



GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD

Special Meeting Agenda

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

July 15, 2021

6:00 PM

A. Roll Call

B. Agenda Amendments

C. Rules and Procedures

D. Old Business: Voting on the following cases for which the Public Hearings were held on July 14, 2021

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.

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.



GUILFORD COUNTY
PLANNING AND DEVELOPMENT
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Special Meeting Agenda

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.

E. New Business

Evidentiary Hearing Item(s):

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.

F. 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 and must be received by 6:00 PM on Thursday, July 15, 2021.**

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 14th 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 AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

Date Submitted: 6/9/2021 Fee \$526.00 Receipt # 170320 Case Number 21-06-GCPL-05148
(includes \$26 recording fee)

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

Pursuant to Section 3.5.Q of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to authorize a Special Use Permit for the property described as being located 5615 Church Street in Center Grove Township; Being a total of: 9.44+/- acres. The property is in the AG Zoning District. The proposed use(s) is (are) Special Event Venue.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 3 9 3 7 2 Tax Parcel # _____
Tax Parcel # _____ Tax Parcel # _____
Tax Parcel # _____ Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

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

Check One:

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

Check One:

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

Special Use Permit Requirements:

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



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

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

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

Proposed special event venue meets the parking, setback and landscaping requirements of the Guilford County
Unified Development Ordinance

- 3. The use, a Speivial Event Venue, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on the following:

Special Event Venue is allowed in AG Zone.
Parking required = 40 spaces / Parking proposed = 43 spaces. Exceeds parking requirements
Landscaping per the Unified Development Ordinance

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

Special Event Venue is allowed in AG Zone.
Multiple tracts south of the proposed development are already zoned AG-SP. This special event venue is in harmony
with the area

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

The tracts south of the site are zoned AG-SP. The proposed building is 70 feet from the adjacent residential lots on
the north. There is a berm to help buffer the site. B yard landscaping is along the northern property line.

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Property Information

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.

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

Nature of the Request

This request is to consider granting a Special Use Permit for a **Special Event Venue** with associated Site Plan and subject to any conditions of approval.

Character of the Area

This request is in an area of low-density single-family residential lots and farm uses. There is a property approximately 500 feet to the south that was granted a special use permit to operate a special event venue in 2015 for McLaurin Farms (Woods of Terror, 5601 N Church St). The property in this special use permit request is owned by the same owner, Eddie McLaurin.

Existing Land Use(s) on the Property: The property is currently vacant.

Surrounding Uses:

North: Single-family home

South: Single-family home

East: Single-family home

West: Single-family home

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

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; 5,700 ADT (NCDOT, 2019)

Proposed Improvements: Subject to NCDOT driveway permit approval

Projected Traffic Generation: Not available

Environmental Assessment

Topography: Nearly flat, gently sloping and moderately sloping.

Regulated Floodplain/Wetlands:

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

Streams and Watershed:

The property is in the Greensboro (Reedy Fork WS-III) Water Supply Watershed in Tier 4 of the Watershed Critical Area. There are multiple mapped streams on the property.

Land Use Analysis

Land Use Plan: Northern Lakes Area Plan

Plan Recommendation: AG Rural Residential

Consistency: This request is consistent with the adopted plan, it is compatible with the surrounding uses and zoning and is permitted in the AG district with an approved Special Use Permit.

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

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

1. Circulation: Number and location of access points to the property and the proposed structures and uses, with particular reference to automotive, pedestrian safety, traffic flow and control, and access in case of emergency: **Per the submitted sketch plan in this application, access will be from Church St. NCDOT commercial driveway permit will be required during the official commercial site plan review process.**

