



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

**Regular Meeting Agenda**

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

**June 8, 2022**

6:00 PM

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

- A. Roll Call**
- B. Agenda Amendments**
- C. Approval of Minutes: May 11, 2022**
- D. Rules and Procedures**
- E. Continuance Requests**
- F. Old Business**
- G. New Business**

**Non-Public Hearing Item(s)**

None

**Public Hearing Item(s)**

**RESOLUTION TO CLOSE A PUBLIC ROAD CASE #22-04-GCPL-02477:  
CAHILL DRIVE AND KING STREET (previously referred to as Lambert Lane)**

Request adoption of resolution to close and remove from dedication a portion of Cahill Drive and all of King Street (previously referred to as Lambert Lane) which fronts Lots 22, 23-24, 25-26, 26-28, 29, 31-32, 100-101, 102, 103-105, 106-108, 109, 110, 124, 125 & PT of 124, and 126, all as shown on Plat Book 11, Page 73 in Fentress Township as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 135258, 135259, 135263, 135265, 135266, 135267, 135268, 135269, 135270, 135271, 135272, and 135275, running south from the intersection of S. Elm-Eugene Street and Highway I-85 N and terminating approximately 700 feet north of Creston Street.

Information for **RESOLUTION TO CLOSE A PUBLIC ROAD CASE #22-04-GCPL-02477: CAHILL DRIVE AND KING STREET (previously referred to as Lambert Lane)** can be viewed by scrolling to the June 8, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board> A copy of the proposed road closing also can be found at <https://www.guilfordcountync.gov/home/showpublisheddocument/12980>

**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277:**

**413 NC HIGHWAY 150 W; AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL ZONING-GENERAL BUSINESS (CZ-GB)**

Guilford County Tax Parcel #139158, approximately 30.31 acres; located at 413 NC Highway 150 W; southwest of the intersection with NC Highway 150 W and Spencer-Dixon Road. This is a request to conditionally rezone the property from AG and RS-40 to CZ-GB. The applicant proposes the following Use Conditions: Office (General); Medical or Professional Office; Personal Service; Bank or Finance with Drive-Through; Insurance Agency; Laundromat or Dry Cleaner; Pest or Termite Control Services; Studio/Artist/Recording; Retail (General); ABC Store; Auto Supply Sales; Auto Rental or Leasing; Car Wash; Garden Center; Garden Center or Retail Nursery; Pawn Shop or Used Merchandise Store; Bakery; Bar/Private Club/Tavern; Restaurant with Drive-Through; Restaurant without Drive-Through; Wireless Communications Tower-Stealth Camouflage Design or Non-Stealth Design; Small Cell Wireless Tower. Development Conditions: 1) All buffers along the western and southern property lines of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen, and 2) ground signage shall be limited to one freestanding sign along any (each of two) public right-of-way frontages and such signage shall not exceed eight (8) feet in height. Property is owned by First Acres, LLC.

The proposed Conditional Zoning is generally inconsistent with the Northern Lakes Area Plan recommendation for Voluntary Agricultural District and the Light Commercial Node, thus if approved, a plan amendment to Moderate Commercial Node would be required.

Information for **CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W; AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL ZONING-GENERAL BUSINESS (CZ-GB)** can be viewed by scrolling to the June 8, 2022 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

**H. Other Business**

Update on Comprehensive Plan process

**I. Adjourn**

## VIRTUAL MEETING AND PUBLIC HEARING PROCEDURES

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

THE MEETING ROOM WILL BE OPEN FOR THOSE WISHING TO APPEAR IN PERSON. **LIMITED SEATING WILL BE AVAILABLE ON A FIRST-COME, FIRST-SERVED BASIS**, WITH SOCIAL DISTANCING GUIDELINES IN PLACE.

The meeting agenda will be available for review by scrolling to the June 8, 2022 meeting date prior to the start of the meeting at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

### Virtual Regular Meeting Instructions

Those wishing to attend the virtual meeting, may join the Zoom platform via computer, tablet or smartphone at

<https://www.zoomgov.com/j/1611866239?pwd=ejlzSHdZc1BhVVc3SIRqN3FXQkRKZz09>

**Meeting ID: 161 186 6239** and, if required, entering

**Pass Code: 765001**

Login will be accessible beginning at 5:45 PM.

**Comments can be made in writing for up to 24 hours prior** to the scheduled time for the beginning of any public hearing via email to [jbaptis@guilfordcountync.gov](mailto:jbaptis@guilfordcountync.gov) or mail to Guilford County Planning & Development, Attn: Jessie Baptist, 400 W. Market Street, Greensboro, NC 27401. Your statement will be provided to the Planning Board and archived in the meeting files.

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**GUILFORD COUNTY PLANNING AND DEVELOPMENT  
PLANNING BOARD MEETING MINUTES**

**NC Cooperative Extension Agricultural Center  
3309 Burlington Road  
Greensboro, NC 27405  
May 11, 2022, 6:00 PM**

**A. Roll Call**

Chair Donnelly called the May 2022 meeting to order and asked for a roll-call of members present.

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

James Donnelly, Chair; David Craft; Sam Stalder; Ed Apple; Cara Buchanan; and Ryan Alston

The following Board members were in attendance remotely/virtually for this meeting:

Dr. Latoya Gathers

Member(s) not present at the meeting were:

Guy Gullick

Staff present in-person or virtually: J. Leslie Bell, Planning and Development Director; Kaye Graybeal, Planning and Development Deputy Director; Oliver Bass, Senior Planner; Shannan Leonard, Senior Planner; Aaron Calloway, Planner I; and Jessie Baptist, Admin. Officer

**B. Agenda Amendments**

Oliver Bass stated that there were no Amendments to the Agenda

**C. Approval of Minutes: April 13<sup>th</sup>, 2022**

There being no changes or additions, Mr. Apple moved approval of the April minutes, as submitted, seconded by Mr. Stalder. The Board voted unanimously (7-0) in favor. (Ayes: Donnelly, Stalder, Craft, Apple, Buchanan, Gathers and Alston. Nays: None.)

**D. Rules and Procedures**

Chair Donnelly explained all rules of procedure that would be followed during the meeting.

**E. Continuance Requests**

None

**F. Old Business**

None

**G. New Business****Non-Public Hearing Item(s):**

**RESOLUTION OF INTENT FOR ROAD CLOSING CASE #22-04-GCPL-02477: CAHILL DRIVE AND LAMBERT LANE** Request adoption of Resolution of Intent and to schedule a public hearing, as presented herein, to close a portion of Cahill Drive and all of Lambert Lane which fronts Lots 22, 23-24, 25-26, 26-28, 29, 31-32, 100-101, 102, 103-105, 106-108, 109, 110, 124, 125 & PT of 124, and 126, all as shown on Plat Book 11, Page 73 in Fentress Township as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 135258, 135259, 135263, 135265, 135266, 135267, 135268, 135269, 135270, 135271, 135272, and 135275, running south from the intersection of S. Elm-Eugene Street and Highway I-85 N and terminating approximately 700 feet north of Creston Street. **(PUBLIC HEARING GRANTED FOR JUNE 8, 2022)**

Aaron Calloway, Planner, stated that all of these lots are maintained by NC DOT and that these roads are located southeast of the intersection of S. Elm-Eugene Street and I-85 North. The public hearing for this request will be held June 8, 2022, at 6:00 p.m.

Ms. Buchanan moved approval of the request for a Resolution of Intent to hold a Public Hearing to be held June 8, 2022, at 6:00 p.m., seconded by Mr. Apple. The Board voted 7-0 in favor of the motion. (Ayes: Donnelly, Stalder, Craft, Apple, Buchanan, Gathers and Alston. Nays: None.)

**Public Hearing Item(s):**

**ROAD RENAMING CASE #22-04-GCPL-02659:** Presently known as Animal Shelter Road located in Friendship Township and running 0.20 miles south from W. Wendover Avenue and terminating to the northern property line of Guilford County Tax Parcel #152142. This is a road-renaming case initiated by Government action to change the name of Animal Shelter Road to Wellness Road. **(ROAD RENAMING GRANTED)**

Oliver Bass, Senior Planner, stated that generally, this petition is in response to confusion between locations of the old and new animal shelter. Renaming the road is necessary to avoid creating a situation that could jeopardize the public health, safety and general welfare and this Resolution has been presented to the Planning Board for adoption.

Chair Donnelly asked if there was anyone present who wished to speak either in favor or in opposition to this road renaming petition and no one came forward. The Public Hearing was closed by unanimous vote of the Board.

Ms. Buchanan moved to adopt the Resolution for the road re-naming to Wellness Road, as presented by staff, seconded by Mr. Apple. The Board voted 7-0 in favor of the motion. (Ayes: Donnelly, Stalder, Craft, Apple, Buchanan, Gathers and Alston. Nays: None.)

**CONDITIONAL ZONING CASE CZ #22-04-GCPL-02623: 1731 ROCK CREEK DAIRY ROAD, WHITSETT, NC; AGRICULTURAL (AG) TO CONDITIONAL ZONING-PLANNED DEVELOPMENT - RESIDENTIAL (CZ-PD-R)** Guilford County Parcel #107431, approximately 53.74 acres, is located on the east side of Rock Creek Dairy Road approximately 170 feet south of the intersection with Beechdale Court and located north of Mount Hope Church Road. This is a request to conditionally rezone the property from AG to CZ-PD-R. The applicant proposes the following Use Conditions: Single-Family Detached Dwellings. Development Conditions: Maximum 51 lots. Application includes an attached Sketch Plan. The proposed Conditional Zoning is generally consistent with the Rock Creek Area Plan of AG Rural Residential, thus if approved, no plan amendment would be required. **(TABLED UNTIL A LATER DATE)**

Shannan Leonard, Senior Planner, stated that comments were addressed concerning the attached sketch plan. The Agricultural District is for making sure that there are Agricultural operations, farmland and farm housing on large tracts of land. It is also intended to reduce conflict between residential and agricultural uses. The proposed Conditional Zoning is generally consistent with the Rock Creek Area Plan of AG Rural Residential, thus if approved, no plan amendment would be required

Leslie Bell joined the meeting virtually at 6:18 p.m.

