



GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD

**Regular Meeting Agenda**

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

**August 11, 2021**  
**6:00 PM**

A. Roll Call

B. Agenda Amendments

C. Approval of Minutes: June 21, 2021, July 14, 2021 and July 15, 2021

D. Rules and Procedures

E. Continuance Requests

F. Old Business

G. New Business

**Public Hearing Items:**

**ROAD RENAMING CASE #:21-06-GCPL-04996** Birch Creek Rd

A 1.25-mile portion of Birch Creek Rd SR #3175 running south from the southern property line of the Publix and terminating on Knox Rd SR #3051.

**REZONING CASE #: 21-07-GCPL-06257 CD-PUD (Greensboro) to AG 610 & 612 Cabaret Rd**

Located on the south side of Cabaret Rd, approximately 200 feet south from its intersection of Longleaf Rd, approximately 10.6 acres, Tax Parcel #90061 & #90062, referenced in HB 164 by Plat Book 101, Page 61, owned by Donald Brann.

This is a County-initiated zoning for property de-annexed from the City of Greensboro by the General Assembly under Session Law 2021-17, HB 164, with an effective date of June 30, 2021.



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

Staff recommends that the boundary of the Northeast Area Plan be extended to incorporate the subject parcels. The land use recommendation is AG Rural Residential.

**H. Other Business**

**I. Adjourn**

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**Guilford County  
Planning Board  
SPECIAL MEETING  
June 21<sup>st</sup>, 2021**

The Guilford County Planning Board met in regular session on Monday, June 21<sup>st</sup>, 2021, at 6:03 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

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

**Members Absent:** None

**Staff Present:** Mitchell Byers, Planning Technician; Matt Talbott, Sr. Planner/Planner II; J. Leslie Bell, Guilford County Planning Director; and Robert Carmon, Fire Inspections Chief

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

**AGENDA AMENDMENTS:** None

**APPROVAL OF MINUTES:** None

**RULES OF PROCEDURE:**

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

**CONTINUANCE REQUESTS:** None.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Chair Jones swore in all individuals presenting information in the Special Use Permit Case.

**Evidentiary Hearing Item(s):**

**SPECIAL USE PERMIT CASE #21-05-GCPL-04192: Solar Collector (Principal) (APPROVED)**

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 Bryan Morris Associates LLC

The petitioners are seeking a Special Use Permit to operate a Solar Collector (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.

Karen Kemerait, the applicant's representative from the Raleigh branch of Fox Rothschild Attorneys at Law, stated their case. The plan is to create a 40-Megawatt solar farm that would create clean and renewable energy for Duke Energy. The solar farm would go over many parcels and would cover about 470 acres. The solar farm address will be 1942 Mt Hope Church Rd, McLeansville, NC. All the zones in the plan are marked for agricultural use and stated that solar farms are allowed with a special use permit in agricultural zones. The current uses are agricultural and vacant forested land on the parcels currently. Her team has spoken with adjacent property owners and has no opposition to the plan. The application is a bit unusual since the new special use permit would combine two previous special use permit orders, while adding new property to the old special use permits. This includes a minor expansion to two parcels and the addition of one parcel.

Mr. Donnelly had some confusion about the parcels that would be added. Ms. Kemerait responded that the purple area on the map referred to the 2018 special use permit and the pink area referred to the 2019 special use permit

Ms. Kemerait continued her presentation, stating the area includes agricultural and low density residential uses. The plan includes maintaining a natural buffer and additional landscaping to insure no adverse impact on surrounding properties. Two parallel applications have been signed off on. The State Clearing House review has been completed and all solar farm special use permit requirements have been met. The information in the site plan includes a buffer plan and a decommissioning plan [is included with the application]. The solar farm will be a passive facility that will not endanger the community. It is an unmanned facility so it will have a low impact on traffic, only needing 2-3 visits per month. The facility is quiet, only creating a slight hum. It will have no odor, emissions, and no glare. All the requirements were met on May 4<sup>th</sup>, 2021.

Matt Talbott clarified that both of the original special use permits that include the parcels within the new special use permit proposal were both approved in 2018, the first permit was recorded in 2018 and the second permit was recorded in 2019.

Chair Jones opened the floor to questions and discussion from the Board. Mr. Gullick raised concern about who would pay the bill if the decommissioning plan did commence. Mr. Apple made a statement that he has a friend that lives next to a solar farm and has no issues with noise. Mr. Donnelly asked what the size of the tree buffer is and would it cover the glare.

Ms. Kemerait stated that most of the tree cover is mature trees, and that the area is mostly tree covered. The landscaping would help supplement any areas that do not meet the requirements of the ordinance.

Chair Jones questioned Ms. Kemerait if there were on-site lights since at night there is no light at night. Ms. Kemerait stated that Rex Young could answer this question. Mr. Craft raised concern about the sedimentation plan during this process.

Rex Young, 606 Wade Avenue Suite 102, Raleigh, NC, stated that there are mechanisms in place to protect the landowners such as a lease agreement with Pine Gate Renewables to restore land in case of decommissioning, in reference to Mr. Gullick's concerns. Rules are being drafted on how developers dispose of recyclable materials from solar farms. The plan is a 40-year project and believes that even if the parent company falls through that a solar farm of this caliber is something that developers like.

Chair Jones asked if there was a big difference between the plan presented today and the lease agreements. Mr. Young replied that the seven-page decommissioning plan is more for illustrative purposes, and the only difference is duration of the agreements. If there is any differences between the two agreements that the one with stricter rules applies. Mr. Craft asked if there is money set aside for the project by the end of its life, and Mr. Young replied that

there are funds but not a trust. Ms. Buchanan asked what data they have for the environmental impact. Mr. Young stated that Chris Sanderford would be more qualified to answer that question.

Before Mr. Young finished his presentation, he stated that earlier that day his team had spoken with a neighboring property owner and had made a condition to plant a 50-foot buffer and have a setback of 50 feet for parcels #120646, #120668, and #120669 – all owned by the same individual. Ms. McKinley moved to accept the new conditions, seconded by Ms. Buchanan. The Board voted unanimously 8-0 in favor of the motion (Ayes: Apple, Buchanan, Craft, Donnelly, Gathers, Gullick, McKinley, and Jones Nays: None).

Chris Sanderford, 3118 Green Rd, Spring Hope, NC, stated his education, licensing, and classifications that made him qualified to speak on the issue of solar farms. Mr. Craft moved for Mr. Sanderford to be recognized as an expert in his field, seconded by Mr. Apple. The Board voted unanimously 8-0 in favor of the motion (Ayes: Apple, Buchanan, Craft, Donnelly, Gathers, Gullick, McKinley, and Jones Nays: None).

Mr. Sanderford stated that the environmental impact of the project has as high salvage value with the materials that are used, that would exceed any removal fees. The panels are 95% recyclable by weight. The panels should last about 25-30 years and will be repeneled before the end of the 40-year plan. The panels that are going to be used, would not create glare since they are tilted upwards, and it is not in an area that has airplanes going through so no glare study was required in his opinion.

In conclusion, Ms. Kemerait asked that the Board please approve the SUP and that it would meet current decommissioning requirements proposed in the plan or have more stringent requirements.

Chair Jones moved the second condition in the application be amended to read that the decommissioning shall be pursuant to the revisions of the decommissioning plan dated May 12<sup>th</sup>, 2021, submitted to the Board subject to any negotiation by the tenant with respect to duration set forth in the ground lease submitted in conjunction with the application, seconded by Ms. McKinley. The Board voted unanimously 8-0 in favor of the motion (Ayes: Apple, Buchanan, Craft, Donnelly, Gathers, Gullick, McKinley, and Jones Nays: None).

Mr. Gullick still had some concerns about the decommissioning. Ms. Kemerait stated that the salvage value is higher than the cost to decommission the solar farm and that the plan would fit into any set decommissioning requirements. Mr. Donnelly agreed with Mr. Gullick and feels uneasy in some ways about the decommissioning. Mr. Apple stated that he would prefer a solar farm in the area rather than houses due to resource allowance.

Ms. McKinley moved to accept the entire application submitted by the applicant to be classified as evidence, seconded by Mr. Donnelly. The Board voted unanimously 8-0 in favor of the motion (Ayes: Apple, Buchanan, Craft, Donnelly, Gathers, Gullick, McKinley, and Jones Nays: None).

Mr. Craft moved that in the matter of Special Use Permit Case **#21-05-GCPL-04192**, involving a 470-acre solar farm, that the Board approve. 1. A written application was submitted and is complete in all respects. The permit will not endanger the public health or safety if located where it is proposed and developed according to the plan submitted. This conclusion is based upon sworn testimony and evidence submitted during the evidentiary hearing which shows the following: Solar farms are passive facilities that take sunlight and convert it into clean energy. The materials used are primarily steel-glass and materials found in household electronics. The technology is more than 60 years old and nothing about the project creates unreasonable risk for public health and safety. Solar farms create no chemical or byproduct that effects ground water or surface water resources. They do not generate or spread bacteria. They do not create environmental noise that would disrupt the emotional health of residents. In most circumstances, those standing outside the closest point to a buffer can barely hear the hum of the equipment. The use of solar collectors, and subject to the proposed site plan, is conditionally approved by the TRC for the Special Use Permit. The permit falls under all 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: The location and character of the use if developed according to the plan will be in harmony with the area in which it is located and is in general conformity with the plan of development of the jurisdiction and environs.

Chair Jones amended the motion to include, that the applicants consultants and engineers have worked diligently to make sure the proposed facility meets all requirements of the Guilford County UDO for solar collector facilities and enforcement of these requirements is a staff level function and if the applicant does not meet these requirements then no building permits will be issued. 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 located and is 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 that the vast majority of the acreage has been approved for two prior special use permits and that additional buffers have been added adjacent to certain properties to encourage additional harmony and protect any adverse effect to adjoining property owners. The use will not substantially injure the value of surrounding property. This is based on sworn testimony from the evidentiary hearing that which shows that based upon the appraisal information submitted in the package that there is no negative impact in terms of value to adjoining properties as submitted by the certified appraiser for the project. Therefore, based on the forgoing, it is moved that the Special Use Permit be granted subject to the following. The development of the parcel(s) shall comply with all regulations specified in the UDO, the development shall proceed in conformity with all amended plans, and design features submitted as part of the Special Use Permit must be kept on file, development shall proceed upon approval by the Technical Review Committee (TRC), illustrating conditions related to the request and applicable development standard the three (3) conditions that were submitted with the application and approved are incorporated by reference, and if the requirements 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 it be again permitted. The motion was seconded by Ms. McKinley. The Board voted unanimously 8-0 in favor of the motion (Ayes: Apple, Buchanan, Craft, Donnelly, Gathers, Gullick, McKinley, and Jones Nays: None).

**OTHER BUSINESS:**

Mr. Bell reminded the Board that the next scheduled meetings are July 14<sup>th</sup>, 2021 and July 15<sup>th</sup>, 2021.

Chair Jones reminded the Board that there would be elections held at next month's meeting to fill Ex-Vice Chair Alexander's position.

**ADJOURNED:**

There being no further business before the Board, the Special meeting was adjourned at 7:15 pm.