2. Parking and Loading: Location of off-street parking and loading areas: **Parking for a Special Event Venue is subject to Article 6.E. "USES WITH FLEXIBLE PARKING DEMAND CHARACTERISTICS" which regulates uses that reference Table 6-1-1, that have widely varying parking and loading demand characteristics, making it difficult to establish a single off-street parking or loading standard. Upon receiving a plan review application for a use subject to this Subsection, the Planning & Development Director is authorized to apply the off-street parking standard in the table that is deemed most similar to the use, or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association**
3. Service Entrances and Areas: Locations of refuse and service areas with adequate access for services vehicles: **Locations of service areas will be reviewed to allow for adequate access for all service vehicles at TRC when the official site plan is submitted for review per 6.1 in the Guilford County UDO.**
4. Lighting: Location of lighting with reference to spillage & glare, motorist & pedestrian traffic safety, and compatibility with other property in the area: **A lighting plan will be reviewed at TRC when the official site plan is submitted for review per 6.3 of the Guilford County UDO.**
5. Utilities: Location and availability of utilities (public or private): **Septic evaluation will be regulated by the Guilford County Environmental Health Department upon site plan review by TRC. Utility easements will be reviewed at TRC.**
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable): **Landscape requirements will be required and reviewed at TRC per Article 6.2 of the Guilford County UDO.**
7. Environmental Protection: Provisions to protect floodplains, stream buffers, wetlands, watersheds, open space and other natural features: **Environmental regulations will be reviewed by Guilford County's Watershed/Stormwater Division at TRC to meet all environmental regulations per Article 9 of the Guilford County UDO.**
8. Landscaping, Buffering & Screening: Installation of landscaping, fencing or berming for the purpose of buffering and screening where necessary to provide visual screening where appropriate: **A Type B Planting Yard will be required per Article 5.14 (D) in the Guilford County UDO and shown on the submitted sketch plan.**
9. Effect on Nearby Properties: Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic: **Lighting plan requirements will be required and reviewed at TRC per Article 6.3 of the Guilford County UDO.**
10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties: **Special Event Venues being surrounded by residentially zoned properties are required to have landscape buffers of the entire perimeter of the facility. The surrounding area is a low-density rural setting with large acreage tracts.**

Staff Comments

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

1. A written application was submitted and is complete in all respects;
2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted;
3. The use, **Special Event Venue** with associated Site Plan and subject to any conditions of approval for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications;
4. That the location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the Jurisdiction and its environs; and
5. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

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

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



GUILFORD COUNTY

MEMORANDUM

TO: Norris Clayton, Hugh Creed Associates, Inc, PA

FROM: Guilford County Planning and Development Department
Matt Talbott, 336-641-3591

DATE: June 16, 2021

SUBJECT: Rezoning Sketch Plan Case #21-06-GCPL-04958: 5615 Church Road for Special Event Venue

On June 15, 2021, the Technical Review Committee reviewed the above referenced special use permit sketch plan for general compliance with the Guilford County UDO. TRC provided the following advisory comments.

Planning Comments: (Matt Talbott, 641-3591)

1. Show required parking to be paved
2. Show first 10 feet of driveway from RoW into property to be paved
3. Detailed landscape plan

Building Comments: (Jim Lankford, 641-3321)

1. No comments

Watershed Comments: (Brent Gatlin, 641-3753)

1. Revise Site Note #5 to: Notice - This property is located within the Water Supply Watershed for Greensboro WS-III, WCA Tier 4. Development restrictions may apply.
2. [Advisory Comment]: Maximum BUA = 12% for low density development in *Greensboro WS-III, WCA Tier 4*. Provide % BUA for the site with Site Plan submission.
3. [Advisory Comment]: Uses indicated in UDO Section 9.1.F.3, Table 9.1.4 Table of Prohibited Uses in the Watershed Critical Area will not be allowed.
4. [Advisory Comment]: Proposed gravel parking lot is positioned in a natural drainage way that receives on- and off-site stormwater runoff, and discharges roughly 9 acres (+/-) of drainage area where it leaves the site just downstream of the proposed gravel lot. Site Plan submission will need to provide supporting stormwater design info and calculations demonstrating how drainage will be handled while avoiding erosion and wash-out of gravel from the proposed parking lot.

Community Services Comments: (Clyde Harding, 641-3792)

1. No comments

Environmental Health Comments: (John Nykamp, 641-4807)

1. **ADVISORY NOTE:** Contact Heath Ward for sizing of septic system.

Fire Marshal: (Michael Townsend, 641-6541)

1. The fire department access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.
2. Fire access roads shall have an unobstructed width of not less than 20 feet, and an unobstructed vertical clearance of not less than 13 feet 6 inch.
3. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