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

Norris Clayton, representing Hugh Creed & Associates Engineers, 1306 W. Wendover Avenue, is the Design Engineer for the project. He stated that Mr. Buchireddy is the owner and would like to establish a sustainable community development. He would like to create some small lots with large open spaces, having a community garden, community barn, orchards, all the houses would be solar energy houses, with a lot of walking trails throughout the property. They spoke with the Guilford County staff of what type of zoning would fit this type of criteria and came up with the Planned Development Residential zoning which allows the creation of lot sizes of a smaller nature to have more open space. They reviewed the Sketch Plan and it was reviewed and they came up with a great subdivision for this area. The septic systems will be grouped together instead of being on each individual lot and this would be more efficient for septic systems. Part of the zoning requires a 50-foot setback buffer around the total property and that has been shown on the sketch plan. They have added about 100 feet around the total property except for the tie-in street at Cloverdale Road. That stub street was required for having a second entrance into the property. That lot was turned around so it faces Cloverdale Road because the requirement for DOT is you have to have four driveways on a street before it can be maintained by DOT. They appreciate staff looking at this sketch plan with them and coming up with the proper zoning request. The site is entirely wooded, and they would leave as many trees as they can during construction and clearing for the lots and septic systems. They hope to keep it as natural as possible.

Jyothi Prakash Buchireddy stated that he is the COO of Sustainable, 134 Oak Haven Lane, Apex, NC 27523. They intend to build houses that are sustainable, and they will build



communities in North Carolina. They are starting now with two other counties, Forsyth and Chatham. They would like to make this development now in Guilford County and keep it as a country setting. They also wanted to have the community close to a supermarket. The use of solar energy will help the homeowners reduce the cost of their utility and energy bills and this is a very important concept for many people. They also plan to use geo-thermal wells in the area.

In response to questions, Mr. Clayton stated that they will be adding more buffer area than is required so that the surrounding neighbors can feel more comfortable with these new homes. He feels the use of solar energy will provide a healthier neighborhood. He hopes that the Board will accept this proposal and approve the request.

Chair Donnelly asked if the applicants had reached out to the neighbors or held any kind of neighborhood meeting to allow the current residents to ask questions and get a better understanding of the proposed development. Mr. Buchireddy responded that he tried to reach out to a few of the neighbors from (mentioning that he lives in the Raleigh-Apex area) and had difficulty in either reaching them or getting them to speak with him. He would like to share this vision with them to make them comfortable with the proposed development.

Ms. Buchanan stated that she feels one of the major complaints will be about increased traffic and asked if NC DOT will require a turn lane coming in and out of this neighborhood off Rock Creek Dairy Road. Oliver Bass stated that once they ask for a driveway permit, NC DOT will do an analysis and identify the need for a left and right-turn lane at the property and then make their recommendations. Ms. Buchanan pointed out that it appears the new neighborhood residents will be able to access Clover Hill Road to Rockcliff Drive and she does not see on the maps provided, where the access would be for them. Chair Donnelly clarified that it was at the intersection of Long Meadow and Rock Creek Dairy Road. Mr. Clayton stated it would be two-lane tar and gravel roadway.

Chair Donnelly asked if there was anyone wishing to speak in opposition to this matter.

Allen Branson, former Guilford County Commissioner, stated that he owns property across the street, and he has not been contacted by the developer. One of the biggest things he sees here is there was a lack of information concerning whether these homes would be on a slab or a foundation. On this particular site, it shows no septic tank area and he has been in the construction industry all his life and he thinks one of the biggest things that has been asked is that there has been no traffic study. There have been numerous accidents there at the curve where the main road is, ending in fatalities. Where a two-lane asphalt road adjacent to I-85/40 with American Express and some other developments, Lake MacIntosh, Waterberry, and there is a tremendous amount of traffic currently in the area. With the addition of 51 new houses that would add another 100 cars of people and morning and afternoon peak hours are already very busy. Being a former Commissioner, he fought the NCDOT on trying to get a four-lane roadway and access in that area. This is also slated as a major thoroughfare. That being said, there is no doubt that there would be the need for a left-hand and right-hand

turning lane for NC DOT. There are lots of unanswered questions and the schematic drawing does not show enough information. He would like to know the price-range of the proposed houses and if the road that is going to be cut into the development is going to be to state specifications. There are also questions about the proposed geo-thermal wells and whether they would be able to produce enough water to the number of homes proposed. He would like to look at one of the developments in Chatham County.

In response to the TRC review question, Chair Donnelly stated that this is not a full review of a plan, it is an initial review of a development plan. Oliver Bass stated that this is a sketch plan where the uses and how the uses are going to be made and how the lots are going to be laid out and streets and so, it is just the general layout of the proposed subdivision in terms of what density is going to be available on the site. In regard to the well evaluation, that has to be submitted and it has to go through a subdivision use process and that is when they get into the design specifics with the Engineers. It would also have to go through an evaluation through Environmental Health and have a soil scientist evaluate the subhedral and they are proposing to use sub-surface subjects within that general common area, but that has to work out during the Engineering process. With regards to home sizes and prices and foundation elements, that is not something that the Planning Board can regulate. Foundation requirements would go through the permitting process on each lot.

Brittany Clark, 1701 Rock Creek Dairy Road, stated that her home is right in the corner. She has lived in this area for 28 years and four years ago they built their dream home. She never would have imagined that all this acreage beside of her would become 51 new neighbors. Her neighbors, family and friends who go to church together all are a tight-knit community and she feels safe letting her children play out in the yard. With a walking trail being located right next to her property make it a dangerous situation for her kids, her chickens, and her cats. She is really concerned about all their safety, including the extra traffic that will be out on the road. There have been several very serious accidents out on Rock Creek Dairy Road. There are several trees in front of her yard and if the road is widened, she would lose those trees and her privacy. She also has not been contacted by the developer, so is unaware of their plans for the property.

Michael Neese, 6440 Armps Road, Whitsett, NC, stated that he is retired from the City Transportation Department. The traffic in this area is terrible on Rock Creek Dairy Road every morning and afternoon. They do not need more traffic going up to the highway. With Amazon and other businesses moving in, it is really a mess from 4:00 o'clock on until 6:00 o'clock. The condition of the existing roads are horrible. NC DOT is not keeping up the roads like they should be, although they are getting ready to go in and tar and gravel some of the other extensions out in that area. He does disapprove of this request but does not welcome it. He showed a map from 1996 and the City of Greensboro proposed to do a major thoroughfare through Rock Creek Dairy Road in and out US 62, 421 and 220. This development will be the beginning of a major thoroughfare running down Rock Creek Dairy Road. This area needs to stay AG. They do not need a development on that side of Lake MacIntosh, it needs to stay on

the other side. He hopes the Planning Board will put this request on hold and not make a vote tonight, so that there can be careful consideration of this request.

Chair Donnelly asked those who agreed with Mr. Neese to stand up and be recognized and about 12 people stood up.

In rebuttal in favor of the request, Mr. Norris Clayton stated that this is just a rezoning case to see what is a good use of the property and they want to get a zoning that fits that use. The septic systems, traffic, NCDOT are going to review it and determine if it will need turning lanes, and if it does, they will be built. Instead of having 51 individual wells, there would be two community wells, which is required by the state and there are regulations that must be approved. They are also concerned about safety in the neighborhood.

Ms. Neeraja Dasari Lokanadham, a property owner, stated that she is the co-founder and Administrator for this particular development. She is a mom and has two (2) kids so she understands the concerns voiced by the speakers. She believes in this environment as eco-friendly and sustainable. She wants everyone to come together and build a safe community for everyone and ensure that everyone is safe and happy. Her daughter is a teenager and drives on that same road, so she is worried about her too. She assures that safety is their number one concern.

Kaye Graybeal, Deputy Director, stated that what was submitted is a sketch plan, so it is an overall general layout for feasibility and to show in concept that the use is feasible and can support the rezoning. There will be further review for septic, the road turn lanes, foundations of the structures and other items related to the request before it could go forward.

Ms. Buchanan asked if there is currently a budget or any written project for the widening of this road. Oliver Bass responded that he has not seen anything in the Transportation Improvement Plan that indicates that this is a project on their list for at least the next 15 years.

Lori Hancock, Ingold Road, Whitsett, NC, stated that she was raised right across the road on the farm place there. She asked why people want to come out to their agricultural place where there are cows, hogs, goats and chickens and bring all that city stuff out to their area. Why don't they do it in their neighborhood?

Chair Donnelly stated that he apologized because he thought she had a technical question to ask that they would be able to answer. That is not a question that the Planning Board is in a position to answer.

There being no other speakers, the Public Hearing was closed by unanimous vote.

**Discussion**

Chair Donnelly stated that he thanked everyone for coming out to participate in these discussions. Part of the process is hearing from interested parties. He asked the Board members if anyone wished to speak.

Ms. Buchanan stated that she has comments. She stated that their job as the Planning Board is to decide if the zoning on this piece of land can be changed. Development is inevitable and is coming to the area as we need more housing. She loves the idea of the neighborhood and the open space and pasture land and bee hives, et cetera, because that helps even out the uses of the land. She is concerned about traffic because she is familiar with the road and making a left turn out of anywhere along that road during rush hour traffic is very difficult. She does not live there but she goes there for work and it is a tough road.

