



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

Regular Meeting Agenda

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

October 11, 2023

6:00 PM

- A. Roll Call
- B. Agenda Amendments
- C. Approval of Minutes: September 13, 2023
- D. Rules and Procedures
- E. Continuance Requests
- F. Old Business

None

- G. New Business

Non-Legislative Hearing Item(s)

RESOLUTION OF INTENT FOR ROAD CLOSING CASE #23-09-PLBD-00061: MARION ELSIE DRIVE

Request adoption of Resolution of Intent and to schedule a public hearing for November 8, 2023, as presented herein, to close a portion of Marion Elsie Drive which fronts Guilford County Tax Parcels 232721, 156284, 156247, 156253, 156288, and 156287, in Jamestown Township, running approximately 440 feet southeast from the intersection of Queen Alice Road and Marion Elsie Drive.

Information for **RESOLUTION OF INTENT FOR ROAD CLOSING #23-09-PLBD-00061** can be viewed by scrolling to the October 11, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

Legislative Hearing Item(s)

ROAD RENAMING CASE # 23-09-PLBD-00062: WHITEROCK ROAD

Presently known as Whiterock Road, located in Monroe Township and running 0.21 miles west and 0.05 miles east from Arvid Drive, Non-State-Owned Road #NS-99778 and terminating at the western property line of Guilford County Tax Parcel #126957. This is a road renaming case initiated by Government action to change the name of Whiterock Road to Dunstan Road.

Information for **ROAD RENAMING CASE #23-09-PLBD-00062** can be viewed by scrolling to the October 11, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>

REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-AGRICULTURAL TO AG, AGRICULTURAL: 1235 WILEY LEWIS ROAD

Located at 1235 Wiley Lewis Road (Guilford County Tax Parcel #130940 in Fentress Township) approximately 1,581 feet west of the Oliver Hills Rd intersection and comprises approximately 6.22 acres.

This is a request to rezone CZ-AG (Ref. Case #5-91), Conditional Zoning-Agricultural to AG, Agricultural which would remove the following two conditions.

1. Uses limited to landscape and horticultural services and storage of equipment and vehicles in connection therewith (this condition while being requested to be removed also is included as one of the conditions for Special Use Permit Case #6-91 SP).
2. Voluntary compliance with requirements for landscaping and horticultural services as set forth in the Guilford County Development Ordinance in the AG zone (this condition while being requested to be removed also is included as one of the conditions for Special Use Permit Case #6-91 SP).

The Special Use Permit was approved for a landscape and horticultural service and storage of equipment and vehicles in connection therewith, with the following conditions:

1. Voluntary compliance with applicable provisions of the Guilford County Development Ordinance.
2. No lighting.
3. Hours of operation: 8:00 a.m. — 6:30 p.m., every day except Sundays.
4. All parking areas and drives must be constructed so as not to allow dust or dirt to settle on adjoining property.
5. A security gate conforming to the demolition debris landfill requirements must be installed at the entrance to the property on Wiley Lewis Road.
6. There will be no garbage brought to the site,
7. No below-ground storage of fuel. All above-ground fuel storage will comply with all applicable

storage requirements and health regulations.

8. No pesticides, herbicides, or other related chemicals to be used or stored on the property.
9. All landscape screening to be completed and approved by March 1, 1992.

A list of conditions for SUP Case #6-91 SP is attached (see letter).

The proposed rezoning is consistent with the Alamance Creek Area Plan recommendation of Residential Single-family; therefore, if the request is approved, no plan amendment would be required.

Information for **REZONING CASE #23-08-PLBD-00060** can be viewed by scrolling to the October 11, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

Evidentiary Hearing Item(s)

SPECIAL USE PERMIT CASE #23-02-PLBD-00038: MAJOR LAND CLEARING INERT DEBRIS (LCID) LANDFILL: 5233 MCLEANSVILLE ROAD

Located at 5233 McLeansville Road (Guilford County Tax Parcel #119692 in Jefferson Township), approximately 3,200 feet northeast of the intersection of Burlington Road and comprises approximately 121.91 acres. Subject parcel is zoned AG, Agricultural.

This is a request to approve a Special Use Permit (SUP) for a Major LCID with the proposed development conditions listed below. The proposed SUP site plan amends the current SUP site plan to expand the limits of the LCID Active Area. A maximum of 10 acres will be disturbed at any time for LCID operations. Proposed SUP conditions for this request include the following:

1. A copy of the construction and operating permit from NCDEQ and a copy of the recorded notice with deed book and page number will be provided.
2. A watering method will be used to keep haul road dust from leaving property.
3. Hours of operation for the Major LCID: Monday-Friday 7:30 a.m. - 5:00 p.m., closed Saturday and Sunday during summer and spring and Monday – Friday 8:00 a.m. – 4:30 p.m., closed Saturday and Sunday during the winter and fall.

This request includes a new SUP site plan which if approved, would replace the existing SUP Case #29-98-SP site plan, approved on May 13, 1998 including replacing the following conditions (an asterisk "*" after a listed condition under SUP Case #29-98-SP indicates a revision or omission under this request):

1. A copy of the construction and operating permit from NCDENR and a copy of the recorded notice with deed book and page number will be provided.
2. A watering method will be used to keep haul road dust from leaving the property.

