED UNTIL JULY 14, 2021)**

Being all of a 20-foot utility easement located on Lot #'s 31 (part of), 32, 33, 35, 36, 37, 38, 39, & 40 as shown on Plat Book 32 Page 20 and located on Guilford County Tax Parcel #125757.

Mr. Bell stated that there were correspondences with the utility companies and the easement closing Resolution of Intent was included in the packet provided to the Board. He requested that the Public Hearing be set for July 14<sup>th</sup>, 2021.

Mr. Apple moved that the Public Hearing for **EASEMENT CLOSING CASE #21-05-GCPL-04166** be held at the July 14<sup>th</sup>, 2021 meeting, seconded by Mr. Gullick. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None).

**Public Hearing Items:**

**REZONING CASE #21-05-GCPL-04164: CZ-GB to GB 7200 Brown Summit Rd –**

Located on the east side of Brown Summit Rd, approximately 50 feet east from its intersection of Autumn Forest Dr, approximately 3.95 acres, Guilford County Tax Parcel #128141 owned by RGW Self Storage LLC.

Mr. Bass stated that there had been some additional information added to the staff report that was included in the packet, and that it would be presented in the PowerPoint on the screen for the Board. The request is to rezone the parcel from CZ-GB (General Business) to GB. This would remove the previous use conditions established under Conditional Rezoning Case 39-96, approved April 10<sup>th</sup>, 1996, which listed the following as allowed uses: (1) Hardware store; (2) Restaurant (no drive-thru); (3) Gift or Card Shop; (4) Doctor's Office; (5) Dentist Office; (6) Video Tape Rental; (7) Barber Shop; (8) Beauty Shop; (9) Sporting Goods Store; Garden Center; (10) Florist; (11) Law Office; (12) Insurance Office; or (13) Real Estate.

Mr. Bass also said that no development conditions were established under the Conditional Zoning. This rezoning would allow all GB uses as permitted by the Guilford County Unified Development Ordinance. The land uses in the area include industrial to the North and single-family residential to the South. There is a golf course to the rear. The subject parcel is undeveloped. The proposed rezoning and current zoning are inconsistent with the Northern Lakes Area Plan land use classification of Mixed-Use, thus if approved, an area plan amendment from Mixed-Use to Moderate Commercial would be required.

Staff recommended approval because the request is reasonable and in the public's interest since the parcel already has general business and industrial uses, and although it is inconsistent with the area plan recommendation, the base zoning district already is GB.

Chair Jones asked staff if the features that the applicant references in the application such as a 50-foot buffer was required, and Mr. Bass replied that it was required because of the residential property to the south. Mr. Bell also stated that because it is a Conventional Zoning you must look at the applicability of all uses allowed in the district.

**In Support:**

Kenneth Rush, 4539 Johnson Street, Colfax, NC, from AAA Self-Storage stated that they are currently located at 7208 Brown Summit Road, and they had purchased this property fifteen (15) years ago. They have maxed out the lands potential and would like to purchase the land in question to expand the business.

Mr. Donnelly asked if Mr. Rush had spoken to the neighbors. He stated that they had and promised to not allow excessive water runoff and to have a facility that is aesthetically pleasing. Mr. Gullick asked if Mr. Rush only wanted to be in a General Business Zone or if he had investigated a Conditional Zoning. Mr. Rush replied that he believed the Conditional Zoning did not include his business, and he believed that since his current location is in General Business Zoning that his new facility would be as well.

**In Opposition:**

None

With no more questions, it was moved by Mr. Craft, and seconded by Ms. Buchanan to close the Public Hearing. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None).

**CONDITIONAL ZONING CASE #21-05-GCPL-04259: CZ-LI to CZ-LI 1450 Creek Rd**

Located on the south side of Creek Rd, approximately 1500 feet east from its intersection of AT&T Dr, approximately 16.9 acres, Guilford County Tax Parcel #120658 owned by Beverly McComb. Proposed Conditional Zoning from CZ-LI to CZ-LI limited to the following Use Conditions: (All uses allowed in the LI district except the following uses shall not be permitted: Junked motor vehicles; Beneficial fill area; Construction or demolition debris landfill, minor; Land clearing and inert debris landfill, minor; Heliport; Amusement or Water Parks, Fairgrounds; Athletic Fields; Auditorium, Coliseum or Stadium; Country Club with Golf Course; Golf Course; Cemetery or Mausoleum; Automobile Parking (Commercial); Bus Terminal and Service Facilities; Railroad Terminal or Yard; Wireless Communication Tower, Stealth Camouflage Design; Wireless Communication Tower, Non-Stealth Design; Small Cell Wireless Tower, Solar Collectors Principal; Utility Equipment and Storage Yards; Recycling Facilities, Outdoors; Trucking or Freight Terminal.

Mr. Talbott stated that the development conditions were that businesses located on property shall be oriented towards I-85/I-40. Any structural improvements shall be constructed to the north of the 100-year flood zone area as shown on current flood zone maps of Guilford County, North Carolina; provided that such area may be used to construct necessary utilities provided that any disturbed areas will be replanted with similar vegetation to the extent reasonably possible, along with the attached Zoning Sketch Plan.

Mr. Talbott also stated that the surrounding uses were mostly single-family residential and agricultural, with some industrial uses in proximity. There is currently a single-family home on the property. To the north is I-85/I-40, to the south and east are single-family residences, and to the west is the City of Greensboro pump station. The proposed Conditional Zoning is consistent with the Rock Creek Area Plan land use classification of Light Industrial, thus if approved, no plan amendment would be required.



Staff recommends approval since the current zoning meets use conditions and development conditions. It is reasonable and in the public's interest due to the ease of the location, it will provide new employment opportunities for the area, and meet the buffer and lighting requirements.

Chair Jones asked staff to describe what would be changing with the new CZ-LI zoning. Mr. Talbott replied that the conditions as part of the approval in 2008, had less concise classifications and the new conditions proposed would allow more uses that are permitted in the LI zoning district.

**In Support:**

Brent Sievers, with Fleming Engineering located at 8518 Triad Drive, Colfax, NC, wanted to clarify that the landowner before him had made a deal in 2008 that would make the land use be more restrictive and the land did not end up getting developed thus the owner was stuck with the zoning district. The new conditions in this rezoning request seem to be the best option to allow the company to develop the land.

**In Opposition:**

None

With no more questions the Public Hearing was closed, moved by Mr. Craft, and seconded by Ms. Buchanan. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Gathers, Gullick, Donnelly, and Jones. Nays: None).

**Evidentiary Hearing Item(s):**

**SPECIAL USE PERMIT CASE #21-05-GCPL-04192: Solar Collector (Principal) (CONTINUED UNTIL JUNE 21, 2021)**

Located on the west side of Mt Hope Church Rd, approximately 1500 feet northwest from its intersection of McConnell Rd, approximately 470 acres, Guilford County Tax Parcel #116807, #116805, #116804, #116799, #120643, and #120662 zoned AG-SP, and owned by Stewart JH Family Limited Partnership, Richard and Margie Brinkley, Needham Farm LLC, and Brian Morris Associates LLC.

The petitioners are seeking a Special Use Permit to operate a Solar Collectors (Principal), subject to the submitted Site Plan along with the following proposed conditions: 1) Along the western and southern boundaries of Parcel #120643, West River Solar will observe minimum setbacks of 125' from the nearest panel to adjoining property lines as shown on the SUP site plan submitted May 12, 2021, 2) Along the western and southern boundaries of Parcel #120643, West River Solar will plant or preserve a minimum of 50' of vegetation for screening purposes as shown on the SUP site plan submitted May 12, 2021 and 3) To the extent practicable, West River Solar will plant native grasses or pollinator plant species within the project footprint and install wildlife friendly fencing that meets or exceeds the standards of the National Electrical Code.

**OTHER BUSINESS:**

Chair Jones stated that Vice Chair Alexander's term had expired, and that there will be a vote at the July Meeting to appoint new positions.

**RECESSED:**

There being no further business before the Board, the *virtual* Regular meeting was recessed at 6:40 pm and will reconvene on June 10<sup>th</sup>, 2021, at 6:30 pm for a voting session.

**Guilford County  
Planning Board  
REMOTE/VIRTUAL RECONVENED MEETING  
June 10<sup>th</sup>, 2021**

The Guilford County Planning Board was reconvened on Thursday, June 10<sup>th</sup>, 2021, at 6:30 p.m. virtually.

**Members Present:** Mr. Apple (remotely); Mr. Gullick (remotely); Mr. Donnelly (remotely); Dr. Gathers (remotely); Ms. Buchanan (remotely); and Chair Frankie Jones (remotely)

**Members Absent:** Ms. McKinley and Mr. Craft

**Staff Present:** Mitchell Byers, Planning Technician (remotely); J. Leslie Bell, Guilford County Planning Director (remotely); Matt Talbott, Sr. Planners/Planner II (remotely), and Oliver Bass (remotely), Sr. Planners/Planner II.