**The next planned Regular meeting is July 14<sup>th</sup>, 2021.**

**Guilford County  
Planning Board  
REGULAR/VIRTUAL MEETING  
July 14<sup>th</sup>, 2021**

The Guilford County Planning Board met in regular session on Wednesday, July 14<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; Ms. Buchanan; Mr. Craft; Mr. Donnelly; Mr. Gullick; and Ms. McKinley

**Members Absent:** Dr. Gathers; and Chair Frankie Jones

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

Ms. McKinley called the meeting to order and welcomed everyone in attendance.

**AGENDA AMENDMENTS:**

Mr. Bell requested to reschedule Vice Chair Elections until July 15<sup>th</sup>, 2021, at 6:00 p.m. during the Voting/Special Meeting as the Chair Jones will be in attendance at that meeting.

Mr. Donnelly moved to reschedule the Vice Chair Elections until July 15<sup>th</sup>, 2021, at 6:00 p.m., seconded by Mr. Apple. The vote voted 6-0 in favor of the motion. (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None).

**APPROVAL OF MINUTES:**

Mr. Apple moved to approve the June 9<sup>th</sup>, 2021 (Recessed Mtg.) & June 10<sup>th</sup>, 2021 (Reconvened Mtg.), seconded by Ms. Buchanan. The Board voted 6-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None).

**RULES OF PROCEDURE:**

Ms. McKinley (serving as chair) read the rules of procedures to be followed during the meeting.

**CONTINUANCE REQUESTS:** None.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**Public Hearing Items:**

**EASEMENT CLOSING CASE #21-05-GCPL-04166: (CONTINUED UNTIL TIME UNCERTAIN)**

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.



Mr. Bell requested that this case be continued until a time uncertain, on the basis that they have not heard from the applicant and the request entails the property owner doing more than what was initially anticipated.

Mr. Craft moved to continue **EASEMENT CLOSING CASE #21-05-GCPL-04166** until a time uncertain, seconded by Mr. Apple. The Board voted 6-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None).

**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.

Mr. Bass stated that the character of the area is mostly single-family subdivisions that were developed under a RS-40 district in Guilford County. To the west, the subdivision located in Summerfield, NC, has a zoning of open-space residential, which carries a minimum lot size of 15,000 sq ft. The existing parcel is undeveloped. Surrounding land uses include single-family subdivisions under the RS-40 zoning, there are low density single-family, and undeveloped AG zoning districts to the south. To the east, there is a single-family subdivision. The topography of the area has a moderate slope and there is a small flood plane in the Northeast quadrant. Staff believes the rezoning is reasonable and in the public interest because it is consistent with the density of development in the general area, provides interconnectivity with other neighborhoods, it is consistent with the Northern Lakes Area Plan, and would provide housing alternatives.

**In Support:**

David Stone (applicant), 2904 Lawndale Drive, joined the meeting virtually and stated that the area has many quality neighboring communities and saw an opportunity to develop another single-family community. The proposed lot sizes range from 1.3 acres to 4 acres. He has tried to accommodate communication with neighbors concerned communities and held a Zoom meeting on July 7<sup>th</sup>, 2021. The meeting had about 15 to 20 attendees and they went over the sketch plan and felt like the meeting was productive. He knows that some neighboring owners still have concerns about drainage and runoff.

Mr. Donnelly asked if he has agreed with any concerns from neighbors or would they have another meeting with them to discuss concerns. Mr. Stone left lines of communication open in case the zoning is passed and promises to keep them informed. Mr. Craft asked how the entrance would be setup, and Mr. Stone replied there would be a private drive on the northern side of the property and would not cross the stream on the property. Ms. Buchanan asked how the waterway would be protected, and Mr. Stone plans to work with the Planning Department to meet all requirements.

**In Opposition:**

Jeff Mott, 647 Plainfield Road, stated that he was not notified by Mr. Stone that he could contact him with concerns. He is approximately 200 yards from the proposed rezoning. He is concerned that the new community well would impact the water table, and he is also concerned about the traffic that would be made during construction. Mr. Bell stated that if a new well was made testing would be done including any lots that would be proposed for on-site water and septic [i.e., not public water and sewer] by the Health Department. Mr. Mott also has family adjacent to the property that were not notified as well. Mr. Mott wants to be notified of any new developments with the property.

Cynthia Schilling, 6091 Royster Road, stated that she has concerns about lot size and home quantity that have not been defined. The development would add a significant amount of traffic to the mostly low-density subdivision near her property. She does believe that there could be a negative impact on the stream that leads into the waterway.

Ron Flaherty, 395 Plainfield Road, wants Mr. Stone to be more helpful with answering questions about the development. The lot size has not been clarified and this concerns him if the area becomes over-developed. He has concerns about the increase in traffic if the rezoning is passed.

Mr. Craft asked Mr. Bell when the signage was posted on the property, and it was posted about 13 days before the hearing. In response to these concerns, Mr. Stone stated that anyone with concerns can contact him and that he would be happy to speak with them.

Ms. Schilling was disappointed that staff recommended approval.

Donna DeRosio, 507 Buffalo Tom Drive, believes that there has been a typography change since the agricultural work stopped near her property. More water comes onto her property as well. She believes that the traffic concerns could lead to congestion that makes it harder to leave her property, or for others to get in.

Ms. Buchanan asked staff about the Buffalo Tom Drive elevation, and Mr. Bass stated that it had a slightly higher elevation.

With no more questions the public hearing was closed, moved by Ms. Buchanan, and seconded by Mr. Gullick The Board voted 6-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None).

**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.

Mr. Bass stated the property is currently undeveloped. The property to the north is vacant industrial, to the south is general warehouse and self-storage warehouse, to the east is general warehouse, and to the west is US Highway 29 N Scenic Corridor. The land-use analysis recommends the area for residential single-family. The request is inconsistent with the Northern Lakes Area plan and would require an amendment. Staff recommended approval because the amendment would be consistent with adjacent parcels.

**In Support:**

Atty. Laura Krantz, 400 Bellemeade Street, Suite 800, is the representative for the applicant. The applicant wants to expand the existing warehouse and build a new building that will comply with all ordinances.

Eddie McAlexander, 401 North Greene Street, designed the plan for the applicant. Adams Electric purchased these lots to expand their yield. Mr. Craft asked if there would be a buffer, and Mr. McAlexander stated that those specifications could be kept in mind while combining the four properties.

**In Opposition:**

Dr. Sharonda Eagleton-McNeil, 4106 Flowering Path Lane, is concerned about construction, sound buffering, and lighting that will affect adjacent lands. Ms. Krantz responded that with the size of the project, the construction wouldn't add much to traffic or noise in the area, and they can comply with the required buffer.

With no more questions the public hearing was closed, moved by Mr. Gullick, and seconded by Ms. Buchanan. The Board voted 6-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None).

**OTHER BUSINESS:** None

**RECESSED:**

There being no further business before the Board, the *virtual* Regular meeting was recessed at 7:09 pm and will reconvene on July 15<sup>th</sup>, 2021, at 6:00 pm for a voting session and Special Meeting.

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**Guilford County  
Planning Board  
SPECIAL MEETING  
July 15<sup>th</sup>, 2021**

The Guilford County Planning Board was reconvened on Thursday, July 15<sup>th</sup>, 2021, at 6:00 p.m. at the NC Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC.

**Members Present:** Mr. Apple; Ms. Buchanan; Mr. Craft; Mr. Donnelly; Mr. Gullick; Ms. McKinley; and Chair Frankie Jones

**Members Absent:** Dr. Gathers

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

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

**AGENDA AMENDMENTS:**

Mr. Bell requested that the voting for Vice Chair be added to the agenda. Ms. McKinley motioned to add the voting, seconded by Mr. Apple. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

**RULES OF PROCEDURE:**

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

**OLD BUSINESS:**

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

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.

Staff received comments from Cynthia Schilling, Donna Del Rosso, Amanda Bailess, Pamela and Scott Gaylord, Madison Thompson, Christine Schulenklopper, Maria Rossi, Cynthia Jackson, Molly Smith, Paul LaMachio, Meredith Zuppo, Tina Mason, Grant Lawyer, William Hamilton, Ian Jackson, and Carole Anne Wishner which focused on concerns of traffic, the zoning change, protection of the stream, and families with children.

Mr. Donnelly stated that the comments from the support and opposition of the rezoning were helpful in his decision and appreciated them.

Ms. McKinley moved to approve the rezoning case for Guilford County Tax Parcel #137606 from AG to RS-40, because it is consistent with the applicable plans. AG rural residential is intended to accommodate agricultural uses, residential development, and low density subdivisions not connected to public water and

sewer. The density cannot exceed more than 2 units per acre. The rezoning is reasonable and in the public interest because it is consistent with the density of development in the general area, provides interconnectivity with other neighborhoods, it is consistent with the Northern Lakes Area Plan, and would provide housing alternatives, seconded by Mr. Craft. The Board voted 6-0-1 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None Abstained: Jones).

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

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.

Mr. Gullick stated that he is in support of this zoning since it is a perfect fit for the area and Ms. McKinley agreed.

Ms. Buchanan moved to approve the rezoning case for Guilford County Tax Parcel #126059 and #126068 from RS-30 to CZ-LI. This approval also amends the Northern Lakes Area Plan to LI. The parcel would be conditionally zoned to include all LI uses except animal services (livestock and other), go-cart raceway and taxi terminal. No development conditions were offered by the applicant. The rezoning is reasonable and in the public interest because its location next to the other warehouses will allow other business opportunities to the already adjacent properties that are LI in the area, seconded by Ms. McKinley. The Board voted 6-0-1 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, and McKinley Nays: None Abstained: Jones).

**NEW BUSINESS:**

**Evidentiary Hearing Items:**

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

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.

Chair Jones swore in everyone who would be providing testimony on the special use permit.

Mr. Talbott stated that the property is 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. 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. This request is in an area of low-density single-family residential lots and farm uses. The property is currently vacant. The surrounding uses include single-family homes. The area plan is the Northern lakes Area Plan, and this request is consistent with the adopted plan land use classification of AG Rural Residential, and it is compatible with the surrounding uses and zoning and is permitted in the AG district with an approved Special Use Permit.. The applicant shall demonstrate via Review Factors in the Guilford County UDO that the circulation, parking and loading, service entrances and areas, lighting, utilities, open spaces, environmental protection, landscaping, buffering, screening, effect on nearby properties, and compatibility are adequately addressed on the site plan.

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: a written application was submitted and is complete in all respects, that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted, the 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, that the location and character of the use 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 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: the development of the parcel shall comply with all regulations as specified in the Guilford County Unified Development Ordinance (UDO), 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, 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, added conditions if applicable, and 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 again be permitted.

Chair Jones asked about the zoning of the area, and it is partially RS-40 and mostly AG. Mr. Gullick mentioned that he would like to have time limits of business operation involved in this motion.

Mr. Talbott stated that development standards for Special Events in AG conditions are weddings, receptions, and similar events. The caretaker is allowed to live on-site, outdoor events can be no closer than 100 ft to a residential zone, and a Type A buffer yard to reduce lighting and noise.

Ms. Buchanan asked how to regulate the noise, and Mr. Bell stated that noise is enforced by the Guilford County Sheriff's Department. A noise ordinance is not part of the UDO.