3. Technical Review Committee (TRC) site plan approval or conditional approval will be obtained. *
4. Hours of operation: Monday - Friday 7:30 a.m. to 5:30 p.m.; Saturday 7:30 a.m. to 12:00 p.m.*

Information for **SPECIAL USE PERMIT CASE #23-02-PLBD-00038** can be viewed by scrolling to the October 11, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the submitted Site Plan also is included under the **MEETING CASE INFORMATION** section at the link above.

H. Other Business

2024 Proposed Planning Board Meeting Schedule

Comprehensive Plan Update

I. Adjourn

Information may be obtained for any of the aforementioned cases by contacting the Guilford County Planning and Development Department at 336.641.3334 or visiting the Guilford County Planning and Development Department at 400 West Market Street, Greensboro, NC 27402.

Per S.L. 2017-210 and Guilford County Ordinance Chapter 17: Electronic Notice section 17-1(a), Guilford County is permitted to publish its legal notices on the Guilford County Electronic Legal Notices website at <https://legalnotices.guilfordcountync.gov/Default.aspx>.

(Insert Color Paper)

**GUILFORD COUNTY PLANNING AND DEVELOPMENT
PLANNING BOARD MEETING MINUTES
NC Cooperative Extension – Agricultural Center
3309 Burlington Road, Greensboro NC 27405**

September 13, 6:00 PM

Call to Order

Chair Donnelly called the meeting to order at 6:00 PM.

A. Roll Call

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

James Donnelly, Chair; Ryan Alston; Cara Buchanan; Rev. Gregory Drumwright; and Jason Little

The following Board members were absent for this meeting:

Guy Gullick, Vice Chair; David Craft; Dr. Nho Bui; and Sam Stalder

The following Guilford County staff members were in attendance in-person for this meeting:

J. Leslie Bell, Planning and Development Director; Kaye Graybeal, Deputy Planning and Development Director; Oliver Bass, Senior Planner; Aaron Calloway, Planner I; Avery Tew, Planner I; Jessie Baptist, Administrative Officer; Brianna Christian, Planning Technician; Robert Carmon, Fire Inspections Chief; Andrea Leslie-Fite, Guilford County Attorney; and Matthew Mason, Chief Deputy County Attorney

Mr. Bell stated that he would like to introduce two (2) new team members: Brianna Christian, Planning Technician and Avery Tew, Planner. Chair Donnelly welcomed them to the team.

B. Agenda Amendments

Mr. Bell stated that there were no amendments to the agenda this evening.

C. Approval of Minutes: August 9, 2023

Chair Donnelly noted that on page 8, 3rd paragraph should indicate that “he and Mr. Gullick were involved”, instead of “he and Mr. Craft...” as part of the Comprehensive Plan. There were no other corrections noted.

Rev. Drumwright moved approval of the minutes [as noted] of the August 9, 2023 meeting, seconded by Ms. Buchanan. The Board voted (5-0) in favor of the motion. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

D. Rules and Procedures

Chair Donnelly provided information to everyone present regarding the Rules of Procedure followed by the Guilford County Planning Board.

E. Continuance Requests

Mr. Bell noted that there are no continuance requests for any cases for this meeting.

F. Old Business

Non-Legislative Hearing Item(s)

RECOMMENDATION ON THE GREENSBORO METROPOLITAN PLANNING ORGANIZATION (MPO) 2023 THOROUGHFARE & COLLECTOR STREET PLAN (TABLED)

Oliver Bass, Planning Department, stated that this is a request for the Planning Board to consider a recommendation on adoption of the 2023 Thoroughfare & Collector Street Plan for the unincorporated areas within the Greensboro Urban Area. After the Planning Board makes its recommendation, the Plan will be forwarded to the Guilford County Board of Commissioners for adoption consideration. It would replace the current Collector Street Plan adopted by the County Board of Commissioners on August 24, 2006. The proposed 2023 Thoroughfare and Collector Street Plan is consistent with all adopted Guilford County Area Plans.

Metropolitan Planning Organizations (MPOs) coordinate federally mandated planning activities within Census-designated urban areas. A core activity of the MPO is to prepare a thoroughfare plan that assigns functional classifications for streets and highways within its metropolitan planning urban areas. The Greensboro MPO serves most of unincorporated Guilford County and the municipalities of Greensboro, Oak Ridge, Pleasant Garden, Sedalia, Stokesdale and Summerfield. Unincorporated Guilford County also is served by the High Point and Burlington MPOs.

The Greensboro MPO staff worked with the Technical Coordinating Committee (TCC) to prepare the Greensboro MPO 2023 Thoroughfare and Collector Street Plan. The Plan was adopted by the Technical Advisory Committee (TAC), composed of elected officials, on May 10, 2023. The Plan has been presented or scheduled to be to each member jurisdiction for adoption.

The Plan serves as the official map identifying freeways, major and minor thoroughfares, and collector street classifications in the Greensboro Urban Area. The typical functional street classifications found in the County are defined in the information included in each member's packet.