Chair Jones called the meeting to order and welcomed everyone in attendance.

Before the voting commenced, Mr. Bell presented a map of **EASEMENT CLOSING CASE #21-05-GCPL-04166**, which better showcased the easement for the meeting on July 14<sup>th</sup>, 2021.

**Public Hearing Items:**

**REZONING CASE #21-05-GCPL-04164: CZ-GB to GB 7200 Brown Summit Rd (APPROVED)**

Located on the east side of Brown Summit Rd, approximately 50 feet east from its intersection of Autumn Forest Dr, approximately 3.95 acres, Guilford County Tax Parcel #128141 owned by RGW Self Storage LLC.

Mr. Donnelly stated that he visited the site and appreciates the diversity of uses adjacent to the property and believes that approval would fit into the land uses in the area. Mr. Gullick stated that he also supports the rezoning since the use fits into the conditions of the zoning and thinks that Conditional Zoning is beneficial. Chair Jones agreed with the support for the motion.

Ms. Buchanan moved to approve the zoning case for Guilford County Tax Parcel #128141 from CZ-GB [previous Case 39-96 [on April 10, 1996] to GB. This action also amends the Northern Lakes Area Plan recommendation from Mixed-Use to Moderate Commercial. This would remove the previous use conditions established under Conditional Rezoning Case 39-96, approved April 10<sup>th</sup>, 1996. There are no development conditions established under the conditional zoning. This rezoning would allow all GB uses as permitted by the Guilford County Unified Development Ordinance. The action is reasonable and in the public's interest since the parcel already has general business and industrial uses, and even though it is inconsistent with the area plan, it is already zoned GB. Future uses must comply with the required landscape buffer for GB zoned properties, seconded by Dr. Gathers.

The Board voted unanimously 6-0 in favor of the motion. (Ayes: Apple, Gullick, Gathers, Buchanan, Donnelly, and Jones Nays: None).

**CONDITIONAL ZONING CASE #21-05-GCPL-04259: CZ-LI to CZ-LI 1450 Creek Rd  
(APPROVED)**

Located on the south side of Creek Rd, approximately 1500 feet east from its intersection of AT&T Dr, approximately 16.9 acres, Guilford County Tax Parcel #120658 owned by Beverly McComb. Proposed Conditional Zoning from CZ-LI [previous Case 08-09-GCPL-05167 in 2008] to CZ-LI.

Mr. Donnelly moved to approve the zoning case for Guilford County Tax Parcel #120658 from CZ-LI to CZ-LI, because this amendment is consistent with applicable plans because the district accommodates limited small scale manufacturing, wholesale warehousing, and related commercial activities that have little adverse effects on neighboring properties. The amendment is reasonable and in the public's interest due to the ease of access (to I85/I40) of the location and it will provide new employment opportunities for the area, seconded by Mr. Apple.

The Board voted unanimously 6-0 in favor of the motion. (Ayes: Apple, Gullick, Gathers, Buchanan, Donnelly, and Jones Nays: None).

**OTHER BUSINESS:**

Mr. Bell stated that there are six applications at this time [submitted] for July. One Special Use Permit, and Public Hearings for an easement closing, a street re-naming, and three rezoning cases. Mr. Bell began a discussion of the Board's preferences for the type of meeting(s) for cases in June (e.g., virtual option and/or in-person), especially given that there is a quasi-judicial hearing (Special Use Permit case). Chairman Jones asked each Board member their preference. Chairman Jones indicated he would like to hear from Ms. McKinley and Mr. Craft and the Board decided amongst themselves that they would wait to hear from Ms. McKinley and Mr. Craft before making a final decision.

**ADJOURNED:**

There being no further business before the Board, the meeting was adjourned at 6:51 pm.  
to the Board

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# GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Planning Board Rezoning Application

Date Submitted: 6/7/2021 Fee \$500.00 Receipt # 170131 Case Number 21-06-6CPL-05007

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

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

Said property is located 622 Plainfield Rd in Center Grove Township; Being a total of: 130.36 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # <u>1 3 7 6 0 6</u>	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____

**Check One:**

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

**Check One:**

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

**Check One:**

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

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

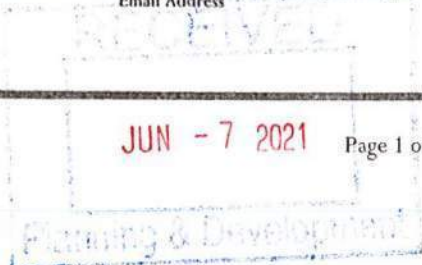
### YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by: \_\_\_\_\_

Milton Ivy Shaw  
 Property Owner Signature  
FIRST ACRES, LLC / MILTON I. SHAW  
 Name  
1116-A LAKE BRANOT RD  
 Mailing Address  
GREENSBORO, NC 27455  
 City, State and Zip Code  
 \_\_\_\_\_  
 Phone Number  
 \_\_\_\_\_  
 Email Address

[Signature]  
 Representative/Applicant Signature (if applicable)  
D. Stone Builders Inc.  
 Name  
2904 Lowndale Drive  
 Mailing Address  
Greensboro, NC 27408  
 City, State and Zip Code  
336-288-9393  
 Phone Number  
David@dstonebuilders.com  
 Email Address

Additional sheets for tax parcels and signatures are available upon request.





# GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Planning Board Rezoning Application-Additional

### Additional Tax Map References

Further referenced by the Guilford County Tax Department as:

Tax Parcel # \_\_\_\_\_  
 Tax Parcel # \_\_\_\_\_  
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 Tax Parcel # \_\_\_\_\_  
 Tax Parcel # \_\_\_\_\_

### Additional Signatures

DocuSigned by:  
Georgia Shaw Enright  
Owner/ Representative/ Applicant Signature (if applicable)  
FIRST ACRES, LLC / GEORGIA S. ENRIGHT  
Name  
7115 VAULEY FALLS RD  
Mailing Address  
GREENSBORO, NC 27455  
City, State and Zip Code  
  
Phone Number \_\_\_\_\_ Email Address GEORGIA@GEORGIAENRIGHT.COM

DocuSigned by:  
Robert Flake Shaw, III  
Owner/ Representative/ Applicant Signature (if applicable)  
FIRST ACRES, LLC / ROBERT F. SHAW, III  
Name  
7135 VAULEY FALLS RD  
Mailing Address  
GREENSBORO, NC 27455  
City, State and Zip Code  
  
Phone Number \_\_\_\_\_ Email Address RSHAW@TRIAD.RR.COM

\_\_\_\_\_  
Owner/ Representative/ Applicant Signature (if applicable)  
 \_\_\_\_\_  
Name  
 \_\_\_\_\_  
Mailing Address  
 \_\_\_\_\_  
City, State and Zip Code  
 \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

\_\_\_\_\_  
Owner/ Representative/ Applicant Signature (if applicable)  
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Name  
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Mailing Address  
 \_\_\_\_\_  
City, State and Zip Code  
 \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email Address \_\_\_\_\_

To: Guilford County Planning and Development

RE: Rezoning Application for 622 Plainfield Rd, Greensboro, NC 27455

First Acres, LLC grants permission to D. Stone Builders, Inc. to apply for rezoning of tax parcel # 137606.

DocuSigned by:  
Milton Irby Shaw 5/28/2021  
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Signature Date

Name  
DocuSigned by:  
Georgia Shaw Enright 5/28/2021  
CA8275D62864457...  
Signature Date

Name  
DocuSigned by:  
Robert Flake Shaw, III 5/28/2021  
37A66551DEE1432...  
Signature Date

Name

BK: R 7824  
PG: 2517-2520  
RECORDED:  
06-17-2016  
03:20:05 PM  
BY: CHIRELL WALTERS  
DEPUTY.GB



2016031983  
GUILFORD COUNTY, NC  
JEFF L. THIGPEN  
REGISTER OF DEEDS

NC FEE \$28.00  
NO TAXABLE  
CONSIDERATION

### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax NTC

Parcel Identifier No. \_\_\_\_\_ Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_ 2016

Mail after recording to Martha T. Peddrick, 440 West Market Street, Suite 300, Greensboro, North Carolina 27401

This instrument was prepared by: Martha T. Peddrick (without title examination)

Brief description for the Index: 602 Plainfield Road

P/U Peddrick MKTP

THIS DEED made this 16<sup>th</sup> day of June, 2016.