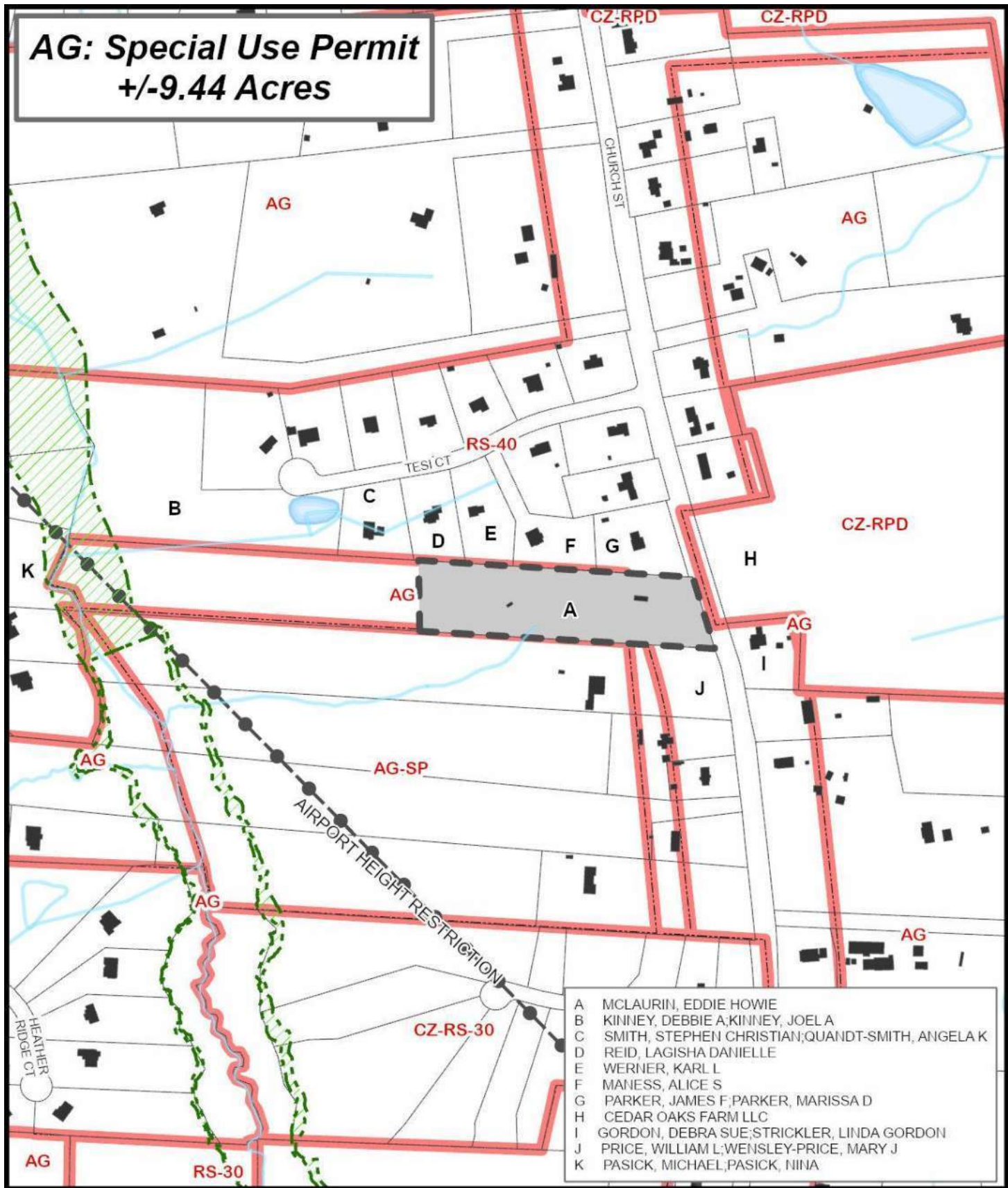
NCDOT Comments: (Bobby Norris, 487-0100)

1. Driveway permit will be required.

GIS Comments: (Martine Kamabu, 641-2337)

1. Street name is Church St, not N Church St as shown on the site plan.

**AG: Special Use Permit
+/-9.44 Acres**



- A MCLAURIN, EDDIE HOWIE
- B KINNEY, DEBBIE A; KINNEY, JOELA
- C SMITH, STEPHEN CHRISTIAN; QUANDT-SMITH, ANGELA K
- D REID, LAGISHA DANIELLE
- E WERNER, KARL L
- F MANESS, ALICE S
- G PARKER, JAMES F; PARKER, MARISSA D
- H CEDAR OAKS FARM LLC
- I GORDON, DEBRA SUE; STRICKLER, LINDA GORDON
- J PRICE, WILLIAM L; WENSLEY-PRICE, MARY J
- K PASICK, MICHAEL; PASICK, NIINA