### **In Support**

Atty. Laura Krantz, 400 Bellemeade Street, Suite 800, is the legal representative for Eddie McLaurin. The focus of the building will be to bring in agricultural tourism. They anticipate doing weddings and receptions also. The building is about 70 to 75 feet from the property line, and any outside activities would be on the other side of the property allowing space between neighboring properties. Mr. McLaurin also has already installed a substantial cypress buffer. She proposed the property will meet all requirements for health and safety and get all required approvals for permits. Mr. McLaurin sent out a letter to neighbors about the proposed project and had not received any comments. They also plan to comply with any noise reduction that might be part of an ordinance.

Chair Jones asked Ms. Krantz about the adjacent properties that had permits by Mr. McLaurin. Ms. Krantz explained that Mr. McLaurin has permits on these adjacent properties for The Woods of Terror attraction, but this project is separate from that. The only potential involvement between the two would possibly be overflow parking. Chair Jones asked if the two entities not being involved would be okay for Mr. McLaurin and Ms. Krantz confirmed that would not be an issue.

Eddie McLaurin, 5601 N Church Street, the owner of the property stated that his great-grandfather had originally purchased the property. From a young age, he felt like he wanted to save the farm. The Woods of

Terror attraction helped save the property. Now he wants to have a family-oriented event venue. Possible events could include a sunflower field, pumpkin patch, Christmas events, and a farmers' market. He stated he will comply with no buildings from The Woods of Terror to be used on this new property but would like the right to use overflow parking, if necessary. He stated he sent out letters to neighbors and did not receive any comments. He has tried to be proactive in planning the location of buildings on the property to comply with regulations and reduce noise by creating buffering. It will reduce lights and noise. He also stated that he would plant trees on adjoining properties if they needed to for buffers but did not receive comments, so he created more buffer on his land. At The Woods of Terror, they usually cut the outdoor music to half volume by 10 PM and would cut it off by 11 PM. He hopes this could be implemented at the new venue and that it would help show he doesn't want to disturb the community, and this would be in the venue contract. He doesn't want to have events that would go until 2 AM anyway since it would not be in harmony with the community. Mr. Bell read provisions of the Guilford County noise ordinance. help accommodate this Mr. McLaurin plans to make a more significant buffer yard than what is required by the UDO.

Mr. Gullick asked if patio accommodations would be counted as outside special event space, and Mr. Bell confirmed this. Mr. Craft asked how capacity would be determined and Mr. Bell stated that it would be based on [building code] and the Fire [code]. Robert Carmon, Fire Inspections Chief, stated that equations are usually used in those kinds of situations. Mr. McLaurin estimated that maybe 150 people could be there at a time, and there are 47 parking spots. Mr. McLaurin also stated that he has done decibel testing on The Woods of Terror property and is well under the limit and was tested from five different points on the property. Ms. Buchanan asked how the lot would be used for parking could increase the noise, and he stated that he has worked to reduce noise over the years by his construction measures and has raised Saturday prices to reduce noise as well. He also is bringing in experienced staff and show professionals to create a comprehensive plan for traffic issues that will assist in The Woods of Terror from mid-September to the first weekend of November. Mr. McLaurin is open to suggestions on wedding end times and capacity. He promises that there will be a contract requirement involving music and the time it must be shut off.

After listening to the conversation between the Board, staff, and Mr. McLaurin, Ms. Krantz stated that Mr. McLaurin can comply with a further noise limitation of no outside music from 10 PM until 7 AM and comply with all findings of fact that need to be met. She wanted to clarify that the overflow parking would not increase capacity, it is for safety reasons. She proposed it is in harmony with the Northern Lakes Plan and would not cause any financial damage to nearby properties.

Norris Clayton, 1306 W Wendover Avenue, drew up the site plan for Mr. McLaurin. He has worked with the county technical review committee (TRC) and used their recommendations to edit the plan. This involved safety measures and access points for supplies. The parking submitted on the site plan is required for that size building and will meet the handicap requirements.

Derrick Brady, 109 Callum Creek Court, is a neighbor to the property in question and The Woods of Terror. Over the time he has lived next to the attraction, he believes that they meet noise ordinances, and that each year traffic keeps getting better. Mr. Brady thinks that Mr. McLaurin is good at communicating with people in the area and has concern for the wellbeing of the community.

Neil Bowman, 8143 Spearman Road, the farmer who will help Mr. McLaurin with his agricultural tourism project, has a vision for the project. He hopes this project will help diversify attractions in the area. Expanding the McLaurin brand will involve creating a sustainable farm that will draw people in. The vision is to create a place for community and families to come together. Possibly a tulip farm would be in the plans for next spring. The local produce with the farmers market would also help put money back into the local farmer community.

### **In Opposition**

Michael Jones, 5628 N Church Street, is a licensed realtor that lives in the proposed project area. He doesn't think this project should be approved because of Mr. McLaurin's past years of breaking rules. When it was found out he was running a secret business, it was only then he was held accountable in the beginning of his career. He has not addressed safety concerns of neighbors or the community. The traffic keeps getting worse. Mr. Jones stated that Mr. McLaurin had stated that his business had over 175 staff and 36,000 people in attendance in 2019, and bragged he made over \$115,000 in one night. In 2019 there were 5,000 people in attendance one Saturday night. He mentioned the shooting that happened and how accidents are constant, believing passed special use permits that were passed for Mr. McLaurin were neglected. Mr. Jones refers to data that shows how the property values have gone down due to Mr. McLaurin's attraction, and due to all these issues, he cannot trust Mr. McLaurin. He believes that Mr. McLaurin will overcrowd the property – estimating 6,000 attendees could fit on the property. Mr. Jones had emailed a copy of his data to Mitchell Byers, and it was analyzed by the Board. Ms. McKinley stated that she believed that Mr. Jones's data was skewed in his favor, supported by analysis by Ms. McKinley and Ms. Buchanan's real estate experience. Mr. Carmon also stated that he would estimate that 2,500 attendees could attend, disagreeing with Mr. Jones as well.

Sharon Miller, 5626 N Church Street, has major concerns about noise that she can hear even when she is inside of her home. She is hopeful for noise and time restrictions to help manage the site. Since a new development has been built in the area, she is worried about traffic and how the potential for more cars on the road is troubling. She hopes that the noise will not resonate in the neighborhood if events are being held. She does not believe the buffer on the narrow property will stop the noise. With all the developments being built, and already having The Woods of Terror, she is concerned about the safety and traffic flow mostly.

Ms. Krantz reapproached the Board and stated that The Woods of Terror is not what this permit is about. She appreciated that the skewed data was noticed by the Board and that Mr. Jones' evidence was speculative. She points out all that Mr. McLaurin has done to create the best development that he can have and working with the neighbors in the area. She also pointed out that weddings, receptions, and other similar events can be counted as agricultural tourism if it is in a farm or ranch setting, which is what McLaurin Farm will be. Mr. McLaurin also chimed in that there has not been a definite decision whether there will be a farmers' market or event venue on the property but is leaning more towards the event center being on this site. He also stated that [in the past and prior to securing a Special Use Permit] he pulled a yearly permit when he did his prior events, not aligning with what Mr. Jones said. It was just an annual permit instead of a long-term permit. He believes the average event will only have about 250 people and only 60-70 cars on site, not effecting traffic drastically.

Mr. Donnelly suggested limiting the events to 500 people so that it wouldn't hinder the average but wouldn't create such an uproar in the community over noise, and Mr. McLaurin would be open to that.

Chair Jones read the conditions that have been heard which included: the property should not be used for The Woods of Terror structures or other operations, but overflow parking would be allowed which must be attended; any administrative adjustment of the site plan shall not result in the building being located closer to the residential properties to the north; amplified outdoor music shall be prohibited from 10 PM to 7 AM; and the maximum number on site – the applicant saying 200 cars or Mr. Donnelly mentioning 500 people.

The applicant offered to be 60 feet from any adjoining property, including the buffer to allow for the motion to be approved and most of the Board felt it was accommodating. He also has a set area that can be put aside for the fire lane if that was something that could be added to the motion, and Chair Jones felt like making it a condition would hold the applicant accountable in future construction to keep it away from the property lines. This would involve keeping the height of the berm on the property that is proposed for fire safety measures but straightening it out and moving it from the property line. Ms. Krantz believes that 200



cars is reasonable and could be easier to count than 500 people. Mr. Norris believes that 200 cars could be accommodated.

Ms. Miller raised concern about alcohol at the venue, and Chair Jones replied they would need different permits or the caterer would need a permit. Mr. Brady chimed in that the past traffic issues are relevant, but that the new parking would allow less traffic on the road and help in the long run.

Mr. Gullick stated that he was curious when operations will mostly end on site. Mr. McLaurin stated that most would be over by 7PM to 8PM at night; he believes that most weddings will run from 1 PM to 7PM. Katie McLaurin, 601 N Church Street, also stated that there would be times during the day where the grounds are being used in the morning and afternoon during the sunflower festival for photography. Ms. Buchanan thinks the earlier close time at 10 PM might be unnecessary since The Woods of Terror closes at 11 PM, and it might be smarter just to have the ordinance until then if it has overflow parking. Mr. Gullick thinks that having a breakdown time after the show is over would be helpful, so that the event could be over at 10 PM but the vendors and event venue would be closed by 11 PM.

Chair Jones moved the property should not be used for The Woods of Terror structures or other operations, but overflow parking would be allowed which must be attended, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved that no amplified outdoor music shall be permitted after 10 PM, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved events will last no longer than 11 PM, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved any minor modification of the site plan shall not cause the building to be located closer than 60 feet to the residential properties to the north, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved that no more than 200 vehicles shall be permitted on site at any given time, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved that, at a minimum, the existing berm and buffer should be maintained, seconded by Ms. McKinley. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

Chair Jones moved to approve **SPECIAL USE PERMIT CASE #21-06-GCPL-05148** for Guilford County Tax Parcel #139372 zoned AG. Having heard all of the evidence and testimony presented makes the following findings of facts: A written application was submitted and is complete in all respects; that the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted with the additional 6 conditions that the applicant agreed too, limits expansion of The Woods of Terror, amplified music after 10 PM until 7 AM, and a path that connects overflow parking; 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 and is based on comments from TRC, and that handicap

and fire lanes will be up to code; 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, since the property is located adjacent to AG and other special use permits in the Lake Area Plan and that neighbors of the adjacent property stated that music stops at a reasonable time; that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity since the property will be used for agricultural tourism and overflow parking to relieve traffic stress. The motion will be granted subject to the following: The development of the parcel shall comply with all regulations as specified in the Guilford County Unified Development Ordinance (UDO); 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; 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. It is subject to the attached Site Plan along with the following added conditions: 1) The property will not be used for the Woods of Terror structures or other operations, but overflow parking would be allowed which must be attended by staff; 2) No amplified outdoor music shall be permitted after 10PM; 3) Events will last no longer than until 11PM; 4) Any minor modification of the site plan shall not resolve in the building being located closer than 60 ft to the residential properties to the North; 5) No more than 200 vehicles shall be permitted on site at any given time; and, 6) At a minimum the existing berm and buffer will be maintained. 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, seconded by Mr. Apple. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

**OTHER BUSINESS:**

The Board voted for the next Vice Chair. Mr. Apple nominated Ms. McKinley for the position, seconded by Mr. Craft. The Board voted 7-0 in favor of the motion (Ayes: Apple, Craft, Buchanan, Donnelly, Gullick, McKinley, and Jones Nays: None).

**ADJOURNED:**

There being no further business before the Board, the meeting was adjourned at 8:20 pm.