GRANTOR	GRANTEE
Robert Flake Shaw, III and Georgia S. Enright, Co-Executors of the Estate of Robert Flake Shaw, Jr. 7935 Valley Falls Road Greensboro, NC 27455	First Acres, LLC 7935 Valley Falls Road Greensboro, NC 27455
Robert Flake Shaw, III and spouse, Laurie O. Shaw 7935 Valley Falls Road Greensboro, NC 27455	
Georgia S. Enright and spouse, Brian E. Enright 7915 Valley Falls Road Greensboro, NC 27455	
Milton I. Shaw and spouse, William M. Guill 6116-A Lake Brandt Rd. Greensboro, NC 27455	

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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



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

**Property Address: 602 Plainfield Road, Summerfield, NC**

**Parcel ID Number: 0137606; PIN Number: 7859607112**

All or a portion of the property herein conveyed does not include the primary residence of Robert Flake Shaw, Jr.

**Parcel 1**

BEGINNING at an existing axle in the northern margin of the right-of-way of Plainfield Road, the southwest corner of James T. Ivey and wife, and running thence along the western line of Ivey as shown in Plat Book 74, Page 116, Guilford County Registry, North 02 deg. 42 min. 17 sec. East 257.69 feet to an existing iron at a fence post, the northwest corner of Ivey and a common corner with grantee; thence along the southern line of the grantee North 79 deg. 44 min. 56 sec. East 61.56 feet to a new iron; thence a new line with the grantor South 02 deg.; 42 min. 17 sec. West 264.49 feet to a new iron in the northern margin of Plainfield Road; thence with the northern margin of Plainfield Road South 86 deg. 03 min. 07 sec. West 60.41 feet to the point of Beginning the same containing .360 acres, more or less.

**Parcel 2**

**Tract 1**

BEGINNING at an existing iron pipe, the Southeast corner of Tract 5, Map 2 of Lillie Morgan Shaw Heirs' property; thence North 04 deg. 24 min. East, crossing Duke Power Company's right of way as appears of record, 1716.21 feet and with lands of Clapp to existing iron pipe in Clapp's line, North 89 deg. 13 min. 20 sec. West 1060.90 feet to an existing iron pipe; thence North 89 deg. 21 min. West 399.95 feet to an existing iron pipe; thence South 02 deg. 17 min 30 sec. West 436.97 feet to an iron pipe in the Duke Power Company's right of way; thence South 02 deg. 11 min. 55 sec. West 937.51 feet, crossing Southern edge of said right of way, and to an iron pipe; thence North 75 deg. 30 min. East 795 feet to an iron pipe; thence South 2 deg. 11 min. 55 sec. West 732.36 feet to an iron pie at the end of a right of way leading to Plainfield Road; thence South 02 deg. 51 min. 55 sec. West 62.64 feet to a corner with said 60 foot right of way, which the Grantee may use and enter at the end of said right of way for ingress and egress; thence North 75 deg. 30 min. East 385.40 feet to an iron pipe; thence North 11 deg. 40 min. 40 sec. East 165.70 feet to an iron pipe; thence South 84 deg. 45 min. 20 sec. East 508.07 feet to an existing iron pipe, the point of Beginning, said tract containing 50.06 acres, more or less.

The above described property is all of Tract 5, Map 2, of the Lillie Morgan Shaw Heirs' property as recorded in Plat Book 57, Page 106, in the Guilford County Registry.

**Tract 2**

BEGINNING at a point at the Northeast corner of the tract belonging to B. Atkins and said point being located North 82 deg. 04 min. 20 sec. East 769.71 feet from an iron pipe located in the Southern margin of a 60 foot right of way, the Southeastern corner of Tract 3; thence from said beginning point, along said Southern margin of said right of way, North 81 deg. 51 min. 20 sec. East 509.00 feet to an iron pipe, control corner; thence continuing along said Southern margin of said 60 foot right of way, North 75 deg. 30 min East 1595.35 feet to Southeast corner of Tract 5, corner with L. Richardson, Jr.; thence North 2 deg. 11 min. 55 sec. East 62.64 feet across said 60 foot right of way to an iron pipe in the Northern margin of said right of way; thence continuing along the line between Tracts 4 and 5, North 02 deg. 11 min. 55 sec. East 732.36 feet to an iron stake; thence South 75 deg. 30 mi. West 795.00 feet to an iron stake; thence North 02 deg. 11 min. 55 sec. East 937.51 feet to an iron pipe in the right of way of Duke Power Company; thence North 85 deg. 35 min. 10 sec. West 805.19, crossing the 30 foot right of way of Plantation Pipe Line to an existing iron pipe; thence South 00 deg. 31 min, 50 sec. West 859.34 feet to an existing stone corner with J. D. Caldwell and J. L. Henson; thence along the line with J. D. Caldwell and J. L. Henson, South 84 deg. 37 min. West 1187 feet to an iron pipe; thence along the Eastern margin of Tract 3 of Lillie Morgan Shaw Heirs', South 5 deg. 27 min. 08 sec. West 1144.96 feet to an iron stake in the Northern margin of a right of way; thence continuing across said right of way, South 05 deg. 27 min. 08 sec. West 61.67 feet to an iron pipe in the Southern margin of said right of way and the property of B. Atkins; thence North 82 deg. 04 min. 20 sec. East 769.71 feet, crossing a 30 foot right of way of Plantation Pipe Line, to the point of BEGINNING, same being Tract Number 4, Map 2, of the Lillie Morgan Shaw Heirs' property as recorded in Plat Book 57, Page 106, in the Guilford County Registry, said Tract containing 79.94 acres, more or less.

The property hereinabove was acquired by Robert Flake Shaw, Jr., by instrument recorded in Book 2807, Page 728 and Book 3433, Page 2292 Guilford County Registry. Further see Estate of Robert Flake Shaw, Jr., Guilford County Estate File Number 16-E-1085.

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

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

Title to the property hereinabove described is subject to the following exceptions:

Easements, restrictions, rights-of-way of record and ad valorem taxes for the current year.

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

Estate of Robert Flake Shaw, Jr.

Robert Flake Shaw III (SEAL)  
Robert Flake Shaw, III

By: Robert Flake Shaw III  
Robert Flake Shaw, III, Co-Executor

Laurie O. Shaw (SEAL)  
Laurie O. Shaw

By: Georgia S. Enright  
Georgia S. Enright, Co-Executor

Georgia S. Enright (SEAL)  
Georgia S. Enright

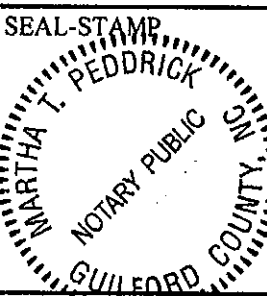
Brian E. Enright (SEAL)  
Brian E. Enright

Milton I. Shaw (SEAL)  
Milton I. Shaw

William M. Guill (SEAL)  
William M. Guill



State of North Carolina - County of Guilford  
I, the undersigned Notary Public of the County and State aforesaid, certify that Robert Flake Shaw, III, as Co-Executor of the Estate of Robert Flake Shaw, Jr., personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 16 day of June, 2016.  
My Commission Expires: 5/9/21 Martha T. Peddrick, Notary Public



State of North Carolina - County of Guilford  
I, the undersigned Notary Public of the County and State aforesaid, certify that Georgia S. Enright, as Co-Executor of the Estate of Robert Flake Shaw, Jr., personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 16 day of June, 2016.  
My Commission Expires: 5/9/21 Martha T. Peddrick, Notary Public

SEAL-STAMP

State of North Carolina – County of Guilford

I, the undersigned Notary Public of the County and State aforesaid, certify that Robert Flake Shaw, III, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 16<sup>th</sup> day of June, 2016.

My Commission Expires: 05/09/21

  
Martha T. Peddrick, Notary Public

SEAL-STAMP

State of North Carolina – County of Guilford

I, the undersigned Notary Public of the County and State aforesaid, certify that Laurie O. Shaw, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 17<sup>th</sup> day of June, 2016.

My Commission Expires: 05/09/21

  
Martha T. Peddrick, Notary Public

SEAL-STAMP

State of North Carolina – County of Guilford

I, the undersigned Notary Public of the County and State aforesaid, certify that Georgia S. Enright and spouse, Brian E. Enright, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 16<sup>th</sup> day of June, 2016.