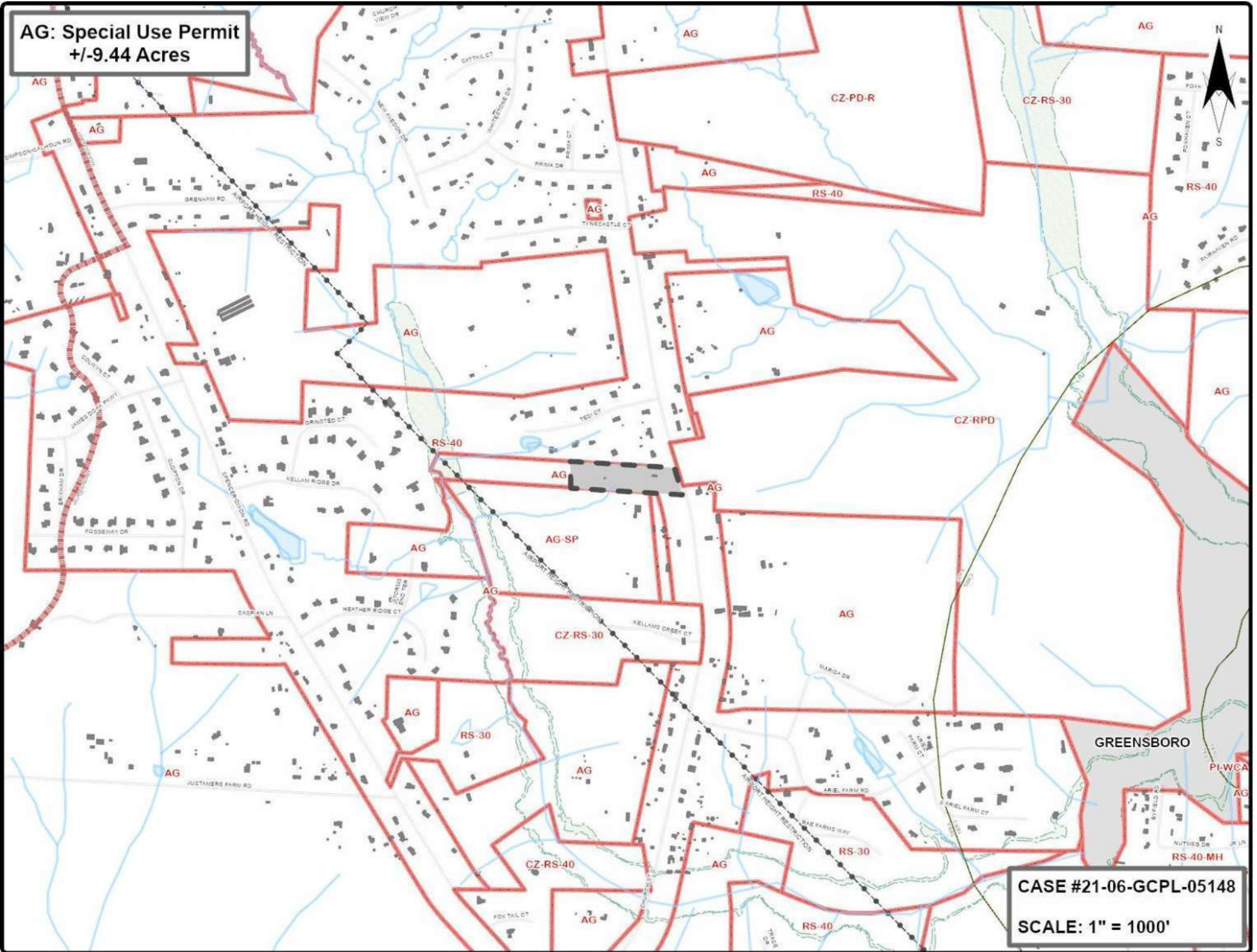
JURISDICTION:
GUILFORD COUNTY
 Guilford County
 Planning & Development
 Department

Rezoning Case #
21-06-GCPL-05148
Scale: 1" = 400'