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**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Road Renaming Petition  
Initiated by Government Action

Date Submitted: 6/4/2021

Case Number 21-06-6CPL-04996

Pursuant to Section A-8 of the Guilford County Development Ordinance, the undersigned hereby request the Guilford County Planning Board to consider renaming a portion of a public road, presently known as Birch Creek Road, Secondary Road #3175 in Jefferson Township, and running 1.25 miles south from the southern property line of the Publix and terminating on Knox Rd, Secondary Road #3051.

**Proposed Street Name:**

Name	Suffix
Old Birch Creek	Road

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

Application submitted along with:

Map(s)

Mailing Labels in duplicate

Submitted By:

Martine Kamabu

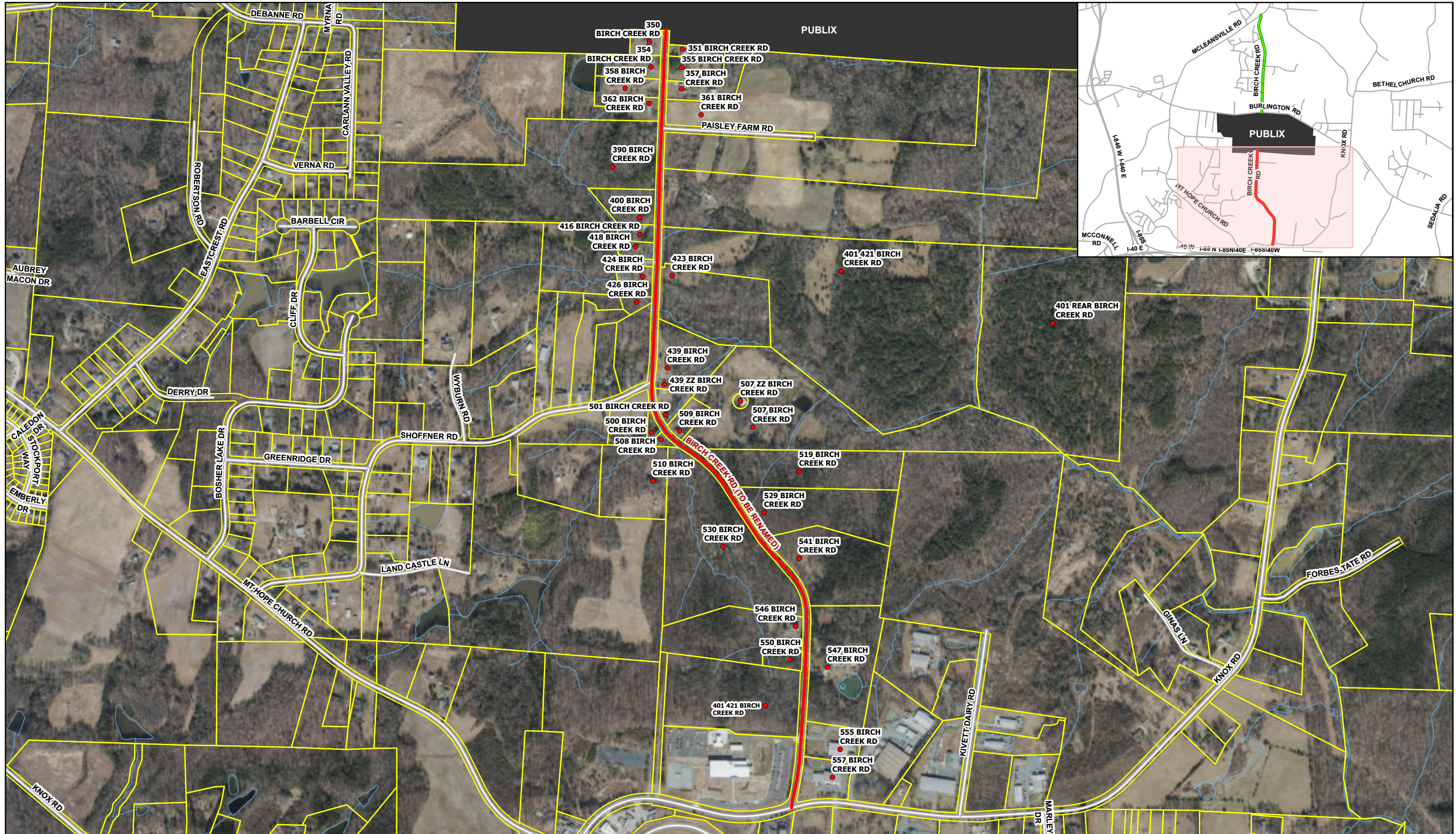
336-641-5611

Contact Name

Address

Contact Phone #

# BIRCH CREEK ROAD RENAMING





**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
RESOLUTION FOR ROAD RENAMING**

**CASE #21-06-GCPL-04996**

WHEREAS, pursuant to NCGS 153A-239.1, notices were posted that a public hearing would be held before this Board on August 11, 2021 on a request that the official name of a portion of a certain road be established or changed.

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

PREVIOUS NAME: Birch Creek Road (SR #3175)

ESTABLISHED NAME: Old Birch Creek Road

LOCATION: A portion of Birch Creek Road (Secondary Road #3175), running 1.25 miles south from the southern property line of the Publix and terminating on Knox Road (Secondary Road #3051), in Jefferson Township.

STAFF COMMENT: This renaming is in response to a government action due to the construction of the Publix Greensboro Distribution Center.

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GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board
Rezoning
Application

Date Submitted: July 14, 2021 Fee \$500.00 Receipt # N/A Case Number -21-07-GCPL-06257

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 CD-PUD (Greensboro) zoning district to the AG (Guilford) zoning district. Said property is located on the south side of Cabaret Rd, approximately 200 feet south from its intersection of Longleaf Rd, approximately 10.6 acres, Tax Parcel #90061 & #90062, Plat Book-PG 101-61, owned by Donald Brann in Moorehead Township; Being a total of: 10.6 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 90061 Tax Parcel # 90062
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

County-initiated due to deannexation from Greensboro by HB 164

Property Owner Signature
Name
Mailing Address
City, State and Zip Code
Phone Number Email Address

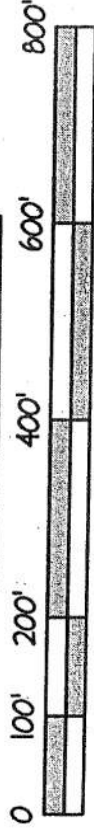
Representative/ Applicant Signature (if applicable)
J. Leslie Bell, Planning Director, Guilford County
Name
PO Box 3427
Mailing Address
Greensboro, NC 27402
City, State and Zip Code
336-641-4406 Lbell@guilfordcountync.gov
Phone Number Email Address



**NOTE**

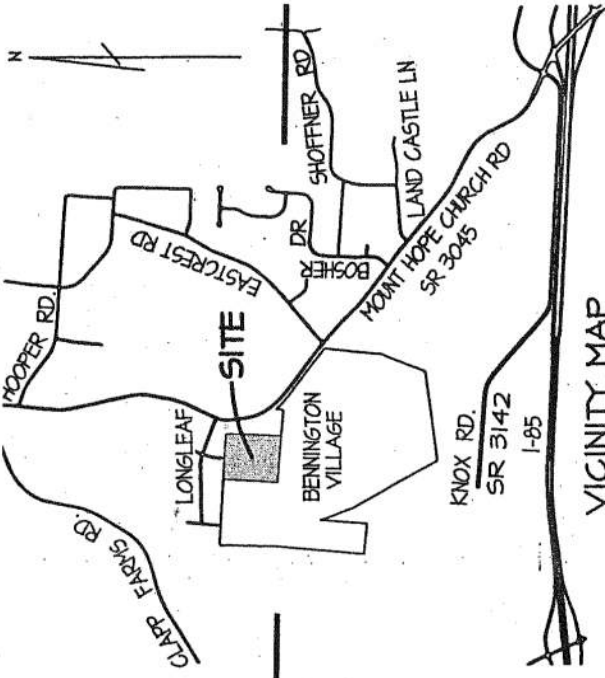
ANNEXATION BOUNDARY SHOWN WAS PLOTTED FROM DEEDS OF RECORD AND RECORD PLATS. NO FIELD BOUNDARY SURVEY BY BORUM, WADE & ASSO. P. A. AT THIS TIME.

**GRAPHIC SCALE**



1" = 200'

**VICINITY MAP**  
NOT TO SCALE



**SITE INFORMATION**

TOTAL AREA: +/- 10.6 ACRES  
 CURRENT ZONING: AG  
 PROPOSED ZONING: CD-RS-5  
 LAND USE: RURAL HOME-SITE  
 PROPOSED USE: SINGLE FAMILY RESIDENTIAL  
 WATERSHED: LAKE MACKINTOSH WS IV (GWA)

TAX MAP REFERENCES: ACL 9 - 453 - 364 - 6 & 53  
 DEED REFERENCES: DB 5532 Pg. 1636 and DB 5532 Pg. 1639  
 PLAT REFERENCES: PB 104 Pg. 61

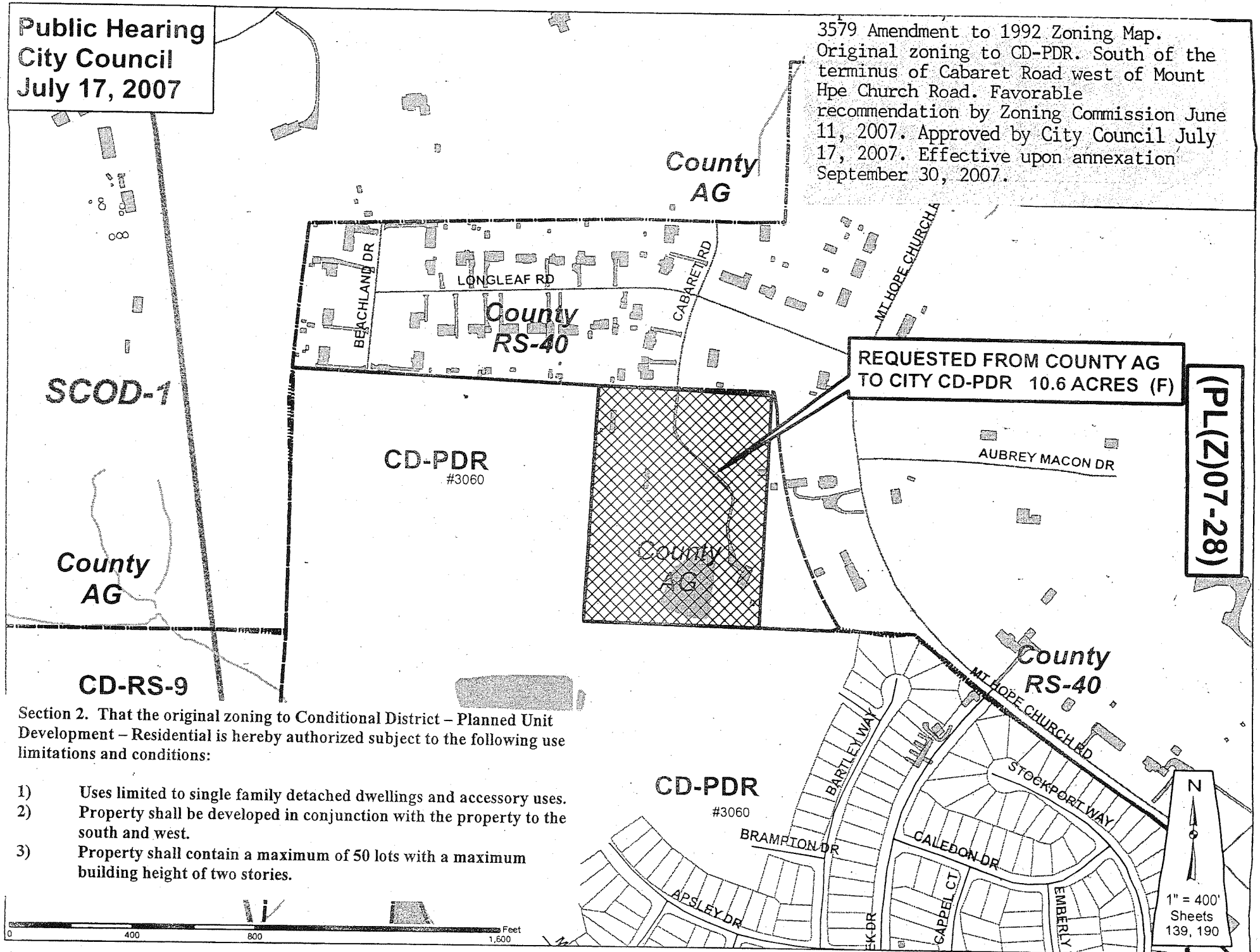
**DEVELOPER:**  
**MT. HOPE INVESTMENTS, LLC**  
 P.O. BOX 9846  
 GREENSBORO, N.C. 27429  
 PHONE: (336) 274-8531