Mr. Craft stated that on a positive for the project, using less land for the housing and leaving more undisturbed land is something they are probably going to see more of and it is good for the area and disturbs the wildlife less. Traffic is a concern and they can only be so interested in the traffic aspect because it is really not a major part of the whole land use decision. Perhaps the parties need a little more time to get together and exchange information and that might be the better outcome of tonight.

Ms. Buchanan stated that the traffic issue is only going to be up to NCDOT and not this Board and asked at what point a traffic study is done.

Kaye Graybeal stated that NCDOT takes traffic counts and then from the data they collect develop their Transportation Improvement Projects list, but she does not know where they are in that data collection on Rock Creek Dairy Road.

Mr. Craft stated that he would like to make a motion to table this particular case to give the applicant an opportunity to speak with the neighbors in the surrounding area and bring this back to the Board at a later date. Mr. Alston seconded the motion and the Board voted 4-3 in favor. (Ayes: Donnelly, Craft, Buchanan, and Alston. Nays: Apple, Gathers and Stalder.)

**H. Other Business****Nomination of Planning Board member to serve on the Consultant Selection Committee for the Guilford County Comprehensive Plan Update**

Leslie Bell, Planning and Development Director, stated that this is just the first step in that process to select a firm to move forward with this process. Kaye Graybeal stated that Guilford County has a Comprehensive Plan that looks at land uses and building patterns throughout the whole County and is updated every five to six years or so. A Planning Board member is needed to serve on the Consultant Selection Committee. The Plan helps to guide the rezoning recommendations in the staff reports and decisions by the Planning Board.

Chair Donnelly asked if anyone would like to participate in this Plan Update and no one responded.

Chair Donnelly stated that he would be willing to volunteer.

**I. Adjourn**

There being no further business before the Board, the meeting adjourned at 7:43 p.m.

Mr. Apple moved to adjourn, seconded by Ms. Buchanan. The Board voted 7-0 in favor of the request. (Ayes: Donnelly, Apple, Craft, Gathers, Alston, Buchanan, and Stalder. Nays: None.)

**THE NEXT SCHEDULED MEETING IS TO BE HELD JUNE 8<sup>TH</sup> AT 6:00 P.M.**

(Insert Color Paper)



# GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Planning Board Road Closing Petition

Date Submitted: 4/8/22 Fee \$126.00 Receipt # 165437 Case Number 22-04-6CPL-02477  
(includes \$26 recording fee)

Pursuant to Section 2-4 of the Unified Development Ordinance (UDO), the undersigned, being the owner(s) of property abutting said road, or a portion thereof, described below request(s) that said road be closed and removed from dedication. The road is presently known as Cahill Dr Secondary Road# \_\_\_\_\_ in Guilford County, <sup>A/C</sup> Ferris Township, and running South from N/A Secondary Rd# \_\_\_\_\_ and terminating at Creston St Secondary Rd# \_\_\_\_\_. (Provide a legal description of said road or portion thereof and attach a map or sketch.)

Please check one of the following:

- The road has been dedicated but is unopened
- The road is open and is a part of the State Secondary Road System. **State Maintenance must be abandoned before the public hearing can be held. Contact NCDOT at 336-487-0100 for abandonment procedures.**
- The road is open and is not part of the State Secondary Road System

According to North Carolina General Statute 153A-241 the Planning Board may close the road if the closing of said road is not contrary to the public interest and no individual or other party owning property adjoining the road or in the vicinity of said road, will be deprived of reasonable means of ingress or egress to their property. Any person aggrieved by the closing of said public road may appeal the Planning Boards decision to the Board of Commissioners within 30 days, if none, decision is final. Refer to the Road Closing Bulletin for more information.

### Petitioners:

Name	Address
1. Sylvia Helton	3911 S. Elm-Eugene St. and 4209 and 4300 Cahill Dr.
2. Robert & Marlene Barnes <small>DocuSigned by: Robert Barnes 29C3E10CB1E842B DocuSigned by: Marlene Barnes 29C3E10CB1E842B</small>	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
3. Terry McGauvran & Sandra McGauvran <small>DocuSigned by: Terry McGauvran 704B25A13F8D7FA DocuSigned by: Sandra McGauvran C18428CA2A24D17</small>	7 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
4. Pamela Hodgkin & Steve Hodgkin <small>DocuSigned by: P. Hodgkin 31C7A2558F314C7 DocuSigned by: Steve Hodgkin 31C7A2558F314C7</small>	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
5. Catherine Barnwell <small>DocuSigned by: Cathy Barnwell 5A433610C7E318 DocuSigned by: Ken Clayton FE192A495CC19C</small>	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
6. Ken Clayton & Gail Clayton <small>DocuSigned by: Ken Clayton FE192A495CC19C DocuSigned by: Gail Clayton FE192A495CC19C</small>	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
7. Jerry Clayton & Maria D. Clayton <small>DocuSigned by: Jerry Clayton 35531B0C8C1172 DocuSigned by: Maria Clayton DB6DE374E50345B</small>	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
8. Choice Investment Properties, LLC, c/o Guy Gullick	4015, 4017, and 4101 S. Elm-Eugene St. and 4332 Cahill Dr.
9. Maria D. Clayton	
10.	

Additional sheets for petitioners are available upon request.

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

Submitted By: Kyle diPreto, dP Development 1314 Mockingbird LN, Charlotte, NC 28209 803-493-0723 | kyle@dp-development.com

Contact Name: \_\_\_\_\_ Address: \_\_\_\_\_ Contact Phone # & Email: \_\_\_\_\_





**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Road Closing  
Petition

Date Submitted: 4/8/22 Fee \$126.00 Receipt # 165432 Case Number 22-04-66L-02477  
(includes \$26 recording fee)

Pursuant to Section 2-4 of the Unified Development Ordinance (UDO), the undersigned, being the owner(s) of property abutting said road, or a portion thereof, described below request(s) that said road be closed and removed from dedication. The road is presently known as Cahill Dr Secondary Road# \_\_\_\_\_ in Guilford County Township, and running South from N/A Secondary Rd# \_\_\_\_\_ and terminating at Creston St Secondary Rd# \_\_\_\_\_. (Provide a legal description of said road or portion thereof and attach a map or sketch.)

Please check one of the following:

- The road has been dedicated but is unopened
- The road is open and is a part of the State Secondary Road System. **State Maintenance must be abandoned before the public hearing can be held. Contact NCDOT at 336-487-0100 for abandonment procedures.**
- The road is open and is not part of the State Secondary Road System

According to North Carolina General Statute 153A-241 the Planning Board may close the road if the closing of said road is not contrary to the public interest and no individual or other party owning property adjoining the road or in the vicinity of said road, will be deprived of reasonable means of ingress or egress to their property. Any person aggrieved by the closing of said public road may appeal the Planning Boards decision to the Board of Commissioners within 30 days, if none, decision is final. Refer to the Road Closing Bulletin for more information.

Petitioners:

	Name	Address
1.	Sylvia Helton <i>x Sylvia Helton</i>	3911 S. Elm-Eugene St. and 4209 and 4300 Cahill Dr.
2.	Robert & Marlene Barnes	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
3.	Terry McGauvran & Sandra McGauvran	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
4.	Pamela Hodgln & Steve Hodgln	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
5.	Catherine Barnwell	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
6.	Ken Clayton & Gall Clayton	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
7.	Jerry Clayton & Maria D. Clayton	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
8.	Choice Investment Properties, LLC, c/o Guy BuFick	4015, 4017, and 4101 S. Elm-Eugene St. and 4332 Cahill Dr.
9.	_____	_____
10.	_____	_____

*Additional sheets for petitioners are available upon request.*

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

Submitted By: Kyle diPretoro, dP Development	1314 Mockingbird LN, Charlotte, NC 28209	803-493-0723   kyle@dp-development.com
Contact Name	Address	Contact Phone # & Email





**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Road Closing  
Petition

Date Submitted: 4/8/22 Fee \$126.00 Receipt # 165437 Case Number 22-04-6CPL-02477  
(includes \$26 recording fee)

Pursuant to Section 2-4 of the Unified Development Ordinance (UDO), the undersigned, being the owner(s) of property abutting said road, or a portion thereof, described below request(s) that said road be closed and removed from dedication. The road is presently known as Cahill Dr Secondary Road# \_\_\_\_\_ in Guilford County <sup>Fire</sup> Fentress Township, and running South from N/A Secondary Rd# \_\_\_\_\_ and terminating at Creston St Secondary Rd# \_\_\_\_\_. (Provide a legal description of said road or portion thereof and attach a map or sketch.)

Please check one of the following:

- The road has been dedicated but is unopened
- The road is open and is a part of the State Secondary Road System. **State Maintenance must be abandoned before the public hearing can be held. Contact NCDOT at 336-487-0100 for abandonment procedures.**
- The road is open and is not part of the State Secondary Road System

According to North Carolina General Statute 153A-241 the Planning Board may close the road if the closing of said road is not contrary to the public interest and no individual or other party owning property adjoining the road or in the vicinity of said road, will be deprived of reasonable means of ingress or egress to their property. Any person aggrieved by the closing of said public road may appeal the Planning Boards decision to the Board of Commissioners within 30 days, if none, decision is final. Refer to the Road Closing Bulletin for more information.

Petitioners:

1.	Name	Address
	Sylvia Helton	3911 S. Elm-Eugene St. and 4209 and 4300 Cahill Dr.
2.	Robert & Marlene Barnes	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
3.	Terry McGauvran & Sandra McGauvran	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
4.	Pamela Hodgkin & Steve Hodgkin	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
5.	Catherine Barnwell	4007 and 4007 ZZ S. Elm-Eugene St. and 4315 Cahill Dr.
6.	Ken Clayton & Gail Clayton	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
7.	Jerry Clayton & Maria D. Clayton	4009, 4011, and 4013 S. Elm-Eugene St. and 4318 and 4324 Cahill Dr.
8.	Choice Investment Properties, LLC, c/o Guy Gullick	4015, 4017, and 4101 S. Elm-Eugene St. and 4332 Cahill Dr.
9.		
10.		