Map:
 139372



**AG: Special Use Permit
+/-9.44 Acres**



CASE #21-06-GCPL-05148

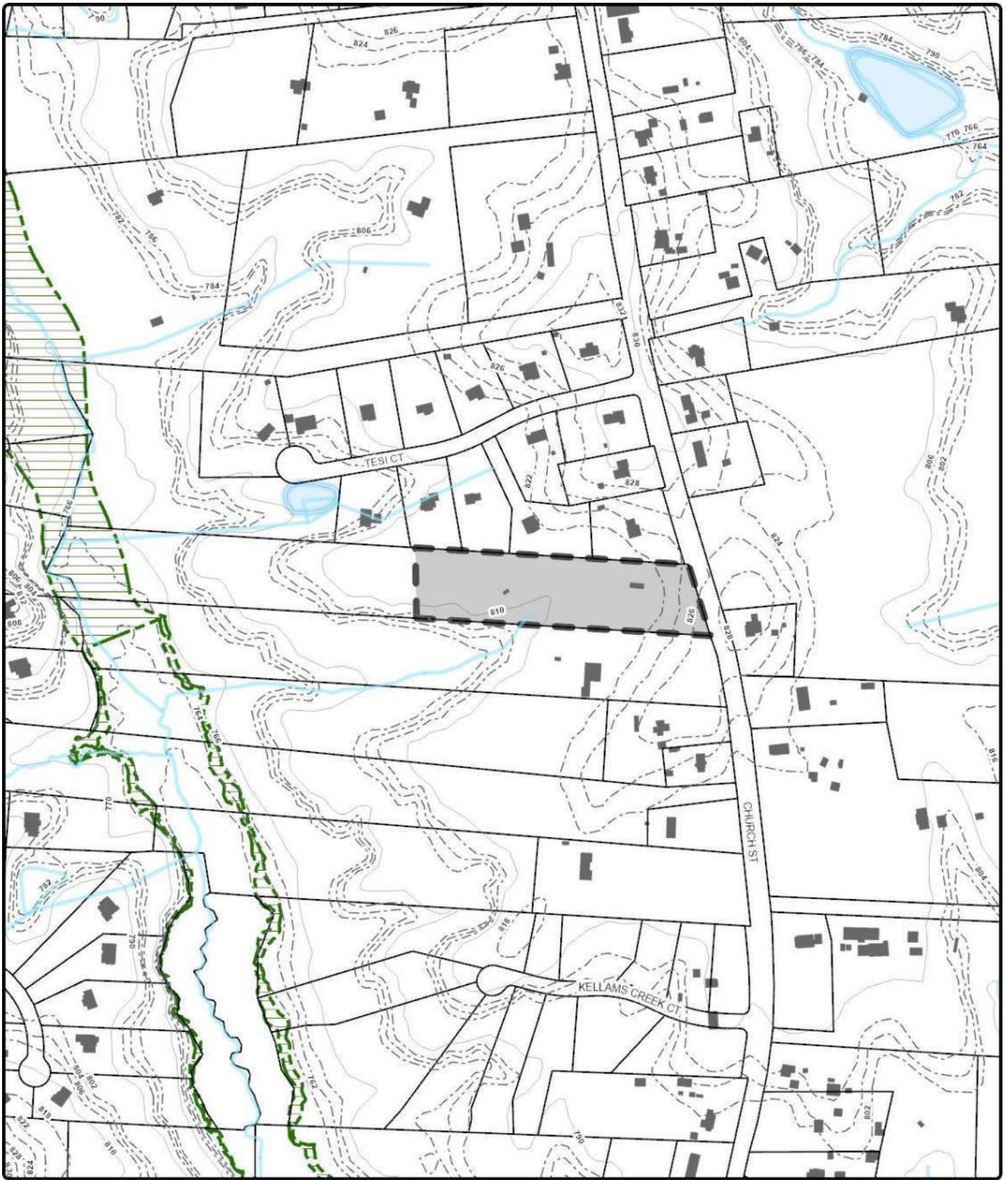
SCALE: 1" = 1000'



CASE #21-06-GCPL-05148

Scale: 1" = 400'





CASE #21-06-GCPL-05148

Scale: 1" = 400'



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

The Guilford County Planning Board, having held an Evidentiary Hearing on July 15, 2021 to consider a request for a Special Use Permit for Special Event Venue subject to the submitted Site Plan for the property 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, and having heard all of the evidence and arguments presented at the Evidentiary Hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

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

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

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

5. The use **[will/will not]** substantially injure the value of adjoining or abutting property, or the use is a public necessity. This is based on sworn testimony and evidence submitted during the Evidentiary Hearing which shows the following:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a SPECIAL USE PERMIT for Special Event Venue be **[denied/granted]** subject to the following:

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