ADOPTED BY CITY COUNCIL: 7-17-07  
 EFFECTIVE DATE: 9-31-07

CITY OF GREENSBORO, N.C. DEPARTMENT OF ENGINEERING AND INSPECTIONS DONALD BRANN and T. DAWN BRANNOCK BRANN ANNEXATION MAP and ZONING EXHIBIT - MOUNT HOPE CHURCH ROAD	DRAWING D- <b>2870</b>
	DATE: DECEMBER 7, 2006 SCALE 1" = 200'

**Public Hearing  
City Council  
July 17, 2007**

3579 Amendment to 1992 Zoning Map. Original zoning to CD-PDR. South of the terminus of Cabaret Road west of Mount Hpe Church Road. Favorable recommendation by Zoning Commission June 11, 2007. Approved by City Council July 17, 2007. Effective upon annexation September 30, 2007.



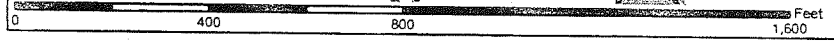
**(PL(Z)07-28)**

**REQUESTED FROM COUNTY AG  
TO CITY CD-PDR 10.6 ACRES (F)**

Section 2. That the original zoning to Conditional District – Planned Unit Development – Residential is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to single family detached dwellings and accessory uses.
- 2) Property shall be developed in conjunction with the property to the south and west.
- 3) Property shall contain a maximum of 50 lots with a maximum building height of two stories.

N  
1" = 400'  
Sheets  
139, 190



**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021**

**SESSION LAW 2021-17  
HOUSE BILL 164**

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE  
LIMITS OF THE CITY OF GREENSBORO AND TO REMOVE THE CAP ON  
SATELLITE ANNEXATIONS FOR THE TOWN OF ROCKWELL.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The following described property is removed from the corporate limits of the City of Greensboro:

BEGINNING at an existing iron pipe in the southeast corner of Lot 12 of the Steeplechase Subdivision, Section One (recorded in Plat Book 49, Page 41 of the Guilford County Register of Deeds); thence proceeding South 87 degrees 40 minutes 28 seconds East for a distance of 199.76 feet; thence South 87 degrees 41 minutes 39 seconds East for a distance of 338.96 feet to the northwest corner of the property of Lori G. Coble (as recorded in Deed Book 3733, Page 1631 of the Guilford County Registry); thence South 1 degree 3 minutes 15 seconds West for a distance of 423.09 feet to the southwest corner of the Fred L. and Edith K. Gann property (as recorded in Deed Book 3236, Page 751 of the Guilford County Registry); thence South 2 degrees 4 minutes 55 seconds West for a distance of 355.47 feet to the southwest corner of the William L. and Phyllis K. Jones property (as recorded in Deed Book 1907, Page 503 of the Guilford County Registry); thence proceeding with the existing City limits North 85 degrees 55 minutes 51 seconds West for a distance of 606.8 feet to an existing iron pipe; thence North 3 degrees 4 minutes 3 seconds East for a distance of 779.57 feet to an existing iron pipe; thence departing from the existing City limits South 88 degrees 4 minutes 36 seconds East for a distance of 35.46 feet to the point and place of BEGINNING, said parcel containing approximately 10.6 acres (more or less), and being tax parcels ACL-5-9-593-369-6 and ACL-5-9-593-369-53 as per Deed Book 5532, Page 1636, Deed Book 5532, Page 1639, and Plat Book 104, Page 61 of the Guilford County Registry.

**SECTION 1.(b)** This section has no effect upon the validity of any liens of the City of Greensboro for ad valorem taxes or special assessments outstanding before the effective date of this section. Such liens may be collected or foreclosed upon after the effective date of this section as though the property were still within the corporate limits of the City of Greensboro.

**SECTION 1.(c)** This section becomes effective June 30, 2021. Property in the territory described in this section as of January 1, 2021, is no longer subject to municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2021.

**SECTION 2.** G.S. 160A-58.1 reads as rewritten:

**"§ 160A-58.1. Petition for annexation; standards.**

...

(b) A noncontiguous area proposed for annexation must meet all of the following standards:

...

(5) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city.



This subdivision does not apply to the Cities of Asheboro, Belmont, Claremont, Concord, Conover, Durham, Elizabeth City, Gastonia, Greenville, Hickory, Kannapolis, Locust, Marion, Mount Airy, Mount Holly, New Bern, Newton, Oxford, Randleman, Roanoke Rapids, Rockingham, Saluda, Sanford, Salisbury, Southport, Statesville, and Washington and the Towns of Ahoskie, Angier, Apex, Ayden, Benson, Bladenboro, Bridgeton, Bunn, Burgaw, Calabash, Carthage, Catawba, China Grove, Clayton, Columbia, Columbus, Cramerton, Creswell, Dallas, Dobson, Four Oaks, Franklin, Franklinton, Fuquay-Varina, Garner, Godwin, Granite Quarry, Green Level, Grimesland, Harrisburg, Holly Ridge, Holly Springs, Hookerton, Hope Mills, Huntersville, Jamestown, Kenansville, Kenly, Knightdale, Landis, Leland, Lillington, Louisburg, Maggie Valley, Maiden, Mayodan, Maysville, Middlesex, Midland, Mocksville, Morrisville, Mount Pleasant, Nashville, Oak Island, Ocean Isle Beach, Pembroke, Pine Level, Pollocksville, Princeton, Ranlo, Richlands, Rockwell, Rolesville, Rutherfordton, Shallotte, Siler City, Smithfield, Spencer, Spring Lake, Stem, Stovall, Surf City, Swansboro, Taylorsville, Troutman, Troy, Wallace, Warsaw, Watha, Waynesville, Weldon, Wendell, West Jefferson, Wilson's Mills, Windsor, Yadkinville, Youngsville, and Zebulon.

...."  
law.

**SECTION 3.** Except as otherwise provided, this act is effective when it becomes

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of April, 2021.

s/ Mark Robinson  
President of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

GUILFORD COUNTY, NORTH CAROLINA  
 I, Joseph G. Stutts CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM (AN ACTUAL SURVEY MADE UNDER MY SUPERVISION) (DEED DESCRIPTION RECORDED IN BOOK 321, 323 & 326 PAGE 610, 951, ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 13<sup>th</sup> DAY OF FEB, A.D., 1992

SEAL OR STAMP SURVEYOR Joseph G. Stutts  
 REGISTRATION NUMBER L-3349  
 CLOSURE: 1: 10,000

NORTH CAROLINA GUILFORD COUNTY, I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT Joseph G. Stutts A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS 13 DAY OF FEB, 1992

OR Lisa S. Stutts NOTARY PUBLIC  
 MY COMMISSION EXPIRES Nov 28, 1995

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE \_\_\_\_\_ FREE ACT AND DEED AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PLAYGROUND, PARKS, OPEN SPACES, AND EASEMENTS FOREVER ALL AREAS SO SHOWN OR INDICATED ON SAID PLAT AND AUTHORIZE(S) THE CITY OF GREENSBORO TO RECORD THIS PLAT IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NORTH CAROLINA.

SIGNED \_\_\_\_\_

WHEN GRADE OF ADJACENT PROPERTY DOES NOT CONFORM TO THE STREET GRADE, AN EASEMENT IS EFFECTIVE FOR THE PURPOSE OF SLOPING EMBANKMENTS FROM STREET GRADE LEVEL AT THE PROPERTY LINE HAVING A SLOPE RATIO OF TWO FEET HORIZONTAL FOR EACH FOOT OF VERTICAL DIMENSION.

APPROVED BY THE PLANNING BOARD OF THE CITY OF GREENSBORO, N.C. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_

19\_\_\_\_\_, PROVIDED THAT THE PLAT IS REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, N.C. WITHIN THIRTY DAYS FROM DATE OF THIS APPROVAL.

DIRECTOR OF PLANNING AND EXECUTIVE SECRETARY OF PLANNING BOARD  
 CITY CLERK

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THAT THE LAND SHOWN ON THIS PLAT IS WITHIN THE SUBDIVISION, REGULATION JURISDICTION OF THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY AND THIS PLAT AND ALLOTMENT TO BE \_\_\_\_\_ FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS ROADS, STREETS, AND EASEMENTS, FOREVER ALL AREAS SO SHOWN OR INDICATED ON SAID PLAT.

SIGNED T. Dawn Brannock  
Donna Ann Brannock  
Donald R. Brannock

APPROVED BY THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY, N.C. ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 19\_\_\_\_\_, PROVIDED THAT THE PLAT IS REGISTERED IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, N.C. WITHIN THIRTY DAYS FROM THE DATE OF THIS APPROVAL.