DocuSigned by:  
*Guy Gullick*  
EEFB4A58A2AE4B1...

Additional sheets for petitioners are available upon request.

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

Submitted By: Kyle diPretoro, dP Development 1314 Mockingbird LN, Charlotte, NC 28209 803-493-0723 | kyle@dp-development.com  
Contact Name Address Contact Phone # & Email



# GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Planning Board Road Closing Petition

Date Submitted: 4/8/22 Fee \$126.00 Receipt # 165437 Case Number \_\_\_\_\_  
(includes \$26 recording fee)

Pursuant to Section 2-4 of the Unified Development Ordinance (UDO), the undersigned, being the owner(s) of property abutting said road, or a portion thereof, described below request(s) that said road be closed and removed from dedication. The road is presently known as Lambert Lane Secondary Road# \_\_\_\_\_ in Guilford County Ferris Township, and running East/West from S Elm-Eugene Secondary Rd# \_\_\_\_\_ and terminating at Cahill Rd right-of-way Secondary Rd# \_\_\_\_\_. (Provide a legal description of said road or portion thereof and attach a map or sketch.)

Please check one of the following:

- The road has been dedicated but is unopened
- The road is open and is a part of the State Secondary Road System. **State Maintenance must be abandoned before the public hearing can be held. Contact NCDOT at 336-487-0100 for abandonment procedures.**
- The road is open and is not part of the State Secondary Road System

According to North Carolina General Statute 153A-241 the Planning Board may close the road if the closing of said road is not contrary to the public interest and no individual or other party owning property adjoining the road or in the vicinity of said road, will be deprived of reasonable means of ingress or egress to their property. Any person aggrieved by the closing of said public road may appeal the Planning Boards decision to the Board of Commissioners within 30 days, if none, decision is final. Refer to the Road Closing Bulletin for more information.

Petitioners:

	Name	Address
1.	Sylvia Helton X <u>Alyssa Helton</u>	4209 and 4300 Cahill Dr.
2.	Thomas Monroe	4001 S Elm-Eugene St.
3.		
4.		
5.		
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Additional sheets for petitioners are available upon request.

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

Submitted By: Kyle diPretoro, dP Development 1314 Mockingbird LN, Charlotte, NC 28209 803-493-0723 | kyle@dp-development.com

Contact Name Address Contact Phone # & Email

MISCELLANEOUS NOTES

1. ALL SERVICES ARE CONSIDERED TO BE BASED ON THE INFORMATION PROVIDED TO BWA BY THE CLIENT AND THE FIELD SURVEY. BWA DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED TO BWA BY THE CLIENT OR THE FIELD SURVEY.

2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND LOCAL GOVERNMENTS. BWA DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED TO BWA BY THE CLIENT OR THE FIELD SURVEY.

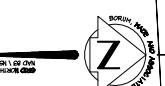
3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND LOCAL GOVERNMENTS. BWA DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED TO BWA BY THE CLIENT OR THE FIELD SURVEY.

LINE TABLE

LINE NO.	DESCRIPTION
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King St Per PB 11 Pg 73

PROPOSED FUTURE RIGHT-OF-WAY CLOSURE & ABANDONMENT (± 1.14 AC.)



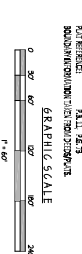
LEGEND

Thick red line indicates proposed right-of-way closure.

(Symbol)	SCHEMATIC
(Symbol)	RIGHT-OF-WAY LINE
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(Symbol)	CHURN LINE
(Symbol)	POWER POLE
(Symbol)	CALCULATED POINT
(Symbol)	OLD LOT LINES
(Symbol)	STORM SEWER
(Symbol)	ADJACENT PROPERTY LINE
(Symbol)	PROPOSED LINE
(Symbol)	EXISTING LINE
(Symbol)	WATER MAIN
(Symbol)	WETLAND AREA

SITE INFORMATION

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dp DEVELOPMENT LLC  
 601 W. WILSON ST. SUITE 200  
 GREENSBORO, NC 27409

DATE: 11/15/2023  
 DRAWN BY: J. WILSON  
 CHECKED BY: J. WILSON  
 SCALE: AS SHOWN

C - 1894

ROAD CLOSING EXHIBIT  
 dp DEVELOPMENT LLC

S ELM-EUGENE STREET  
 FENTRESS TOWNSHIP, GUILFORD COUNTY  
 GREENSBORO, NORTH CAROLINA 27406

DRAFT

BWA ENGINEERS  
 601 W. WILSON ST. SUITE 200  
 GREENSBORO, NC 27409

DATE: 11/15/2023  
 DRAWN BY: J. WILSON  
 CHECKED BY: J. WILSON  
 SCALE: AS SHOWN

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## ROAD CLOSING CASE # 22-04-GCPL-02477

### Nature of the Request

The Guilford County Planning Board will consider the following resolution to close a public road:

Request adoption of resolution to close and remove from dedication a portion of Cahill Drive and all of King Street (previously referred to as Lambert Lane) which fronts Lots 22, 23-24, 25-26, 26-28, 29, 31-32, 100-101, 102, 103-105, 106-108, 109, 110, 124, 125 & PT of 124, and 126, all as shown on Plat Book 11, Page 73 in Fentress Township as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 135258, 135259, 135263, 135265, 135266, 135267, 135268, 135269, 135270, 135271, 135272, and 135275, running south from the intersection of S. Elm-Eugene Street and Highway I-85 N and terminating approximately 700 feet north of Creston Street.

This request is the first stage of a larger development process on behalf of Choice Investment Properties, LLC.

The resolution of intent was adopted on May 11<sup>th</sup>, 2022.

### Staff Recommendation

STAFF COMMENT: Pursuant to NCGS 153A-241 concerning closing public roads, the Planning Board must hold a public hearing before the road can be closed. Based upon the information presented at the hearing, the Board must find that:

The closing of said roads is not contrary to public interest.

Staff submits the following findings for consideration by the Board:

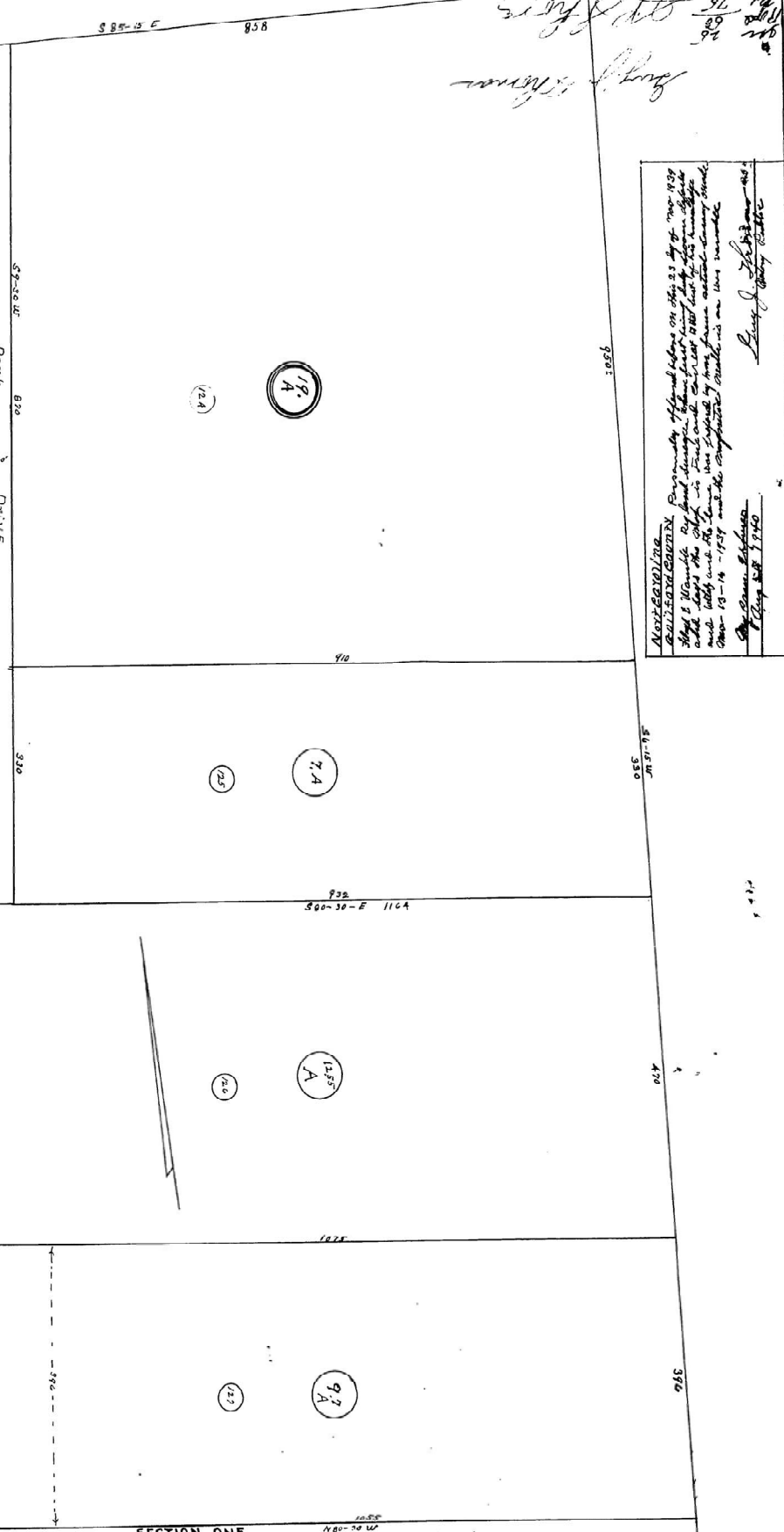
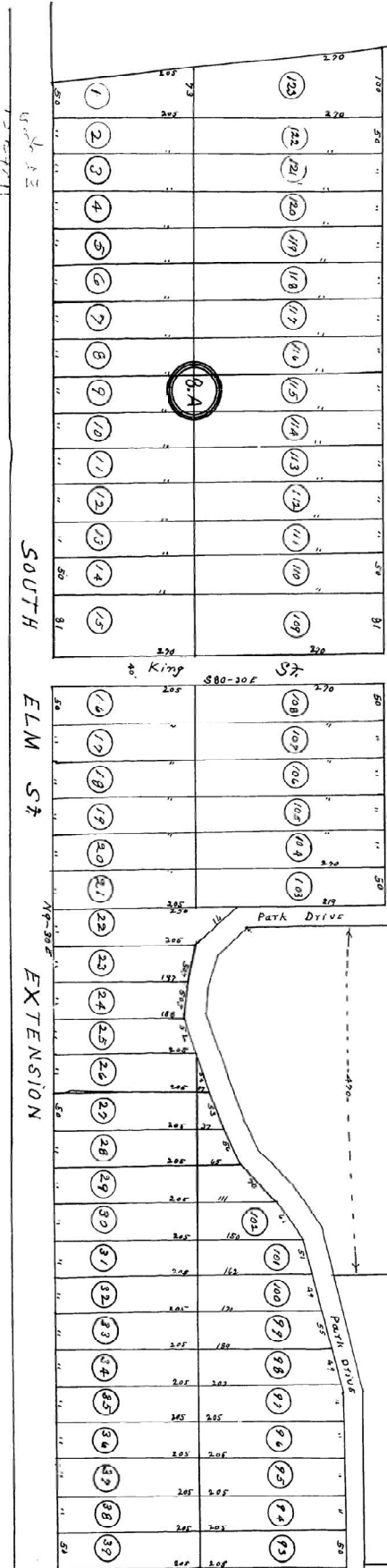
1. The Planning Department has received a request to close a portion of Cahill Drive and all of King Street (previously referred to as Lambert Lane) which fronts Lots 22, 23-24, 25-26, 26-28, 29, 31-32, 100-101, 102, 103-105, 106-108, 109, 110, 124, 125 & PT of 124, and 126, all as shown on Plat Book 11, Page 73 in Fentress Townships as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 135258, 135259, 135263, 135265, 135266, 135267, 135268, 135269, 135270, 135271, 135272, and 135275, running south from the intersection of S Elm-Eugene Street and Highway I-85 N and terminating approximately 700 feet north of Creston Street; AND
2. Cahill Drive and King Street (previously referred to as Lambert Lane) have not been improved since dedication in 1940 per Plat Book 11, Page 73.
3. This request only includes that portion of Cahill Drive and King Street (previously referred to as Lambert Lane) as described above and no closing of utility easement(s) are included by the applicant.