My Commission Expires: 05/09/21

  
Martha T. Peddrick, Notary Public

SEAL-STAMP

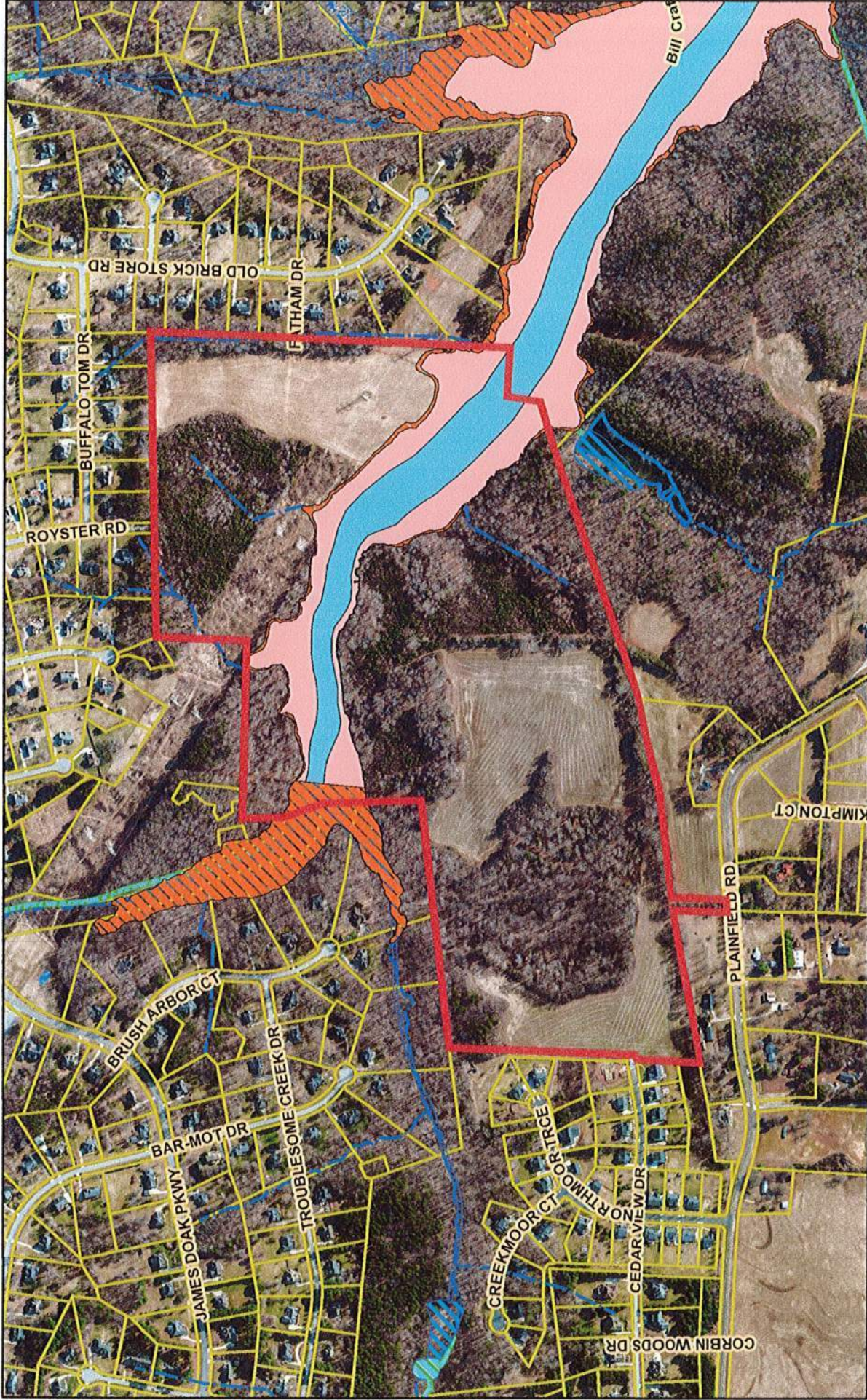
State of North Carolina – County of Guilford

I, the undersigned Notary Public of the County and State aforesaid, certify that Milton I. Shaw and spouse William M. Guill, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal, this 16<sup>th</sup> day of June, 2016.

My Commission Expires: 05/09/21

  
Martha T. Peddrick, Notary Public

# Guilford County, NC



May 27, 2021

## **Property Information**

Located on the north side of Plainfield Rd, approximately 3000 feet east from its intersection of Lake Brandt Rd, approximately 130.36 acres, Guilford County Tax Parcel #137606 owned by First Acres LLC.

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

## **Nature of the Request**

This proposed request is to Rezone property from AG, Agricultural to RS-40, Residential, Single-family.

### **District Descriptions**

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

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

## **Character of the Area**

This request is in an area of major single-family residential subdivisions that developed under an RS-40 zoning. Subdivision west of subject parcel is in the Summerfield town limits and zoned OSRD (Open Space Residential), which carries a minimum lot size of 15,000 sf.

**Existing Land Use(s) on the Property:** Undeveloped

### **Surrounding Uses:**

- North: Single-family subdivision (RS-40 zoning)
- South: Low density single-family, undeveloped (AG zoning)
- East: Single-family subdivision (RS-40 zoning)
- West: Single-family subdivision (OSRD zoning, Summerfield)

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

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

## Infrastructure and Community Facilities

### Public School Facilities:

Zoning Case 21-06-GCPL-05007				
Guilford County				
Schools Serving	Built Capacity 2021-22	2021-22 20th Day Projection	Mobile Classrooms	Estimated Additional Students
Northern Elementary School	670	674	3	36 - 38
Northern Middle School	1152	809	0	18 - 20
Northern High School	1370	1329	0	16 - 18
Remarks: With the implementation of General Statute 115C-301 mandating reduced K-3 class sizes, elementary schools will experience annual reductions in capacity through 2021-22. Elementary built capacity assumes reduced K-3 class sizes per applicable core academic classroom as of the stated year. Middle and high school built capacity assumes 30 students per core academic classroom.				

### Emergency Response:

Fire Protection District: Summerfield FPSD

Miles from Fire Station: Approximately 1.58 miles

### Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: No

Feasibility Study or Service Commitment: No

### Transportation:

Existing Conditions: Major thoroughfare, 1300 AADT (NCDOT, 2019)

Proposed Improvements: Subject to NCDOT driveway permitting requirements

Projected Traffic Generation: 10 AADT per single-family lot

## Environmental Assessment

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

### Regulated Floodplain/Wetlands:

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

### Streams and Watershed:

The property is in the Greensboro (Reedy Fork WS-III) Water Supply Watershed, in the General Watershed Area. There are multiple mapped streams on the property.

## Land Use Analysis

**Land Use Plan:** Northern Lakes Area Plan, 2016

**Plan Recommendation:** AG: Rural Residential

**Consistency:**

AG Rural Residential (AGRR) is intended to accommodate agricultural uses, large-lot residential development, and low-density residential subdivisions not connected to public water and sewer with densities not to exceed two (2) units per acre. Anticipated land uses include those permitted in the RS-40 Residential Single-family District.