SIGNED \_\_\_\_\_ (SEAL) CHAIRMAN

DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 PROPOSED SUBDIVISION ROAD  
 CONSTRUCTION STANDARDS CERTIFICATION

APPROVED \_\_\_\_\_ DISTRICT ENGINEER

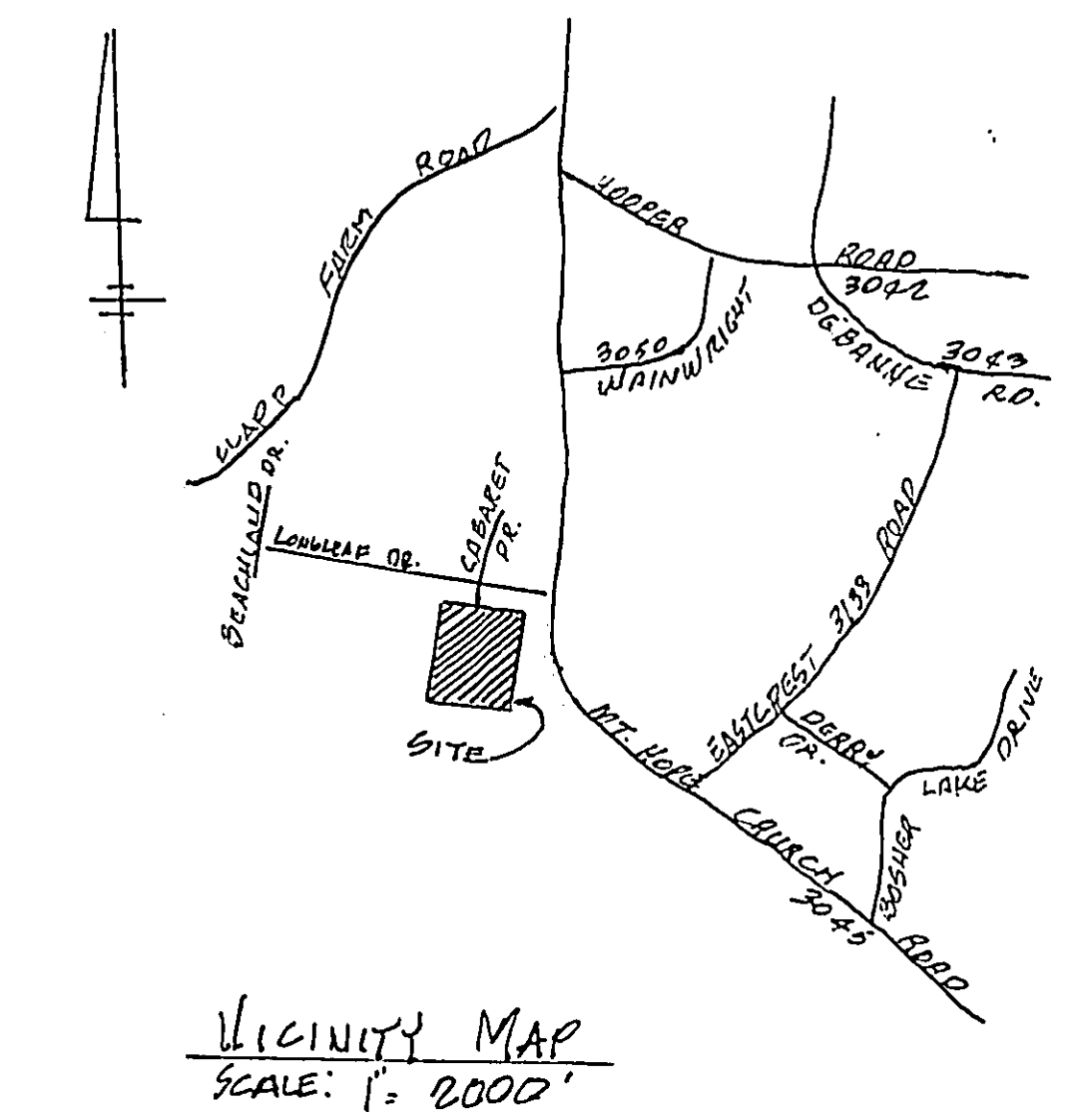
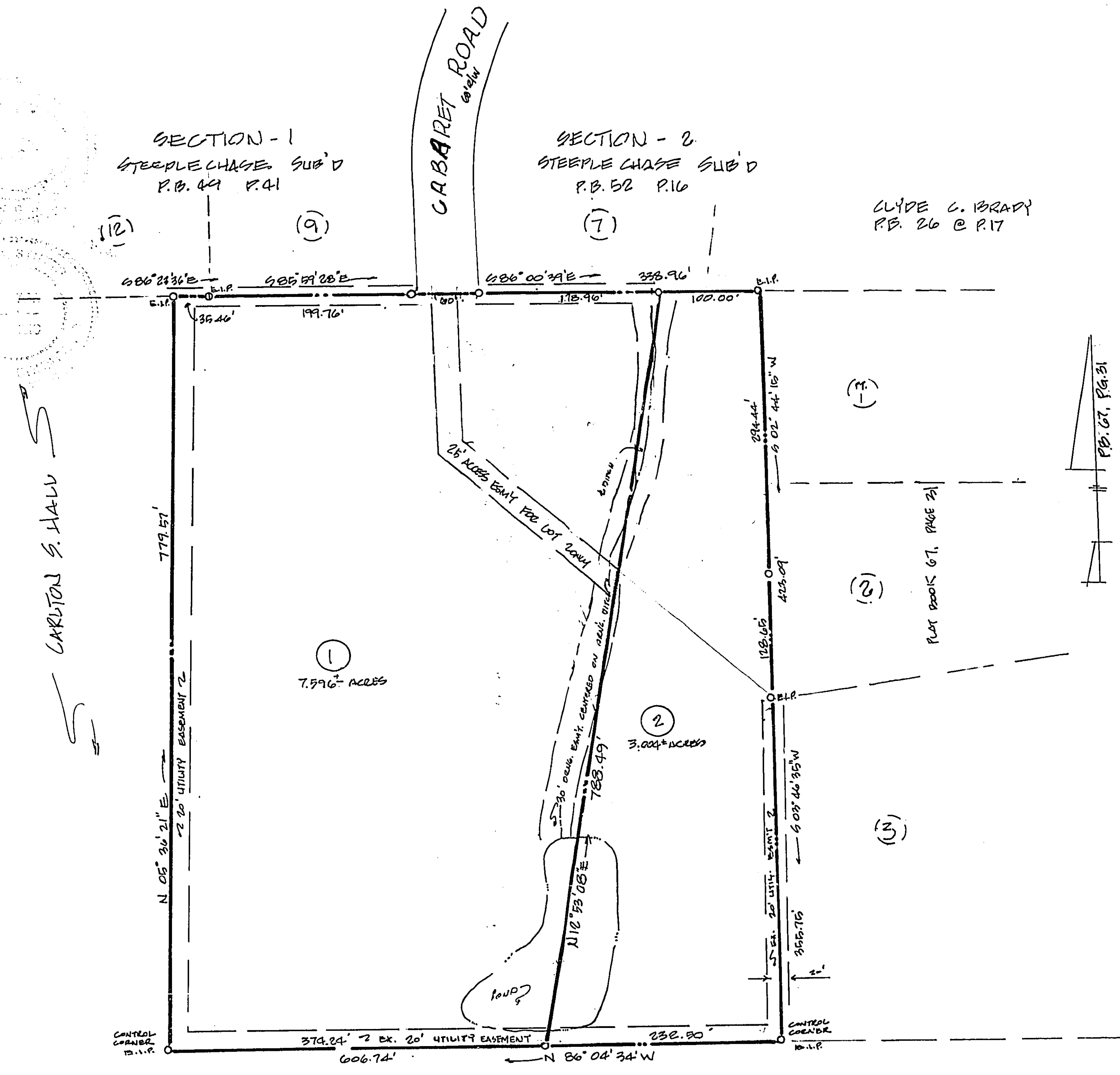
DATE \_\_\_\_\_

THIS PLAT DOES NOT REQUIRE A CERTIFICATE OF APPROVAL BY THE DIVISION OF HIGHWAYS AS PROVIDED IN G.S. 136-102.6, SUBSECTION (g).

SIGNED James W. Morrison DATE 2-26-92  
 PLANNING DIRECTOR

APPROVED BY THE PLANNING DEPARTMENT OF GUILFORD COUNTY, NORTH CAROLINA, ON February 26, 1992 PURSUANT TO SECTION \_\_\_\_\_ OF THE GUILFORD COUNTY SUBDIVISION ORDINANCE. ARTICLE \_\_\_\_\_

James W. Morrison PLANNING DIRECTOR



02/26/92		
1 PLATS	568112	19.00
1 PROBATE FEE		1.00

**GENERAL NOTES!**

OWNERS: T. DAWN BRANNOCK  
 DONALD R. BRANNOCK  
 DONNA ANN BRANNOCK  
 510 BEACHLAND DRIVE  
 MC LEANSVILLE, N.C. 27301

DEED REF. 3211 & 610 & 3236 & 701  
 TAX MAP REF. 9-593-309-6  
 TOTAL AREA: 1060+ ACRES  
 NO GEODETIC MON WITHIN 2000'  
 THIS PLAT IS A REDIVISION OF PARTS OF LOTS 1 & 4 OF THE THELMA C. KEY, ETUX SUBDIVISION AS RECORDED IN PLAT BOOK 07 PAGE 31  
 ZONING: A-0

C # 568112  
 RECORDED  
 KATHERINE LEE PAYNE  
 REGISTER OF DEEDS  
 GUILFORD COUNTY, NC  
 THIS 26<sup>th</sup> DAY OF FEB,  
 1992 TIME 10:43:51  
 BOOK 104 PAGE 061

CARLTON S. HALL

I, JOSEPH G. STUTTS, REGISTERED LAND SURVEYOR No L-3349 CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY, OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.  
Joseph G. Stutts L-3349

NORTH CAROLINA GUILFORD COUNTY  
 THE FOREGOING CERTIFICATE OF Lisa S. Stutts A NOTARY PUBLIC IS CERTIFIED TO BE CORRECT, THIS THE 26 DAY OF February, 1992,  
 KATHERINE LEE PAYNE, REGISTER OF DEEDS  
Katherine Lee Payne DEPUTY REGISTER OF DEEDS

T. DAWN BRANNOCK  
DONALD R. BRANNOCK  
DONNA ANN BRANNOCK OWNERS  
 JEFFERSON TOWNSHIP - GUILFORD COUNTY NORTH CAROLINA  
 SCALE 1" = 100' JANUARY 1992

Wayne L. Stutts, P.A.  
 REGISTERED LAND SURVEYORS  
 303 E. BESSEMER AVENUE  
 GREENSBORO, N.C. 27401

**REZONING CASE #21-07-GCPL-06257 CD-PUD (Greensboro) to AG 610 & 612  
Cabaret Rd**

**Property Information**

Located on the south side of Cabaret Rd, approximately 200 feet south from its intersection of Longleaf Rd, approximately 10.6 acres, Tax Parcel #90061 & #90062, referenced in HB 164 by Plat Book 101, Page 61, owned by Donald Brann.

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

**Nature of the Request**

This is a County-initiated zoning for property de-annexed from the City of Greensboro by the General Assembly under Session Law 2021-17, HB 164, with an effective date of June 30, 2021. Per UDO, the county has 60 days to establish zoning for de-annexed property for any reason from date of discovery. The property owner may request a rezoning any time after initial zoning is established.

The property was voluntarily annexed in June of 2007. At that time, it was zoned CD-PD-R (PUD under current Greensboro regulations). This request is to zone subject parcels to AG, Agricultural.

**District Descriptions**

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

**Character of the Area**

The subject parcels are at the terminus of a low-density residential subdivision street in the unincorporated county.

**Existing Land Use(s) on the Property:** Undeveloped on 7.6 acres, Rural single-family on 3 acres

**Surrounding Uses:**

- North: Single-family residential subdivision
- South: Undeveloped
- East: Rural residential lots
- West: Undeveloped

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

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

## Infrastructure and Community Facilities

**Public School Facilities:**

Zoning Case 21-07-GCPL-06257				
Guilford County				
Schools Serving	Built Capacity 2021-22	2021-22 20th Day Projection	Mobile Classrooms	Estimated Additional Students
McLeansville Elementary	470	274	6	15-17
Eastern Middle School	1194	986	5	7-9
Eastern High School	1268	1335	0	7-9
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. Built capacity assumes 30 students per core academic classroom, and does not account for capacity reduction from programmatic utilization.				