**ROAD CLOSING CASE # 22-04-GCPL-02477**

4. Per TRC staff comment attached, all parcels shall be assured access to a public right-of-way. To accomplish this, Tax Parcel #s 135258, 135275, and 135268 may be combined with Tax Parcel 135269; Tax Parcel #s 135259 may be combined with Tax Parcel #135272; Tax Parcel #135266 may be combined with 135273; and Tax Parcel #135265 may be combined with Tax Parcel 135264. A recombination plat shall be reviewed by staff and recorded in the Guilford County Register of Deed prior to recording the order to close the road.

Per Guilford County Tax records, Thomas Monroe and Wilma Monroe, the listed owners for Tax Parcel #s 135269 and 135267 (4001 and 4005 S. Elm-Eugene Street respectively) of adjoining property to Cahill Drive who did not sign the petition, was sent a copy of the Resolution of Intent to close Cahill Drive by certified mail (#7020-3160-0000-5486-0525) on May 27, 2022.

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*J. W. McClinton*

**SECTION ONE**  
**OAK GROVE PARK**  
 SOUTH ELM ST EXTENSION  
 HILL AND JOHNSON QUETTER, CA.  
 Settling Agents GREENSBORO NC.  
 NOV 24-25-1939  
*J. W. McClinton*  
 RAS

**Road Closure CASE # 22-04-GCPL-02477: Cahill Dr & Lambert Ln (a.k.a.King Street per PB.11, Pg.73) Closure**

**Planning Comments: (Aaron Calloway, 641-2489)**

1. Ensure that all lots have access to a R-O-W.
2. Submission of a recombination plat will be necessary to fulfill requirement 1.
3. Ensure the dedication of an UDO compliant turn-around for the remaining extent of Cahill Dr.
4. Ensure that parcel information for all adjacent and involved lots is correctly conveyed.

**Building Comments: (Jim Lankford, 641-3321)**

1. No comments

**Watershed Comments: (Brent Gatlin, 641-3753)**

1. Dedication of turn-around for remaining extent of Cahill Dr cannot encroach riparian buffers.
  - a. The existing pond east of Parcel 135260 and connecting stream are mapped per USGS and Soil Survey maps and are therefore considered buffered. Jordan Lake Riparian Buffer Rules apply for 50' buffer (30' Zone 1, 20' Zone 2).

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

1. No comments

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

1. No comments

**Fire Marshal Comments: (Michael Townsend, 641-6541)**

1. No Comments

**NCDOT Comments: (Bobby Norris, 487-0100)**

**Addressing Comments: Martine Kamabu, 641-2337)**

1. Cahill Dr. addresses will be changed when road closure is approved.





**CAHILL DR & LAMBERT LN (King Street P.B.11, Pg 73) N  
TO BE CLOSED**



1 inch = 200 Feet





**GUILFORD COUNTY**  
**PLANNING AND DEVELOPMENT**  
**PLANNING BOARD**

**RESOLUTION**  
**CLOSING AND REMOVING FROM DEDICATION**  
**A PUBLIC ROAD**

**ROAD CLOSING CASE # 22-04-GCPL-02477**

WHEREAS, a petition was filed, pursuant to G.S. 153A-241, Chapter 282 of the 1979 Session Laws, and Chapter 59 of the 1981 Session Laws, requesting that the Board close a public road.

WHEREAS, pursuant to a resolution of intent to close said road adopted by this Board on May 11<sup>th</sup>, 2022, an Electronic Notice was published on the Guilford County Website that a hearing would be held concerning said petition on June 8<sup>th</sup>, 2022, at 6:00 P.M. at the NC Cooperative Extension-Agricultural Center located at 3309 Burlington Road, Greensboro, NC 27405; and

WHEREAS, it appears that all owners of property adjoining said road have signed the petition or have been notified of the closing thereof; and

WHEREAS, after inquiry by the Chairman, all interested persons were provided an opportunity to be heard on the request contained in the petition; and

WHEREAS, after all interested persons were heard, it appears to the satisfaction of this Board that the removal of said road from dedication is not contrary to the public interest;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following described road is hereby closed and removed from dedication to the public use:

BEING a portion of Cahill Drive and all of King Street (previously referred to as Lambert Lane) which fronts Lots 22, 23-24, 25-26, 26-28, 29, 31-32, 100-101, 102, 103-105, 106-108, 109, 110, 124, 125 & PT of 124, and 126, all as shown on Plat Book 11, Page 73 in Fentress Townships as recorded in the Register of Deeds of Guilford County, and located on Guilford County Tax Parcels 135258, 135259, 135263, 135265, 135266, 135267, 135268, 135269, 135270, 135271, 135272, and 135275, running south from the intersection of S Elm-Eugene Street and Highway I-85 N and terminating approximately 700 feet north of Creston Street.

2. A certified copy of this resolution, together with a copy of the published notice of this hearing, is hereby ordered recorded in the Office of the Register of Deeds of Guilford County, North Carolina.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE GUILFORD COUNTY PLANNING BOARD AT A VIRTUAL REGULAR MEETING HELD ON JUNE 8<sup>th</sup>, 2022, AND A VIRTUAL RECONVENED MEETING HELD ON JUNE 8<sup>th</sup>, 2022.

*J. Leslie Bell*

J. Leslie Bell, AICP  
Guilford County Planning & Development Director

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(Insert Color Paper)



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

Planning Board  
Conditional Zoning  
Application

Date Submitted: 5/5/2022 Fee \$500.00 Receipt # 166289 Case Number 22-05-6CPL-03277

**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. A pre-application meeting with Planning staff is required. Scheduling for the Planning Board agenda will be based on the determination of a complete application submittal.

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the AG and RS-40 zoning district to the CZ-GB zoning district. Said property is located 413 NC HWY 150 W in Center Grove Township; Being a total of: 30.31 (+/-) acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 3 9 1 5 8

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

**Check One:**

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

**Conditional Zoning Requirements:**

- Zoning Sketch Plan. A sketch plan illustrating proposed conditions and other pertinent information is required for all conditional rezoning requests. Sketch elements not illustrating proposed conditions are subject to subdivision and site plan review. Refer to Appendix 2, Map Standards of the Unified Development Ordinance (UDO).
- Zoning Conditions. Use and/or development conditions must be provided. Complete Page 2 of this application. Refer to uses as listed in Table 4-3-1 of the Unified Development Ordinance (UDO).