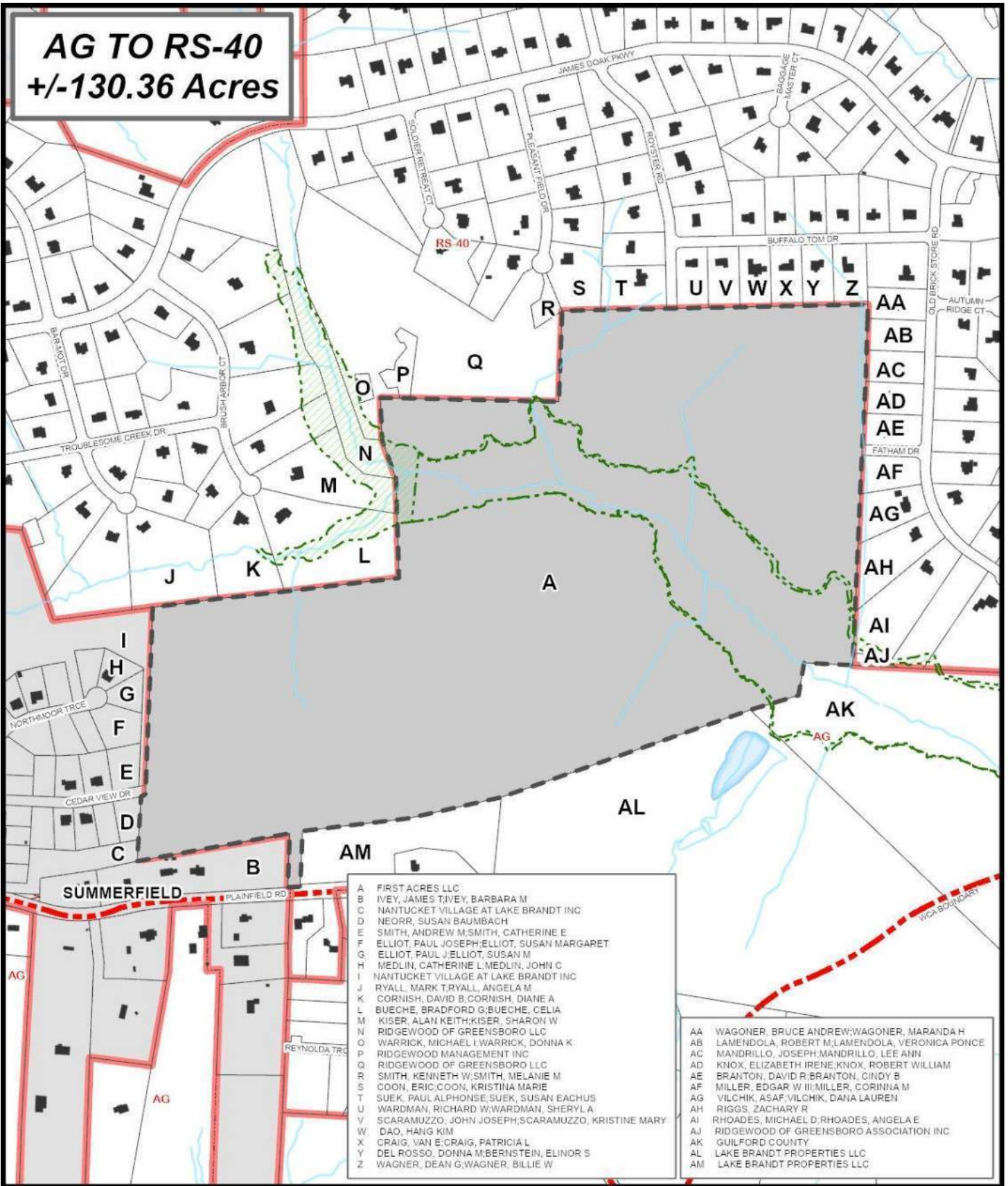
## Recommendation

**Staff Recommendation:** Approval

The requested action is reasonable and in the public interest because it is consistent with the density of development in the general area and it provides opportunity for interconnectivity between neighborhoods. The proposed zoning is consistent with the recommendation of the Northern Lakes Area Plan and will provide housing alternatives for residents.

**Area Plan Amendment Recommendation:** The proposed Rezoning is consistent with the Northern Lakes Area Plan land use classification of AG Residential, thus if approved, no plan amendment would be required.

**AG TO RS-40  
+/-130.36 Acres**



- A FIRST ACRES LLC
- B IVEY, JAMES TIVEY, BARBARA M
- C NANTUCKET VILLAGE AT LAKE BRANDT INC
- D NEORR, SUSAN BAUMBACH
- E SMITH, ANDREW M; SMITH, CATHERINE E
- F ELLIOT, PAUL JOSEPH; ELLIOT, SUSAN MARGARET
- G ELLIOT, PAUL J; ELLIOT, SUSAN M
- H MEDLIN, CATHERINE L; MEDLIN, JOHN C
- I NANTUCKET VILLAGE AT LAKE BRANDT INC
- J RYALL, MARK TRYALL, ANGELA M
- K CORNISH, DAVID B; CORNISH, DIANE A
- L BUECHE, BRADFORD G; BUECHE, CELIA
- M KISER, ALAN KEITH; KISER, SHARON W
- N RIDGEWOOD OF GREENSBORO LLC
- O WARRICK, MICHAEL I; WARRICK, DONNA K
- P RIDGEWOOD MANAGEMENT INC
- Q RIDGEWOOD OF GREENSBORO LLC
- R SMITH, KENNETH W; SMITH, MELANIE M
- S COON, ERIC; COON, KRISTINA MARIE
- T SUEK, PAUL ALPHONSE; SUEK, SUSAN EACHUS
- U WARDMAN, RICHARD W; WARDMAN, SHERYL A
- V SCARAMUZZO, JOHN JOSEPH; SCARAMUZZO, KRISTINE MARY
- W DAO, HANG KIM
- X CRAIG, VAN E; CRAIG, PATRICIA L
- Y DEL ROSSO, DONNA M; BERNSTEIN, ELINOR S
- Z WAGNER, DEAN G; WAGNER, BILLIE W

- AA WAGONER, BRUCE ANDREW; WAGONER, MARANDA H
- AB LAMENDOLA, ROBERT M; LAMENDOLA, VERONICA PONCE
- AC MANDRILLO, JOSEPH; MANDRILLO, LEE ANN
- AD KNOX, ELIZABETH IRENE; KNOX, ROBERT WILLIAM
- AE BRANTON, DAVID R; BRANTON, CINDY B
- AF MILLER, EDGAR W III; MILLER, CORINNA M
- AG VILCHIK, ASAF; VILCHIK, DANA LAUREN
- AH RIGGS, ZACHARY R
- AI RHOADES, MICHAEL D; RHOADES, ANGELA E
- AJ RIDGEWOOD OF GREENSBORO ASSOCIATION INC
- AK GUILFORD COUNTY
- AL LAKE BRANDT PROPERTIES LLC
- AM LAKE BRANDT PROPERTIES LLC



**JURISDICTION:**  
GUILFORD COUNTY  
Guilford County  
Planning & Development  
Department

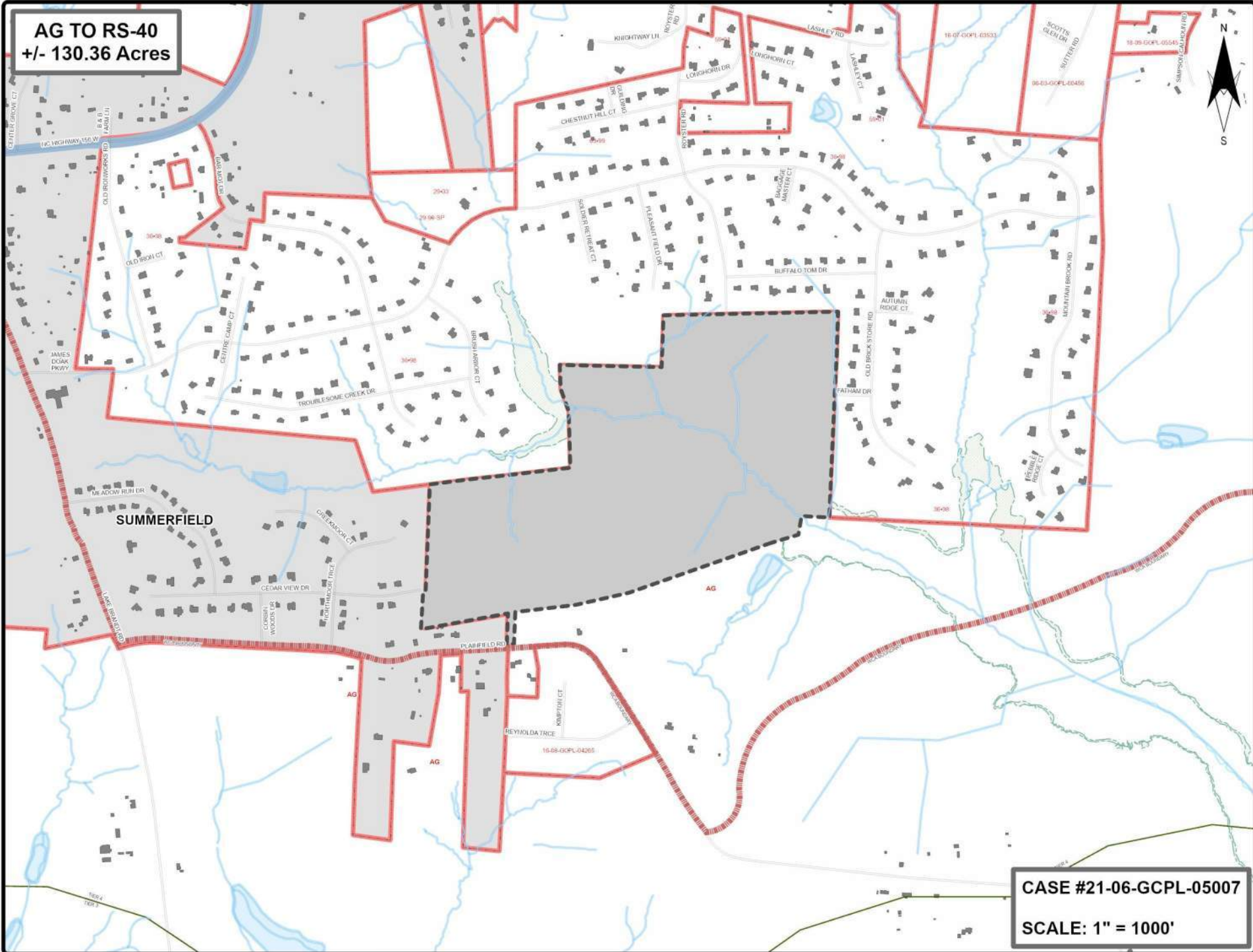
**Rezoning Case #**  
**21-06-GCPL-05007**  
**Scale: 1" = 600'**