**Emergency Response:**

Fire Protection District: McLeansville FPSD  
 Miles from Fire Station: Approximately 3.5 miles

**Water and Sewer Services:**

Provider: Private Septic Systems and Wells  
 Within Service Area: Must be in Greensboro for public water and sewer service  
 Feasibility Study or Service Commitment: No

**Transportation:**

Existing Conditions: Local/residential street  
 Proposed Improvements: None  
 Projected Traffic Generation: Not available

## Environmental Assessment

**Topography:** Nearly flat and 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 mapped streams on the properties, there is a mapped pond on the properties. The property is in the Lake Mackintosh (Big Alamance Creek – WS-IV) Water Supply Watershed in the General Watershed Area.

**Land Use Analysis**

**Land Use Plan:** Not covered

**Plan Recommendation:** No recommendation

**Consistency:**

The parcels not covered under a Guilford County area plan.

**Recommendation**

**Staff Recommendation:** Staff recommends AG, Agricultural.

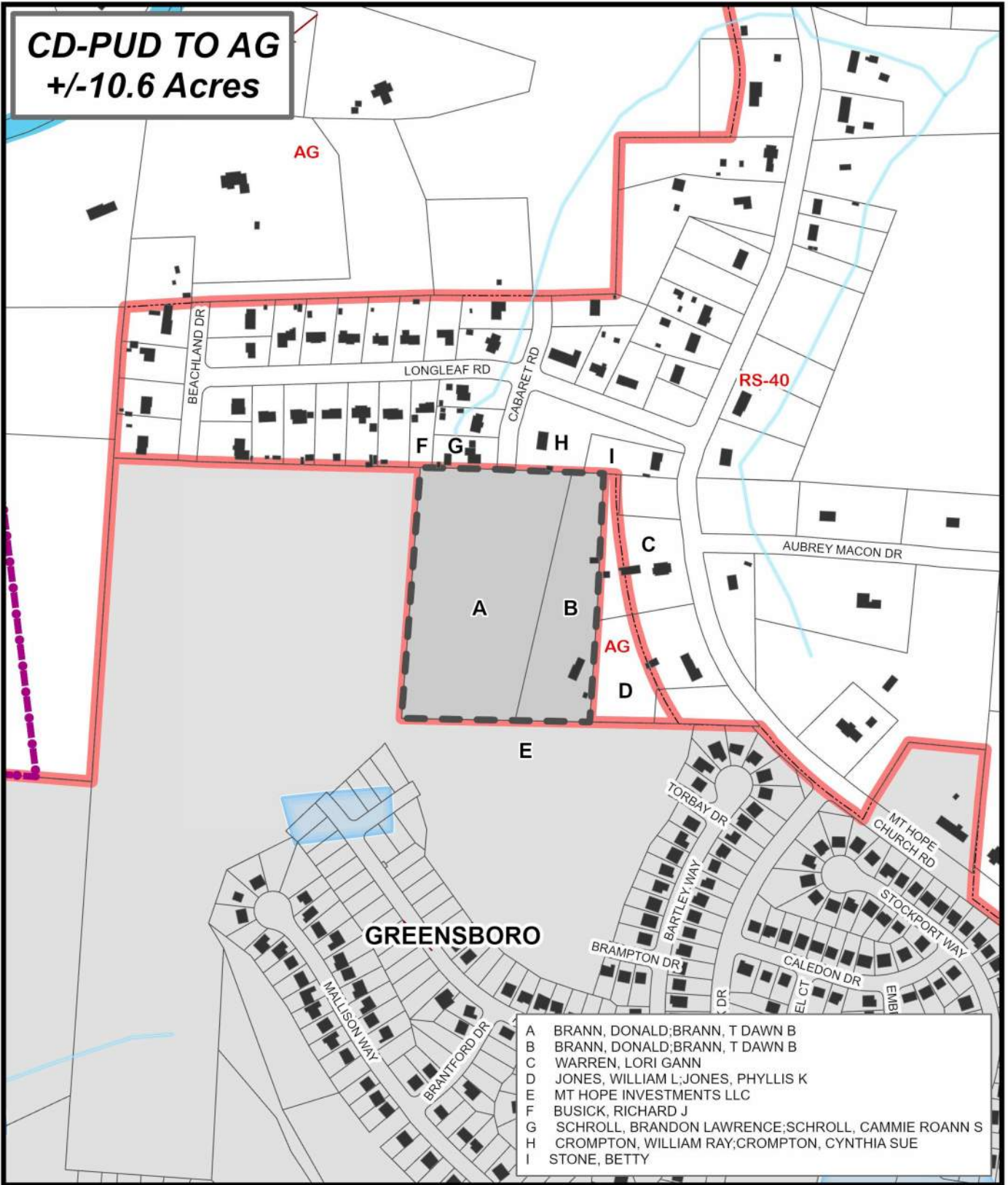
This action is reasonable and in the public interest because the property will revert to its original zoning before it was annexed. The development status of the parcels remains substantially unchanged since annexation. The applicant may initiate a rezoning at any time after the initial zoning is established. The zoning is consistent with the recommended area plan land use classification of AG Rural Residential.

**Area Plan Amendment Recommendation:**

Staff recommends that the Northeast Area Plan be amended to include the subject parcels. The land use recommendation is AG Rural Residential.



**CD-PUD TO AG  
+/-10.6 Acres**



- A BRANN, DONALD;BRANN, T DAWN B
- B BRANN, DONALD;BRANN, T DAWN B
- C WARREN, LORI GANN
- D JONES, WILLIAM L;JONES, PHYLLIS K
- E MT HOPE INVESTMENTS LLC
- F BUSICK, RICHARD J
- G SCHROLL, BRANDON LAWRENCE;SCHROLL, CAMMIE ROANN S
- H CROMPTON, WILLIAM RAY;CROMPTON, CYNTHIA SUE
- I STONE, BETTY



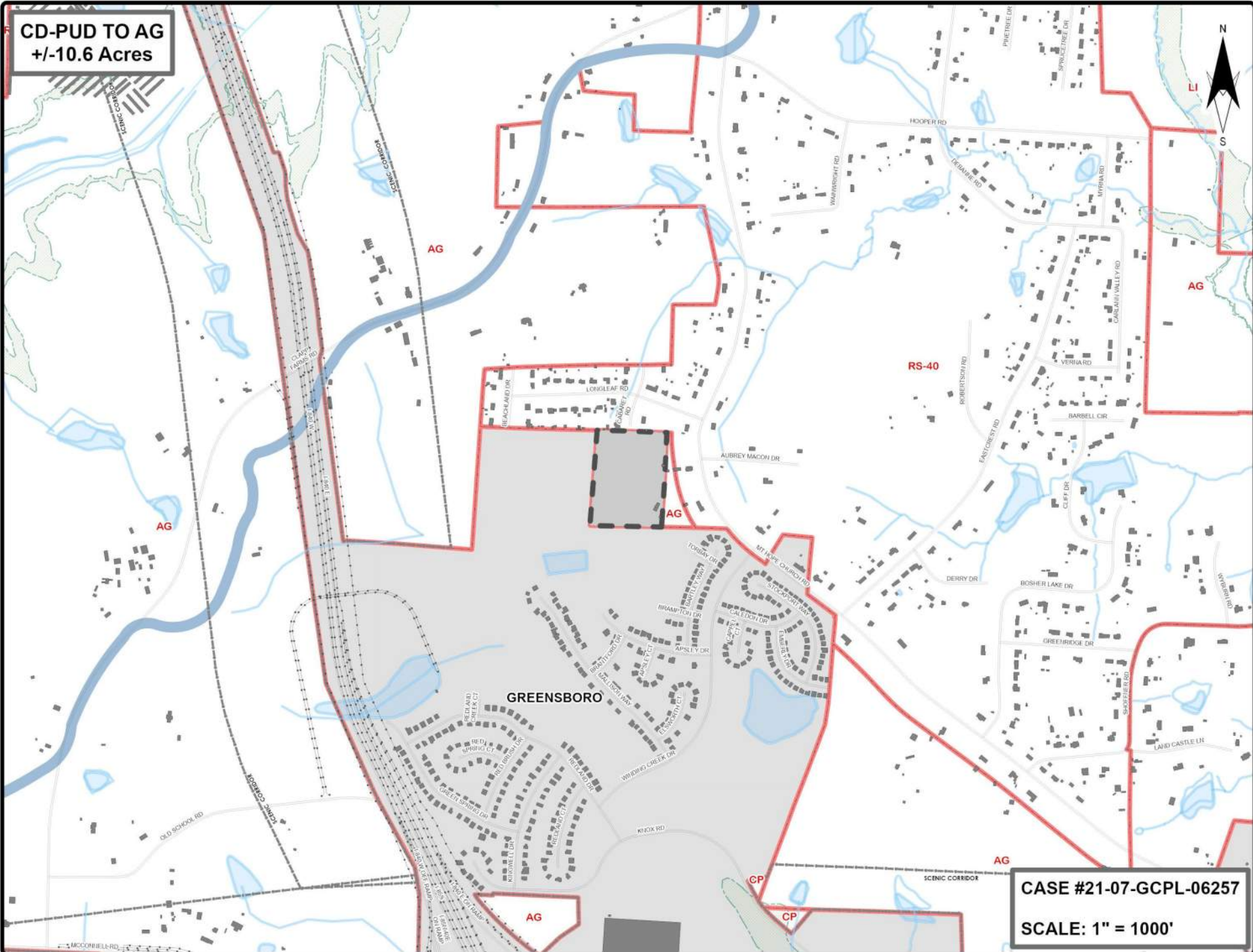
**JURISDICTION:**  
**GUILFORD COUNTY**  
 Guilford County  
 Planning & Development  
 Department