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

**Planning Board  
Conditional Zoning  
Application**

**Use Conditions**

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

- 1) ~~Office (General); Medical or Professional Office; Personal Service; Bank or Finance without Drive Through; Bank or Finance with Drive Through; Insurance Agency; Laundromat or Dry Cleaner; Pest or Termite Control Services; Studio Artists/Recording; Retail (General); ABC Store; Auto Supply Sales; Auto Rental or Leasing; Car Wash; Garden Center or Retail Nursery; Pawnshop or Used Merchandise Store; Bakery; Bar /Private Club/ Tavern; Restaurant with Drive through; Restaurant without Drive Through; Wireless Communication Tower- Stealth Camouflage Design or non-stealth design; Small Cell Wireless Tower.~~

- 4) \_\_\_\_\_

**Development Conditions**

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

- 1) ~~All residentially zoned or utilized property adjacent to the subject property shall be buffered with a buffer yard of 25 feet average width and planted with evergreen planting materials so as provide a continuous evergreen screen between the properties.~~ Revised by Applicant per email dated 5/18/22 attached-OB 5/20/22
- 2) Ground signage shall be limited to one monument side along any public right-of-way frontage. Such signage shall not exceed 8 feet in height.

- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

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

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

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

Respectfully Submitted,

**See Attached**

\_\_\_\_\_  
Property Owner Signature  
**First Acres, LLC**  
\_\_\_\_\_  
Name  
**7935 Valley Falls Road**  
\_\_\_\_\_  
Mailing Address  
**Greensboro, NC 27455**  
\_\_\_\_\_  
City, State and Zip Code  
**336.549.0410 (Bill Guill, Allen Tate Realtors)**  
\_\_\_\_\_  
Phone Number                      Email Address

\_\_\_\_\_  
Owner/ Representative/Applicant Signature (if applicable)  
**Amanda P. Hodierne**  
\_\_\_\_\_  
Name  
**804 Green Valley Road, Suite 200**  
\_\_\_\_\_  
Mailing Address  
**Greensboro, NC 27408**  
\_\_\_\_\_  
City, State and Zip Code  
**336.609.5137    amanda@isaacsonsheridan.com**  
\_\_\_\_\_  
Phone Number                      Email Address

[Signature Page]

GUILFORD COUNTY  
PLANNING AND DEVELOPMENT

Planning Board Conditional Zoning Application

413 NC HWY 150 W  
Parcel # 139158

Property Owner Signature:

FIRST ACRES, LLC

By: Georgia S. Enright by RFB III  
Name: Georgia S. Enright  
Title: Managing Member

By: Milton I. Shaw  
Name: Milton I. Shaw  
Title: Managing Member

By: Robert F. Shaw III  
Name: Robert F. Shaw, III  
Title: Managing Member



Oliver Bass



Amanda Hodierne <amanda@isaacsonsheridan.com>  
Wednesday, May 18, 2022 3:34 PM  
Oliver Bass; Nick Blackwood  
RE: Rezoning Application - 413 NC Hwy 150 W

**\*\*\*WARNING\*\*\*** This email originated from outside of Guilford County. **Do not** click links or open attachments unless you recognize the sender and know the content is safe. **When in doubt**, please click on the **Phish Alert Report** button for our security team analysis.

Hi Oliver,

Thanks again for your guidance on this. To be completely clear, below are the final conditions we would like to file with this petition:

**Use Condition #1.** (As filed)

**Development Condition #1:** All buffers along the western and southern property lines of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen.

**Development Condition #2:** Ground signage shall be limited to one freestanding sign along any public right-of-way frontage. Such signage shall not exceed eight (8) feet in height.

Thanks,

**AMANDA P. HODIERNE, Esq., AICP**  
ISAACSON SHERIDAN

804 Green Valley Road, Suite 200  
Greensboro, NC 27408  
336.609.5137 (direct)  
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**From:** Oliver Bass <obass@guilfordcountync.gov>  
**Sent:** Wednesday, May 18, 2022 12:32 PM  
**To:** Amanda Hodierne <amanda@isaacsonsheridan.com>; Nick Blackwood <nick@isaacsonsheridan.com>  
**Subject:** RE: Rezoning Application - 413 NC Hwy 150 W

---

2) Ground signage shall be limited to one monument side along any public right-of-way frontage. Such signage shall not exceed 8 feet in height.

Reading the sign regulations from UDO, you should phrase it as “freestanding” in place of “monument” since the maximum height is 6 feet and where allowed is limited.

**Oliver Bass, AICP**  
Planner II

**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;  
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO  
CONDITIONAL ZONING-GENERAL BUSINESS (CZ-GB)**

**Property Information**

Guilford County Parcel #139158, approximately 30.31 acres; located at 413 NC Highway 150 W; southwest of the intersection with NC Highway 150 W and Spencer-Dixon Road. Property is owned by First Acres, LLC.

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

**Nature of the Request**

This is a request to conditionally rezone the property from AG and RS-40 to CZ-GB. The applicant proposes the following Use Conditions: Office (General); Medical or Professional Office; Personal Service; Bank or Finance With Drive-through; Insurance Agency; Laundromat or Dry Cleaner; Pest or Termite Control Services; Studio/Artist/Recording; Retail (General); ABC Store; Auto Supply Sales; Auto Rental or Leasing; Car Wash; Garden Center; Garden Center or Retail Nursery; Pawn Shop or Used Merchandise Store; Bakery; Bar/Private Club/Tavern; Restaurant With Drive Through; Restaurant without a Drive-Through; Wireless Communications Tower-Stealth Camouflage Design Or Non-Stealth Design; Small Cell Wireless Tower. Development Conditions: 1) All buffers along the western and southern property lines of the subject property shall be planted with sufficient evergreen planting materials to achieve an opaque vegetative screen; and 2) ground signage shall be limited to one freestanding sign along each of two public right-of-way frontages and such signage shall not exceed eight (8) feet in height.

**District Descriptions**

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

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

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

**Conditional Zoning**, bearing the designation CZ, is established as a companion district for every General Use district established in the UDO. These districts include the CZ-GB district. All regulations which apply to a General Use zoning district also apply to the companion conditional zoning. All other regulations, which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process, also shall apply.

The purpose of **Voluntary Agricultural District Program** is to promote the health, safety, rural agricultural values, and general welfare of the County, and more specifically, increase identity and pride in the agricultural community, its way of life, and its importance in preserving the agrarian heritage of the County; encourage the economic and financial health of farming; increase protection from undesirable, non-farm development; and, increase the protection of farms from nuisance suits and other negative impacts on properly managed farms.

## **Character of the Area**

This request is in an area with a range of uses that includes residential subdivisions, light or limited commercial and office and office uses, and institutional uses.

**Existing Land Use(s) on the Property:** Agricultural within a Voluntary Agricultural District.

### **Surrounding Uses:**

North: Single-family subdivision and Daycare Center

South: Northern Middle and High School

East: Single-family subdivisions

West: Office use

**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:** No expected impact for commercial uses.

### **Emergency Response:**

Fire Protection District: Fire District 13 FPSD

Miles from Fire Station: Approximately 1.5 miles

### **Water and Sewer Services:**

Provider: Private Septic Systems and Wells

Within Service Area: This parcel is not within Greensboro Tier 1 Growth Boundary.

Feasibility Study or Service Commitment: No

### **Transportation:**

Existing Conditions: Parcel is at intersection of a Major Thoroughfare (NC Hwy 150) and a Collector Street (Spencer-Dixon Rd). 2019 NCDOT Traffic Count: 7100 ADT near Church St.

Proposed Improvements: Required improvements will be subject to NCDOT Driveway Permit

Projected Traffic Generation: Not available.

## Environmental Assessment

**Topography:** Gently sloping and moderately sloping.

**Regulated Floodplain/Wetlands:**

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

**Streams and Watershed:**

The property is located in the Greensboro (Reedy Fork) WS-III Water Supply Watershed, in the General Watershed Area. There are no mapped streams on the subject property.

## Land Use Analysis

**Land Use Plan:** Northern Lakes Area Plan (2016 Update)

**Plan Recommendation:** Voluntary Agricultural District and Light Commercial Node

**Consistency:**

This request is inconsistent with the Northern Lakes Area Plan recommendation. The Voluntary Agricultural District is intended to support property currently used as a Bona fide Farm. The Light Commercial Node is intended to accommodate low-intensity nonresidential uses that are typically found in the Limited Office and Neighborhood Business zoning districts of the Guilford County Unified Development Ordinance. Limited Office conditional zoning is to the adjacent west and Limited Business conditional zoning is to the north across NC Highway 150 W.

## Recommendation

**Staff Recommendation:** Staff recommends approval.

Although inconsistent with the recommendation of the Northern Lakes Area Plan, the requested action is reasonable and in the public interest because it is in an area with several residential subdivisions and a public school. The parcel is located at the key intersection of NC Highway 150 and Spencer Dixon Road. A GB zoning would create opportunities to provide retail and services in the area. Limited Office conditional zoning is to the adjacent west and Limited Business conditional zoning is to the north across NC Highway 150 W.

**Area Plan Amendment Recommendation:**

The proposed Conditional Zoning is generally inconsistent with the Northern Lakes Area Plan recommendation for Voluntary Agricultural District and the Light Commercial Node, thus if approved, a plan amendment to Moderate Commercial Node would be required.