**Map:**  
137606





**AG TO RS-40  
+/- 130.36 Acres**



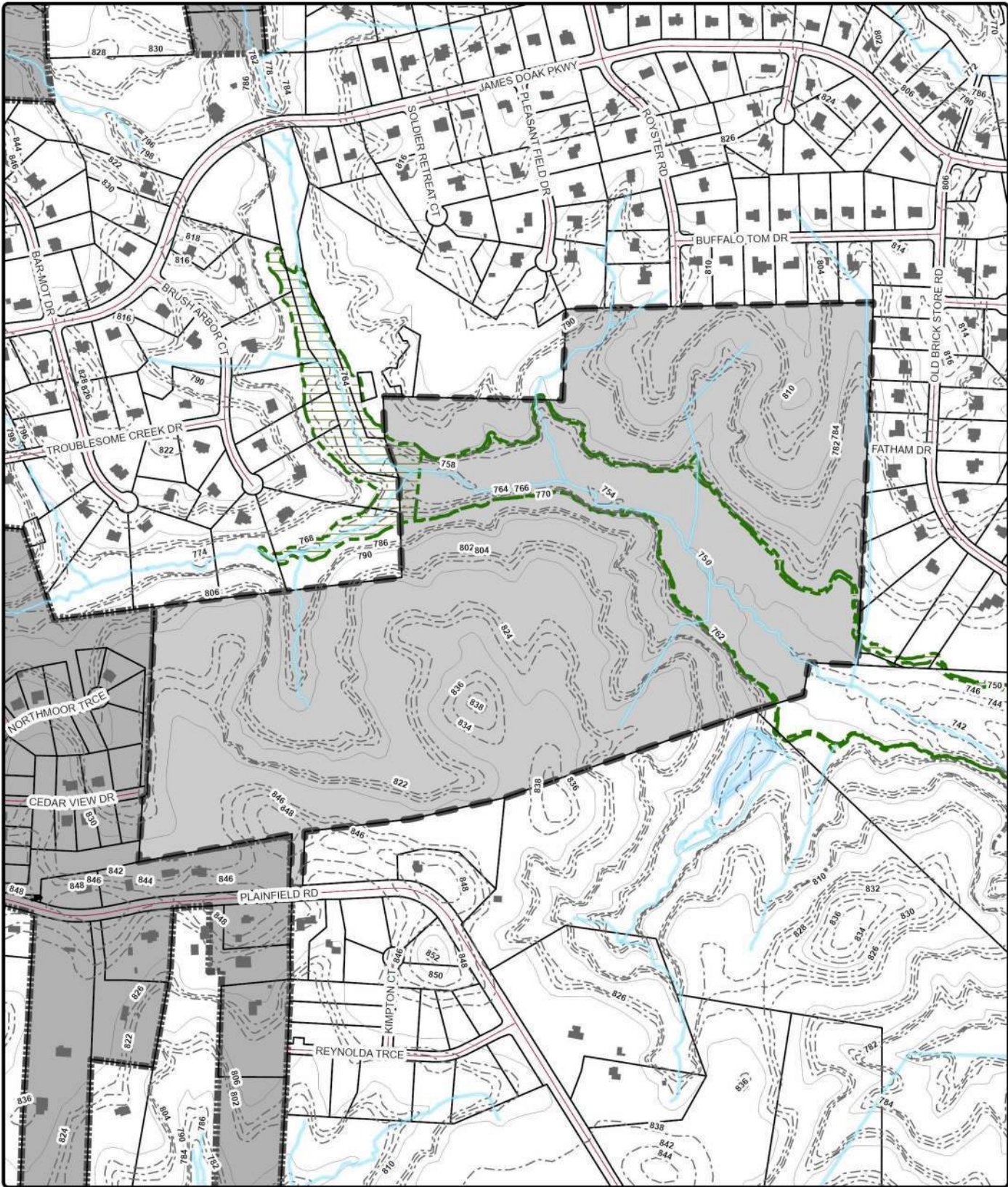
**CASE #21-06-GCPL-05007**  
**SCALE: 1" = 1000'**



**CASE #21-06-GCPL-05007**

Scale: 1" = 600'





**CASE #21-06-GCPL-05007**

Scale: 1" = 600'



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

**DECISION MATRIX**

<b>Zoning</b>	<b>Plan Consistency</b>	<b>Decision</b>
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

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

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

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #**137606**, from **AG** to **RS-40** because:

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

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- 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.]*

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

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

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #137606, from **AG** to **RS-40** 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.]*

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- 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.]*

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

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

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #137606, from **AG** to **RS-40**.

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

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- 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.]*

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

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

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #137606, from **AG to RS-40** because:

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

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

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**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

**Planning Board  
Conditional Zoning  
Application**

Date Submitted: June 9, 2021 Fee \$500.00 Receipt # 170264 Case Number 21-06-6CPL-05096

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

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the RS-30 zoning district to the CZ-LI zoning district. Said property is located 4118 and 4116 US Highway 29 N., Greensboro, Guilford County, NC 27405 in Monroe Township; Being a total of: approx. 0.92 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 2 6 0 5 9

Tax Parcel # \_\_\_\_\_

Tax Parcel # 1 2 6 0 6 8

Tax Parcel # \_\_\_\_\_

Tax Parcel # \_\_\_\_\_

Tax Parcel # \_\_\_\_\_

*Additional sheets for tax parcels are available upon request.*

**Check One:**

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

**Check One:**

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

**Conditional Zoning Requirements:**

Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO). **See Exhibit "B" attached hereto and incorporated herein by reference.**

Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).

**See Exhibit "A" attached hereto and incorporated herein by reference.**



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

**Planning Board  
Conditional Zoning  
Application**

**Use Conditions**

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

- 1) See Exhibit "A" attached hereto and incorporated herein by reference.
- 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) n/a
- 2)
- 3)
- 4)

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

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

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

HIGHWAY 29 NORTH PROPERTIES, LLC [a North Carolina corporation]

Respectfully Submitted

By:   
Property Owner Signature

**Johns M. Martin**, as Member of HIGHWAY 29 NORTH PROPERTIES, LLC  
 Name  
 401 N. Greene Street  
 Mailing Address  
 Greensboro, NC 27401  
 City, State and Zip Code  
 (336) 349-6283      JohnsMartin@adams-electric.com  
 Phone Number      Email Address

MICHAEL S. FOX, on behalf of HIGHWAY 29 NORTH PROPERTIES, LLC / ADAMS ELECTRIC COMPANY

  
Owner/ Representative/ Applicant Signature (if applicable)

**Michael S. Fox**  
 Name  
 400 Bellemeade Street, Suite 800  
 Mailing Address  
 Greensboro, NC 27401  
 City, State and Zip Code  
 (336) 271-5244      mfox@tuggleduggins.com  
 Phone Number      Email Address

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

# TUGGLE DUGGINS

ATTORNEYS AT LAW

Laura B. Krantz  
(336) 271-5249  
[lkrantz@tuggleduggins.com](mailto:lkrantz@tuggleduggins.com)

June 9, 2021

**VIA HAND DELIVERY AND EMAIL.**

Oliver Bass  
Planner II  
Guilford County Planning & Development Department  
Independence Center  
400 W. Market Street  
Greensboro, NC 27401

**RE: Rezoning of: 4118 & 4116 US Highway 29 North, Greensboro, Guilford County, NC  
(Parcel #s 126059 & 126068)**

Dear Mr. Bass:

Enclosed please find the following original Application for Conditional Rezoning, and all exhibits thereto, along with a check for the Rezoning Application Fee in the amount of Five Hundred and 00/100 Dollars (\$500.00) (collectively, the "Application Materials") for the following real property: **4118 & 4116 US Highway 29 North, Greensboro, Guilford County, NC (Parcel #s 126059 & 126068)** (collectively, the "Property") on behalf of our client, HIGHWAY 29 NORTH PROPERTIES, LLC, a North Carolina limited liability company. The Property is currently zoned RS-30. In conjunction with this rezoning request, we ask that the Property be rezoned to CZ—LI (Conditional Zoning—Light Industrial), with conditions, as further described in the Application Materials.

Thank you for your assistance with this matter. If you have any questions on this filing, please do not hesitate to contact me or Mike Fox, whose contact information is included in the Application Materials. We look forward to working with you.

Best Regards,

  
Laura B. Krantz  
Attorney

Enclosures  
LBK

1441941v1

Tuggle Duggins P.A.  
Attorneys at Law

Mailing Address  
P.O. Box 2888  
Greensboro, NC 27402

Offices  
400 Bellemeade Street, Suite 800  
Greensboro, NC 27401

Phone 336.378.1431  
Fax 336.274.6590  
[www.tuggleduggins.com](http://www.tuggleduggins.com)

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**EXHIBIT “A”**

**TO**

**APPLICATION FOR CONDITIONAL ZONING DISTRICT**

[HIGHWAY 29 NORTH PROPERTIES, LLC]

*(4118 & 4116 US HIGHWAY 29 NORTH, GREENSBORO, GUILFORD COUNTY, NC  
(PARCEL #s 126059 & 126068))*

***(PROPOSED CONDITIONS)***

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**EXHIBIT "A"**  
to  
**APPLICATION FOR CONDITIONAL ZONING DISTRICT**  
***(PROPOSED CONDITIONS)***

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To Chairman, Guilford County Planning Board:

The undersigned respectfully requests that the Guilford County Planning Board, pursuant to Article 3 of the Unified Development Ordinance, recommend that a Conditional Zoning District be approved for the following use(s) subject to the following condition(s):

**Condition(s):**

- 1. Permitted uses shall include all uses allowed in the LI District, except for the following:**
  - a. Animal Services (Livestock);
  - b. Animal Services (Other);
  - c. Go-cart Raceway; OR
  - d. Taxi Terminal.