**Rezoning Case #**  
**21-07-GCPL-06257**  
**Scale: 1" = 400'**

**Map:**  
 90061  
 90062

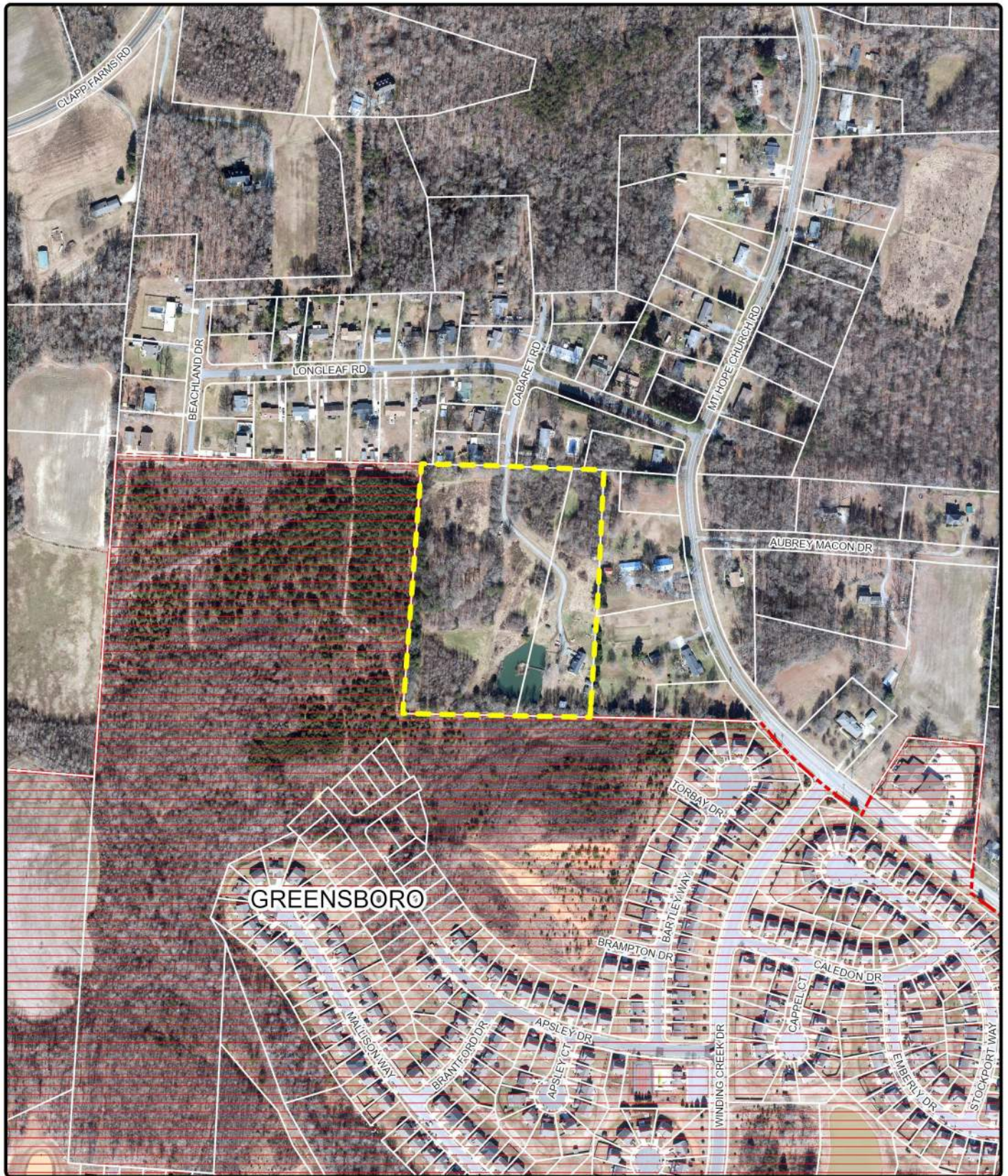


**CD-PUD TO AG  
+/-10.6 Acres**



**CASE #21-07-GCPL-06257**

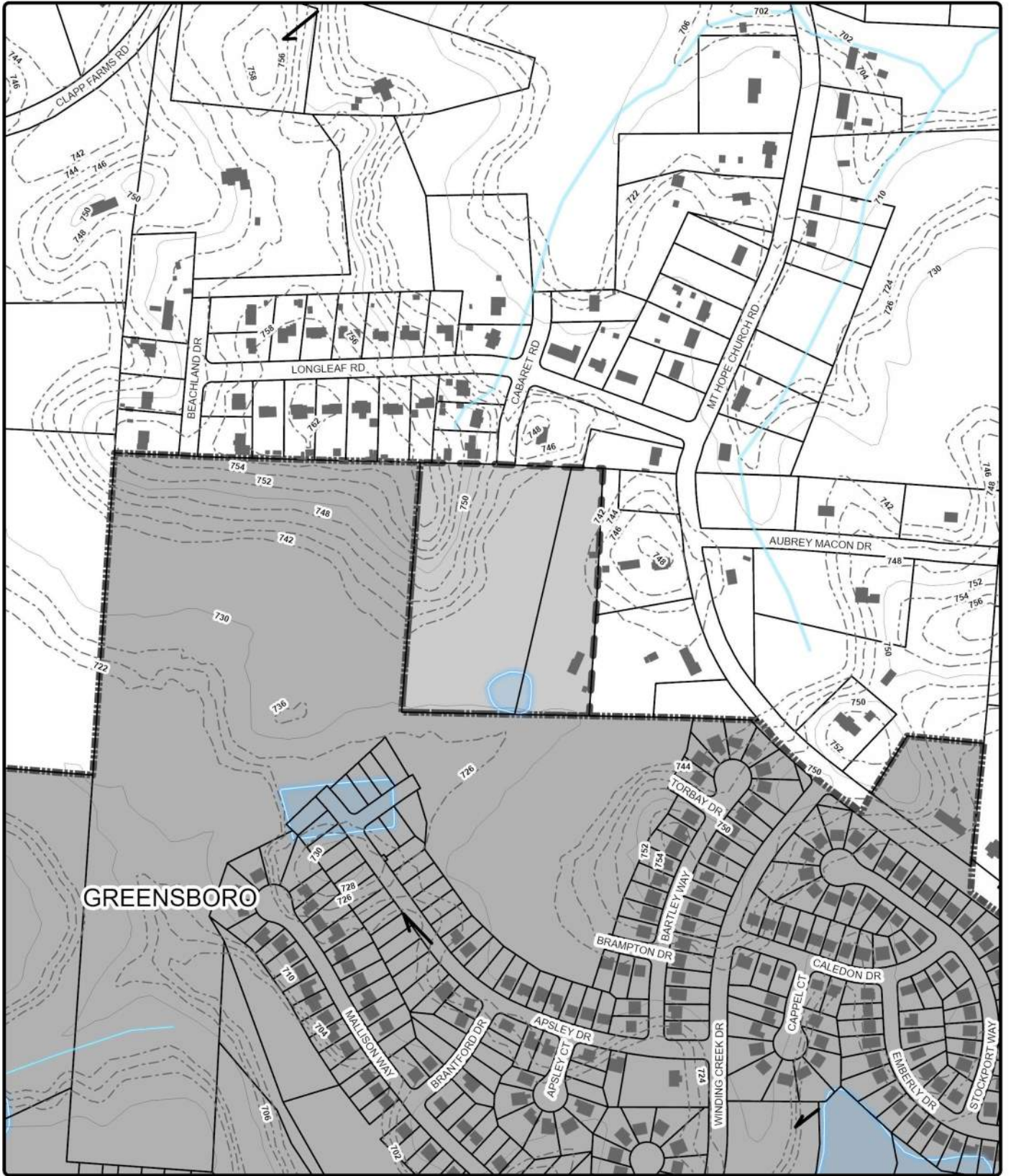
**SCALE: 1" = 1000'**



**CASE #21-07-GCPL-06257**

Scale: 1" = 400'





GREENSBORO



**CASE #21-07-GCPL-06257**

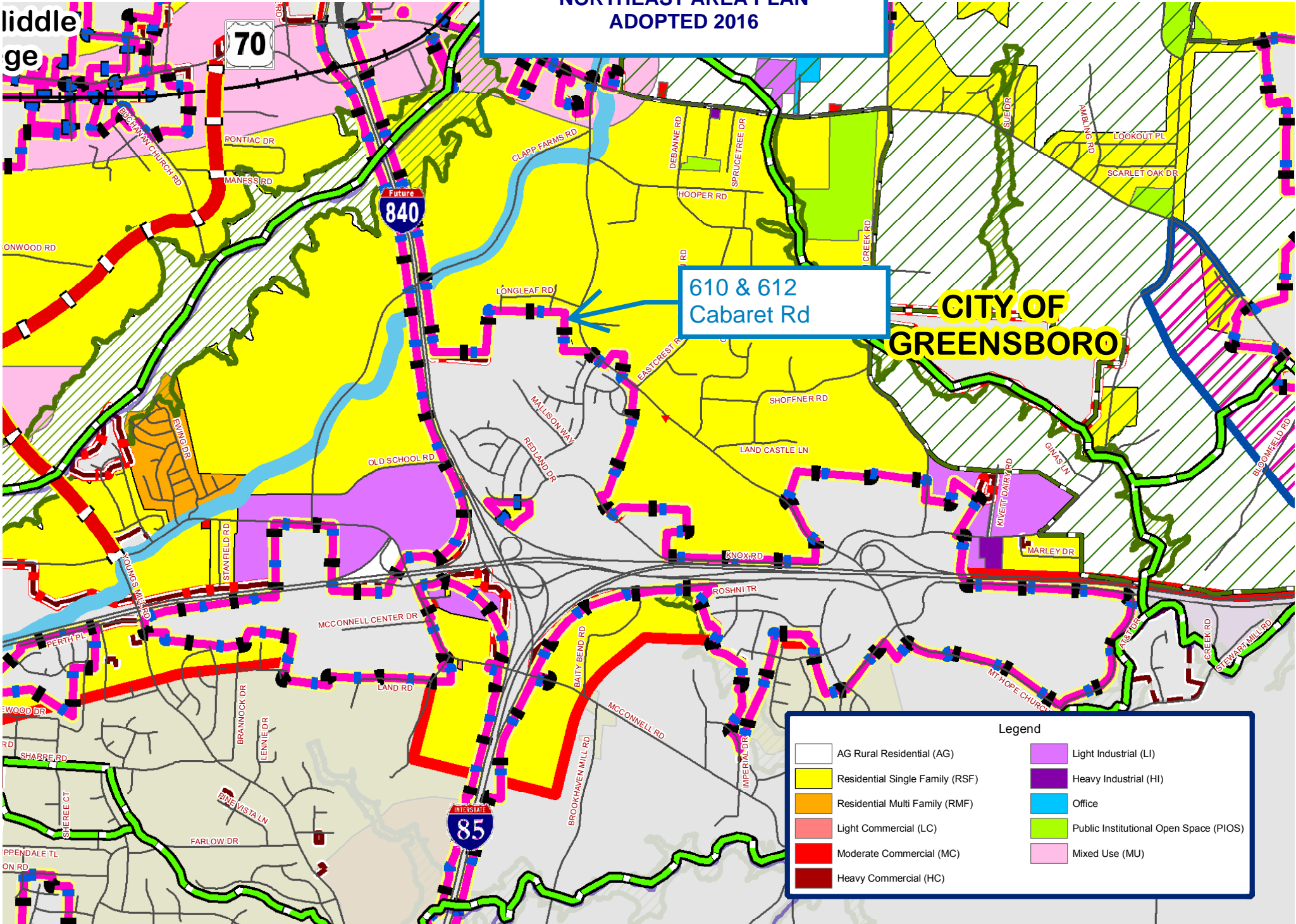
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**NORTHEAST AREA PLAN  
ADOPTED 2016**

**610 & 612  
Cabaret Rd**

**CITY OF  
GREENSBORO**



**Legend**

	AG Rural Residential (AG)		Light Industrial (LI)
	Residential Single Family (RSF)		Heavy Industrial (HI)
	Residential Multi Family (RMF)		Office
	Light Commercial (LC)		Public Institutional Open Space (PIOS)
	Moderate Commercial (MC)		Mixed Use (MU)
	Heavy Commercial (HC)		

**REZONING CASE #21-07-GCPL-06257** CD-PUD (Greensboro) to AG 610 & 612 Cabaret Rd

**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 **#90061 & #90062**, from **CD-PUD (Greensboro)** to **AG** 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 #**90061 & #90062**, from **CD-PUD (Greensboro)** to **AG** 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 #4  
DENY-CONSISTENT  
NO PLAN AMENDMENT**

I move to **Deny** this zoning amendment located on Guilford County Tax Parcel **#90061 & #90062**, from **CD-PUD (Greensboro)** to **AG** 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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