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TABLE OF PERMITTED USES FOR CZ-GB CASE # 22-05-GCPL-03277

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations  
 P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply & Special Use Permit Required

Strikethrough text=Excluded uses as proposed by applicant

Use Category	Use Type	WCA Prohibited Use	GB	
Agriculture/Animal Services	<del>Animal Services (Other)</del>		D	
	<del>Multifamily Dwelling (including Condominium)</del>		P	
Household Living	<del>Live/Work</del>		P	
	<del>Nursing and Convalescent Home</del>		P	
Group Living/Social Service	<del>Homeless Shelter</del>		D	
Recreation and Entertainment	<del>Indoor Recreation</del>		P	
	<del>Athletic Fields</del>		P	
	<del>Club or Lodge</del>		P	
	<del>Country Club with Golf Course</del>		D	
	<del>Golf Course, Miniature</del>		P	
	<del>Physical Fitness Center</del>		P	
	<del>Public Park (including Public Recreation Facility)</del>		D	
	<del>Special Event Venue</del>		P	
	<del>Shooting Range, Indoor</del>		D	
	<del>Swim and Tennis Club</del>		D	
	<del>Theater (Outdoor)</del>		D	
	<del>Theater (Indoor)</del>		P	
	Civic, Educational, and Institutional	<del>Place of Worship</del>		P
		<del>College or University</del>		P
<del>Vocational, Business or Secretarial School</del>			P	
<del>Daycare Centers in Residence (In Home) (12 or Less)</del>			D	
<del>Daycare Center (Not In Home)</del>			D	
<del>Emergency Services</del>			P	
<del>Community or Social Service Agencies</del>			P	
<del>Fraternity or Sorority (University or College Related)</del>			P	
<del>Government Office</del>			P	
<del>Library</del>			P	
<del>Museum or Art Gallery</del>			P	
<del>Post Office</del>			P	
<del>Hospital</del>			P	
Business, Professional, and Personal Services		<del>Office (General)</del>		P
	<del>Medical or Professional Office</del>		P	
	<del>Personal Service</del>		P	
	<del>Advertising, Outdoor Services</del>		D	
	<del>Bank or Finance without Drive- through</del>		P	
	<del>Bank or Finance with Drive- through</del>		P	
	<del>Boat Repair</del>	X	P	
	<del>Building Maintenance Services</del>		P	
	<del>Furniture Stripping or Refinishing (including Secondary or Accessory Operations)</del>	X	P	
	<del>Insurance Agency (Carriers and On-Site Claims Inspections)</del>		P	
	<del>Kennels or Pet Grooming</del>		D	
	<del>Laundromat or Dry Cleaner</del>	X	P	
	<del>Motion Picture Production</del>		P	
	<del>Pest or Termite Control Services</del>	X	P	
<del>Studios-Artists and Recording</del>		P		
<del>Animal Slaughter or Rendering</del>	X	P		
Lodging	<del>Bed and Breakfast Home for 8 or Less Guest Rooms</del>		P	
	<del>Hotel or Motel</del>		P	
Retail Trade	<del>Retail (General)</del>		P	
	<del>ABC Store (Liquor)</del>		P	
	<del>Auto Supply Sales</del>		P	
	<del>Automobile Rental or Leasing</del>	X	P	
	<del>Automobile Repair Services</del>	X	P	
	<del>Car Wash</del>	X	D	
	<del>Building Supply Sales (with Storage Yard)</del>		D	
	<del>Convenience Store (with Gasoline Pumps)</del>	X	P	
	<del>Equipment Rental and Repair, Light</del>		D	
	<del>Garden Center or Retail Nursery</del>		P	
	<del>Motor Vehicle, Motorcycle, RV or Boat Sales (New and Used)</del>	X	P	
	<del>Pawnshop or Used Merchandise Store</del>		P	
	<del>Service Station, Gasoline</del>	X	P	
	<del>Tire Sales</del>		P	

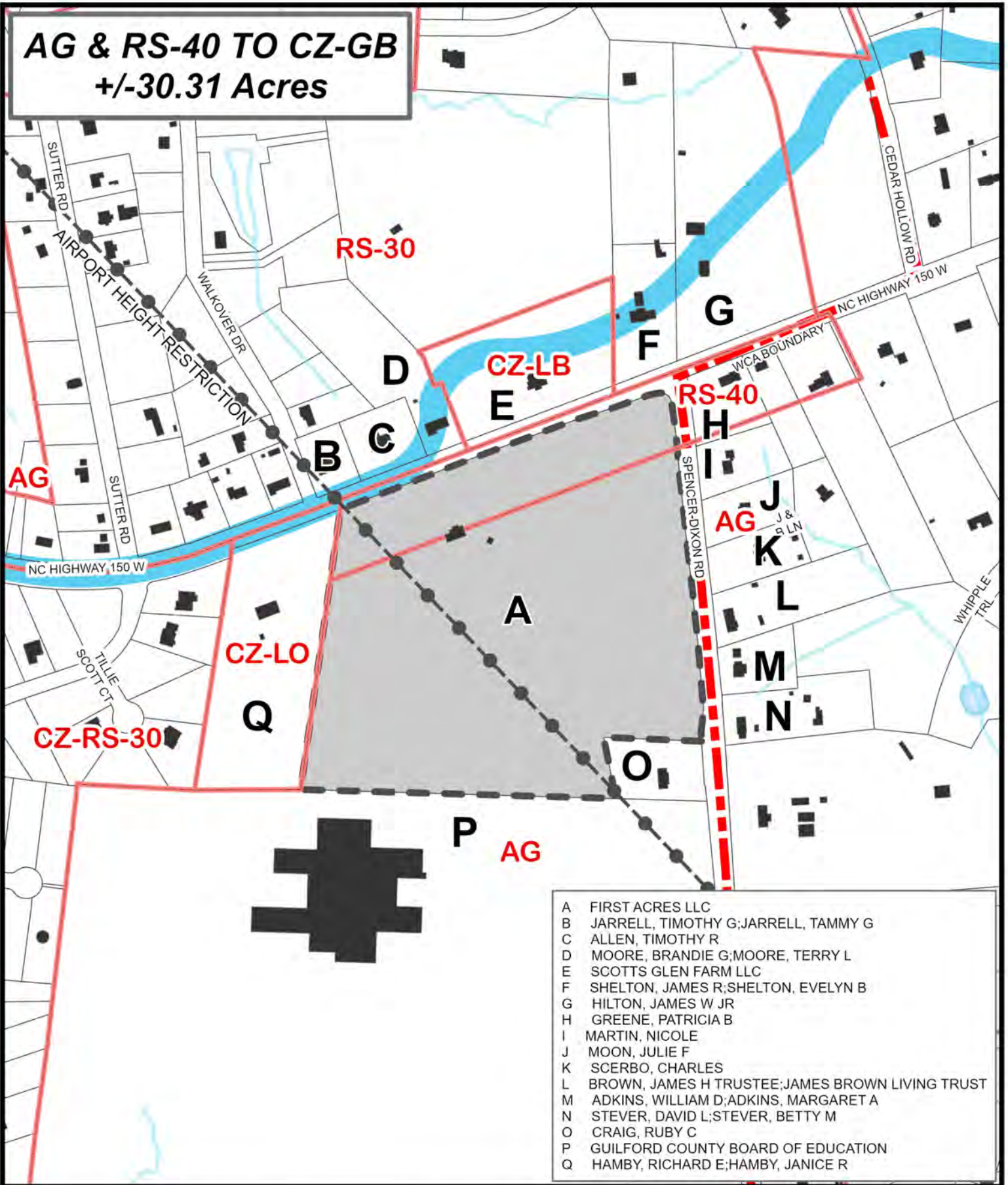
**TABLE OF PERMITTED USES FOR CZ-GB CASE # 22-05-GCPL-03277**

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Section Article 9 - Environmental Regulations  
 P = Use by Right D = Individual Development Standards Apply - See Article 5 S = Individual Development Standards per Article 5 Apply & Special Use Permit Required

~~Strickthrough text~~=Excluded uses as proposed by applicant

Use Category	Use Type	WCA Prohibited Use	GB
<b>Food Service</b>	Bakery		P
	Bar Private Club/Tavern		D
	<del>Microbrewery, Private Club/Tavern</del>		<del>D</del>
	Restaurant (With Drive-thru)		P
	Restaurant (Without Drive-thru)		P
<b>Funeral and Internment Services</b>	<del>Cemetery or Mausoleum</del>		<del>D</del>
	<del>Funeral Home or Crematorium</del>		<del>P</del>
	<del>Automobile Parking (Commercial)</del>		<del>P</del>
	<del>Automotive Towing and Storage Services</del>	X	<del>D</del>
	<del>Equipment Rental and Leasing (No Outside Storage)</del>		<del>P</del>
	<del>Equipment Repair, Light</del>		<del>D</del>
	<del>Truck and Utility Trailer Rental and Leasing, Light</del>	X	<del>P</del>
	<del>Beneficial Fill Area</del>		<del>D</del>
	<del>Bus Terminal and Service Facilities</del>	X	<del>P</del>
	<del>Courier Service Substation</del>		<del>P</del>
<b>Transportation, Warehousing, and Who</b>	<del>Communication or Broadcasting Facility</del>		<del>P</del>
	Wireless Communication Tower – Stealth Camouflage Design		D
<b>Utilities and Communication</b>	Wireless Communication Tower – Non-Stealth Design		D
	Small Cell Wireless Tower		S
	<del>Radio or TV Station</del>		<del>P</del>
	<del>Utilities, Major</del>		<del>S</del>
	<del>Utilities, Minor</del>		<del>P</del>
	<del>Taxi Terminal</del>	X	<del>P</del>
	<del>Utility Company Office</del>		<del>P</del>
	<del>Construction or Demolition Debris Landfill, Minor</del>		<del>D</del>
	<del>Land Clearing &amp; Inert Debris Landfill, Minor</del>		<del>D</del>
	<del>Warehouse (General Storage, Enclosed)</del>		<del>D</del>
<b>Waste-Related Uses</b>	<del>Warehouse (Self Storage)</del>		<del>D</del>
	<del>Laundry or Dry-Cleaning Plant</del>	X	<del>P</del>
	<del>Laundry or Dry-Cleaning Substation</del>	X	<del>P</del>
<b>General Industrial</b>			
<b>Special Events</b>	Temporary Events/Uses		D