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**EXHIBIT “B”**

TO

**APPLICATION FOR CONDITIONAL ZONING DISTRICT**

*(4118 & 4116 US HIGHWAY 29 NORTH, GREENSBORO, GUILFORD COUNTY, NC  
(PARCEL #s 126059 & 126068))*

***(ZONING SKETCH PLAN)***

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**SAMETT**  
**PROPERTIES**  
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 Greensboro, NC  
 27419  
 (336) 544-2000  
 FAX  
 (336) 544-2008

**PRELIMINARY SITE PLAN**  
**ADAMS WAREHOUSE**  
 GREENSBORO, NORTH CAROLINA  
 4110 FINE CONE DRIVE

NO.	REVISIONS	DATE

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**CONDITIONAL ZONING CASE # 21-06-GCPL-05096 RS-30 to CZ-LI 4118 AND 4116  
US HIGHWAY 29**

**Property Information**

Located on the east side of US Hwy 29 N, approximately 100 feet east from its intersection of Pine Cone Dr, approximately .92 acres, Guilford County Tax Parcel #126059, and #126068 owned by Highway 29 North Properties LLC.

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

**Nature of the Request**

This proposed request is to Conditionally Rezone property from RS-30, Residential, Single-family to CZ-LI, Light Industrial with the following Use Conditions: Permitted Uses shall include all uses allowed in the LI District, except for the following: (1) Animal Services (Livestock); (2) Animal Services (Other); (3) Go-Cart Raceway; or Taxi Terminal. No development conditions were offered.

A Zoning Sketch Plan, Exhibit B in the application, proposes a new building and parking facilities that connect to the existing general warehouse on Parcel 126009, 4110 Pine Cone Drive.

**District Descriptions**

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

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

The parcels are in the US Highway 29 N Scenic Corridor established under Section 4.9.B of the Guilford County Unified Development Ordinance. Standards of the General requirements B.3.a (2) and (3) shall apply to the US-29 North Scenic Corridor.

**Character of the Area**

This request is in a predominantly industrial and high-density residential area nearby and adjacent to the US Highway 29 right-of-way. The immediately adjacent parcels to the subject parcel are industrially zoned and developed.

**Existing Land Use(s) on the Property:** Undeveloped

**Surrounding Uses:**

North: Vacant industrial  
South: General warehouse, Self-storage warehouse  
East: General warehouse  
West: US Highway 29 right-of-way

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

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

## Infrastructure and Community Facilities

**Public School Facilities:**

Will not generate school-aged students

**Emergency Response:**

Fire Protection District: Fire District 13  
Miles from Fire Station: Approximately 1.5 miles

**Water and Sewer Services:**

Provider: Greensboro Water and Sewer service available  
Within Service Area: City of Greensboro  
Feasibility Study or Service Commitment: Information not available

**Transportation:**

Existing Conditions: Major thoroughfare; 44,000 ADT (NCDOT, 2019)  
Proposed Improvements: Subject to NCDOT driveway permit approval  
Projected Traffic Generation: Not available

## Environmental Assessment

**Topography:** Gently sloping.

**Regulated Floodplain/Wetlands:**

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

**Streams and Watershed:**

There are no streams on the properties. Both parcels are not located in a Water Supply Watershed.

## Land Use Analysis

**Land Use Plan:** Northern Lakes Area Plan

**Plan Recommendation:** Residential Single-family

**Consistency:**

The request is inconsistent with the Residential Single-family land use classification of the Northern Lakes Area Plan. The Residential Single-family land use classification is intended to accommodate low- to moderate-density major residential subdivisions, with higher density developments served by public water and sewer utilities. Densities in this district should not exceed four (4) units per acre. Anticipated land uses include those permitted in the RS-30 Residential Single-Family.

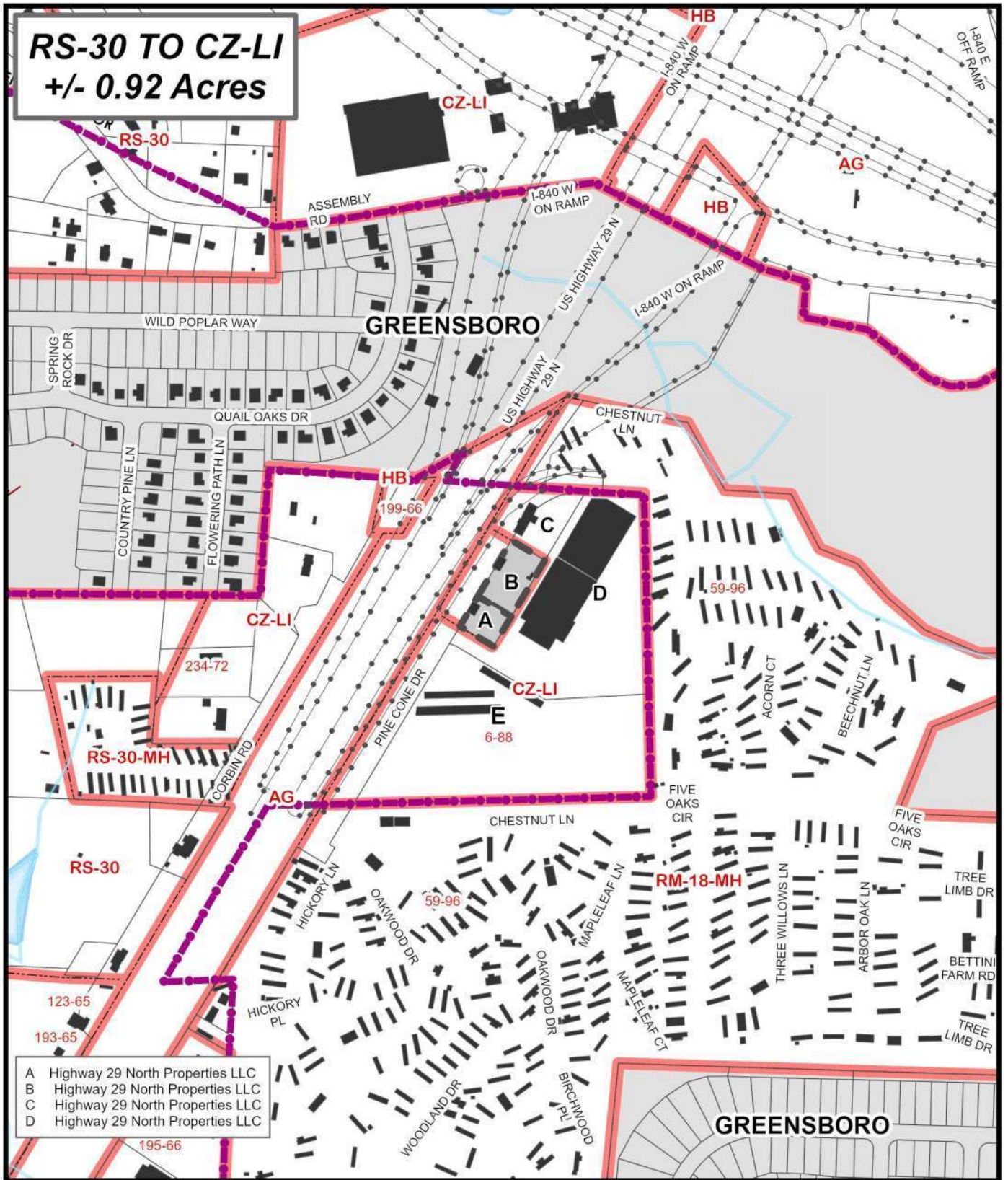
## Recommendation

**Staff Recommendation:** Approval

Although inconsistent with the recommendation of the Northern Lakes Area Plan, the requested action is reasonable and in the public interest because the subject parcels, which contain 0.95 acres, are surrounded by approximately 6.2 acres of LI zoned and used parcels. The rezoning will be consistent with the current zoning of immediately adjacent parcels. The Zoning Sketch Plan shows new development on subject parcels will connect to existing development on adjacent parcel under same ownership.

**Area Plan Amendment Recommendation:** The proposed Conditional Zoning is inconsistent with the Northern Lakes Area Plan, thus if approved, an area plan amendment from Residential Single-family to Light Industrial land use classification would be required.