**AG & RS-40 TO CZ-GB  
+/-30.31 Acres**



- A FIRST ACRES LLC
- B JARRELL, TIMOTHY G;JARRELL, TAMMY G
- C ALLEN, TIMOTHY R
- D MOORE, BRANDIE G;MOORE, TERRY L
- E SCOTT'S GLEN FARM LLC
- F SHELTON, JAMES R;SHELTON, EVELYN B
- G HILTON, JAMES W JR
- H GREENE, PATRICIA B
- I MARTIN, NICOLE
- J MOON, JULIE F
- K SCERBO, CHARLES
- L BROWN, JAMES H TRUSTEE;JAMES BROWN LIVING TRUST
- M ADKINS, WILLIAM D;ADKINS, MARGARET A
- N STEVER, DAVID L;STEVER, BETTY M
- O CRAIG, RUBY C
- P GUILFORD COUNTY BOARD OF EDUCATION
- Q HAMBY, RICHARD E;HAMBY, JANICE R



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

**Rezoning Case #**  
**22-05-GCPL-03277**  
**Scale: 1" = 400'**

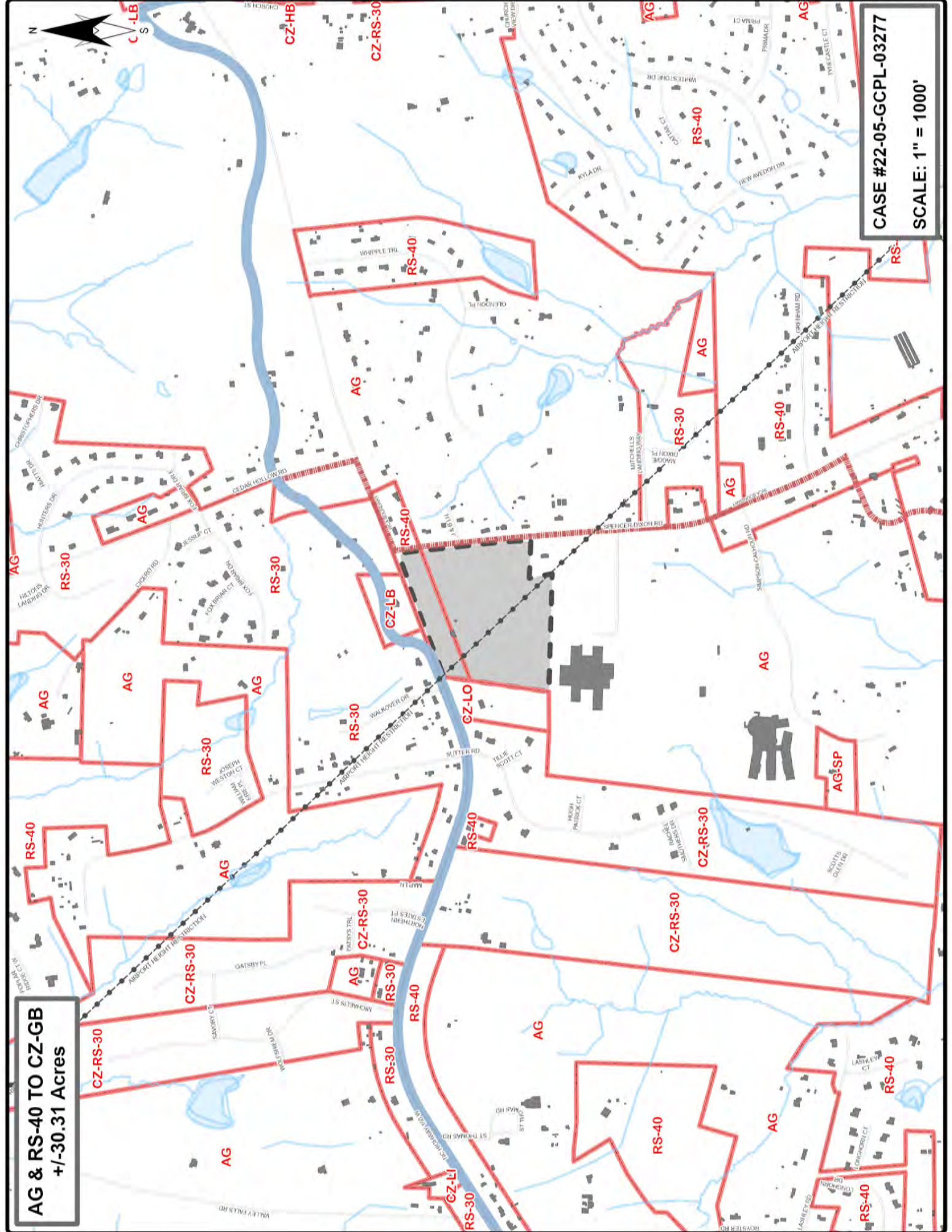
**Map:**  
139158





**AG & RS-40 TO CZ-GB  
+/-30.31 Acres**

**CASE #22-05-GCPL-03277**  
**SCALE: 1" = 1000'**

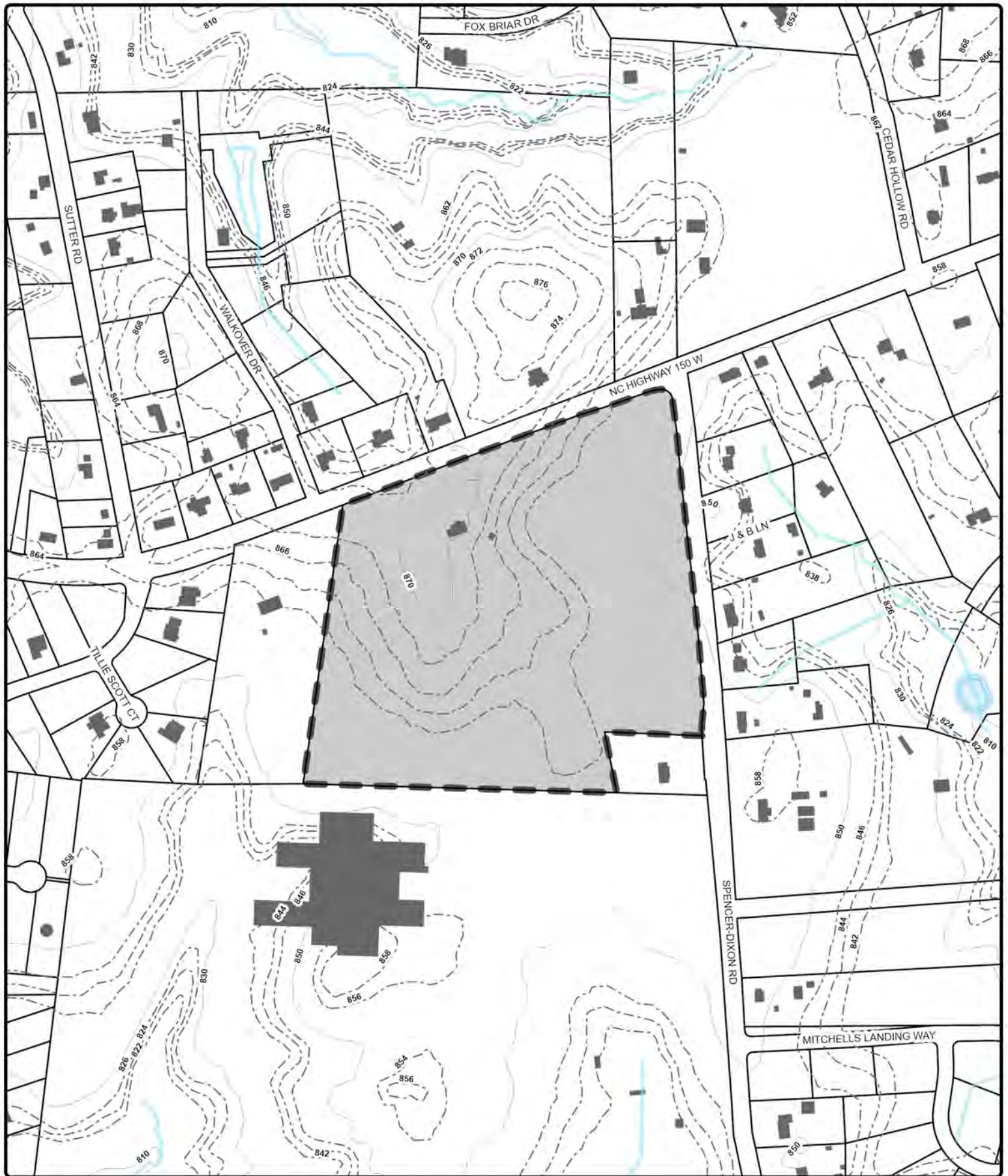




**CASE #22-05-GCPL-03277**

Scale: 1" = 400'





**CASE #22-05-GCPL-03277**

Scale: 1" = 400'



**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;  
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL  
ZONING-GENERAL BUSINESS (CZ-GB)**

**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

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**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;  
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL  
ZONING-GENERAL BUSINESS (CZ-GB)**

**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 # **139158** from **AG and RS-40** to **CZ-GB** because:

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

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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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**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;  
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL  
ZONING-GENERAL BUSINESS (CZ-GB)**

**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 # **139158** from **AG and RS-40** to **CZ-GB** because:

- 1. The amendment **is not** consistent with applicable plans because:  
*[Describe elements of controlling land use plans and how the amendment is not consistent.]*  
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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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**CONDITIONAL ZONING CASE CZ 22-05-GCPL-03277: 413 NC HIGHWAY 150 W;  
AGRICULTURAL (AG) AND RESIDENTIAL SINGLE-FAMILY (RS-40) TO CONDITIONAL  
ZONING-GENERAL BUSINESS (CZ-GB)**

**ZONING AMENDMENT STATEMENT OF CONSISTENCY**

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

I move to **Approve** this zoning amendment located on Guilford County Tax Parcel # **139158** from **AG and RS-40** to **CZ-GB**.

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

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

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