**RS-30 TO CZ-LI  
+/- 0.92 Acres**



- A Highway 29 North Properties LLC
- B Highway 29 North Properties LLC
- C Highway 29 North Properties LLC
- D Highway 29 North Properties LLC



**JURISDICTION:**  
**GUILFORD COUNTY**  
 Guilford County  
 Planning & Development  
 Department

**Rezoning Case #**  
**21-06-GCPL-05096**  
**Scale: 1" = 400'**

**Map:**  
 126059  
 126068

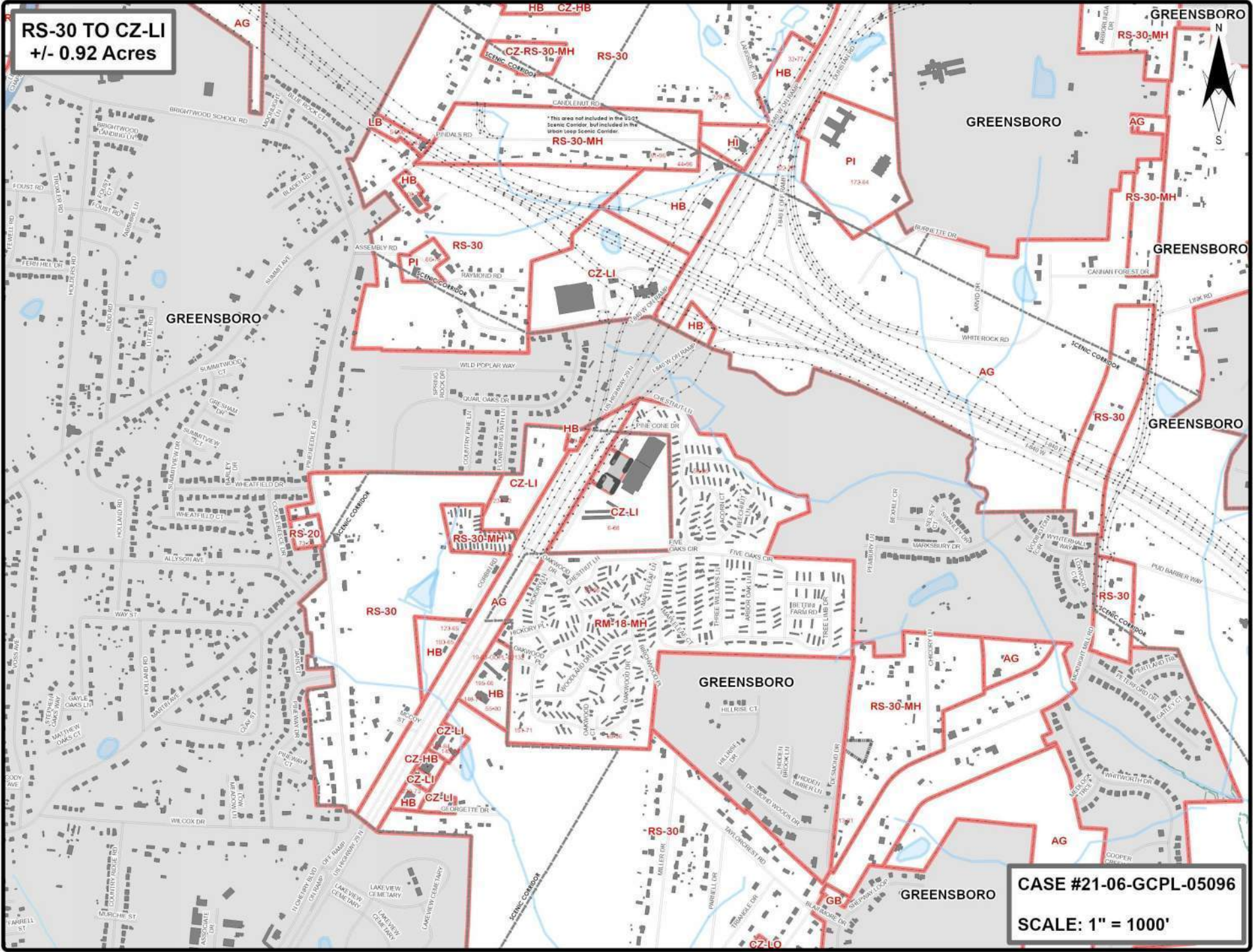


**RS-30 TO CZ-LI  
+/- 0.92 Acres**



\*This area not included in the US-21  
Scenic Corridor, but included in the  
Union-Levee Scenic Corridor.

**CASE #21-06-GCPL-05096**  
**SCALE: 1" = 1000'**

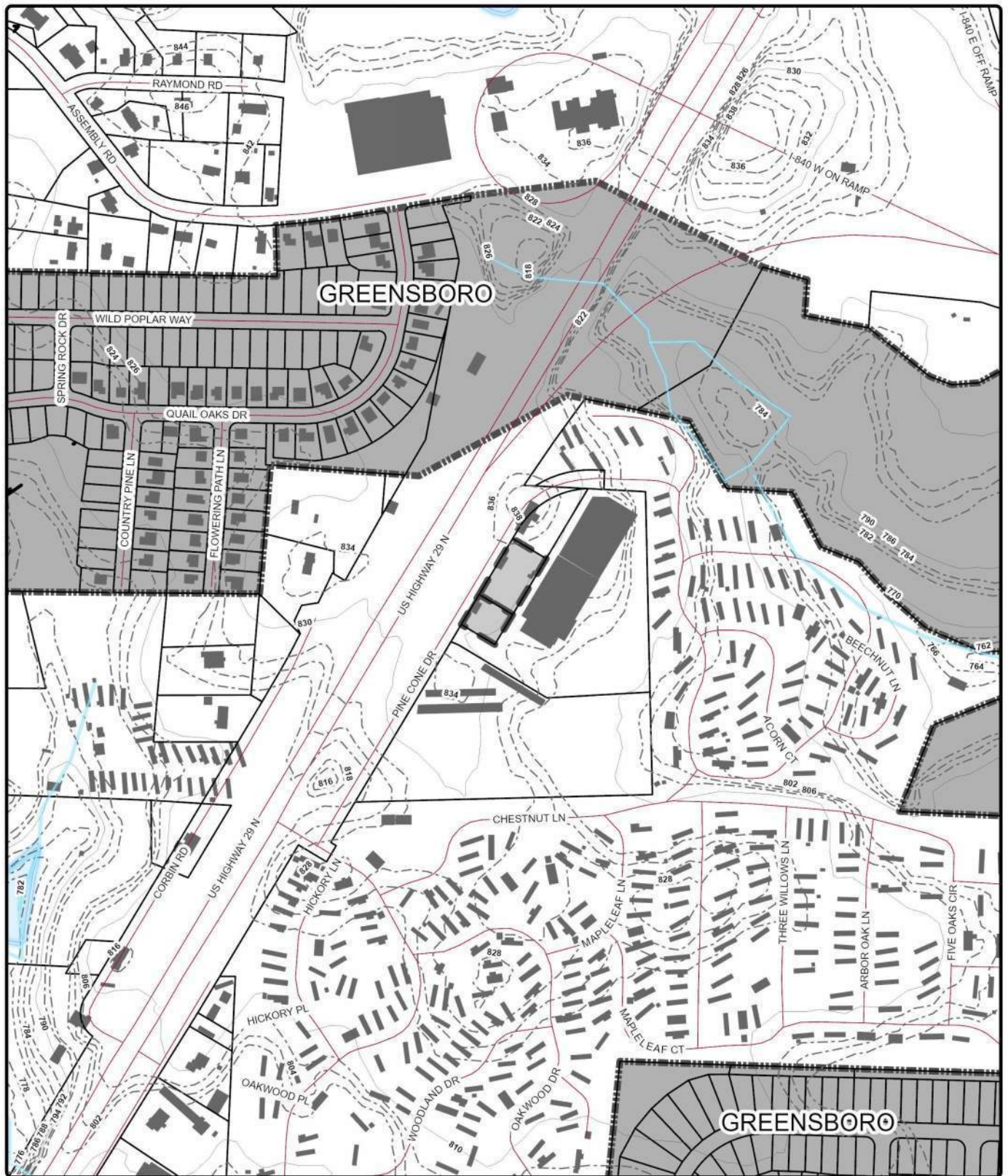




**CASE #21-06-GCPL-05096**

Scale: 1" = 400'





**CASE #21-06-GCPL-05096**

Scale: 1" = 400'



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

**DECISION MATRIX**

<b>Zoning</b>	<b>Plan Consistency</b>	<b>Decision</b>
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4



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

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

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #'s **126059** and **126068**, from **RS-30** to **CZ-LI** because:

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

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- 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.]*

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

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

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #'s **126059** and **126068**, from **RS-30** to **CZ-LI** because:

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

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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.]*

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

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

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel #'s **126059** and **126068**, from **RS-30** to **CZ-LI**.

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

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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.]*

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

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

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel #'s **126059** and **126068**, from **RS-30** to **CZ-LI** because:

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

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

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