Staff recommends approval of the 2023 Thoroughfare and Collector Street Plan, which is supported by the Guilford County Comprehensive Plan and complements the adopted Guilford County Area Plans and Small Area Plan.

Craig McKinney, Transportation Planner for the City of Greensboro and Greensboro Urban Area Metropolitan Planning Organization (GUAMPO), stated that he agrees with Mr. Bass's presentation that the purpose of this plan is to support growth in the area and supports some of the land uses, such as schools, which have to be placed on a collector street or higher, and churches [not necessarily in Guilford County] have to be on a collector street or higher. In their review, they made sure that those uses were on at least a collector street. There was one change on Spencer Dixon Road. The group consisted of planners and engineers, and they made the determination that it seemed to be more functional as a minor thoroughfare rather than a collector street. This map combines what previously were two maps, one was the Thoroughfare Plan, and the other was the Collector Street Plan. Now they have chosen to combine them into one and maintain that from now on. They have done some coordination with High Point MPO and Burlington MPO and a small portion of the Winston-Salem MPO area near County Line Road in Guilford County. This is a planning tool. The dotted lines for collector streets are concepts and are not intended to be the exact location. As development plans come in there may be discussions with the County on how to change the alignment through the development process. In response from Director Leslie Bell, Mr. McKinney explained that prior to 2005, there was only a Thoroughfare Plan, some zoning issues came about, and there was a need to identify better the collector streets that were in the area. It took over seven months to create a new map, with the help of NC Department of Transportation (DOT), and in late 2004 or 2005 the Technical Advisory Committee adopted the map and it was adopted by the other jurisdictions in the county [in 2005-06]. There have been a few tweaks to both plans over time. The process to prepare the proposed map, with directions from the managers, began in the summer of 2022. The TAC adopted the map for the MPO earlier this year and presented the map to other jurisdictions for adoption.

Chair Donnelly asked if anyone wished to come forward to ask questions or make comments.

Attorney Amanda Hodierne, 804 Green Valley Road, Suite 200, stated that she is very happy with the work that the MPO does. She has been before the Board on many occasions talking about the importance of these Comprehensive Planning tools and how the development community uses them and relies upon them to understand how to bring forward the correct information and how the Board wants the County to grow. The maps determine how these roads are designated that determines what the right-of-way will be, what the cross-section is and how the land use will be impacted by the roadways. She is attending tonight on behalf of a property owner in the Stokesdale area [Town of Stokesdale] who is greatly impacted by one

of the newly proposed State facilities. She presented printouts of the property which is along Highway 158 and would be bifurcated by the 158 bypass that is proposed to go around Stokesdale. Once the MPO's plan is adopted, then when a development plan comes forward to the Planning Department and the Technical Review Committee (TRC) for review, they have the authority to ask the property owner to reserve that right-of-way and plan and hold this corridor. The issue in this case is that in the due diligence that her property owner/client has performed, in speaking with NCDOT, this is not a likely road to happen. It is not on the current project list and did not make it this cycle, and according to Bobby Norris, it won't make it onto the next cycle. She has a letter from him to the Mayor Pro Tem of Stokesdale, stating that he believes this section is a minimum of ten years plus before it is even any closer to moving towards prioritization. That being the case, they wanted to be here tonight out of an abundance of caution, and to be property owners that are aware and not asleep when these policy documents are getting adopted because that is when it matters, and someone needs to raise their hand to say, "This is going to impact me and please look at all the factors." She is happy that Mr. McKinney is here tonight, and she is here just to give this comment and to also learn how NCDOT is consulted in the development of these plans, so that they ensure they are not creating situations where there would be some kind of disconnect in what NCDOT is planning and the final adoption of a map. Mr. Norris told the project engineers for her client that the reason why this particular bypass was so far down the list and was not getting good points for prioritization is because they were working on alternative improvements to the Highway 68 corridor that really kind of negates the need because a lot of the population growth is occurring to the north in Rockingham County. So, they don't have an indication at this time that it would be necessary, in their prioritizing the Highway 68 corridor projects instead. By being thoughtful now and careful now at this phase, they can avoid getting into a situation where they are stuck having to fight at the level of when this development plan comes in. Her client has very good engineers and development consultants working with them who figured this out and where it was in the process and understood the implications of it. Now is the time to get it right so that they aren't later fighting in a TRC meeting and then in legal counsel's office about Map Acts and inverse condemnation and things of that nature. They want to ensure that the roadways that are on this map are the right ones and are the ones that will get built so that property owners aren't unduly impacted by a corridor that's never going to happen.

Chair Donnelly stated that it was his understanding that this particular item, which was identified, would fall within the Stokesdale formal municipal limits. Attorney Hoderne responded that was correct. She understands that they have their own entitlements process, but she also understands that they run that through Guilford County. So, to the extent that it matters that Guilford County and Stokesdale are being asked to adopt the plan, again, her client is just trying to be very intentional and very awake at the wheel to ensure that they have raised their hand early that they want to talk about it.

Chair Donnelly asked what is the process by which this feedback gets incorporated in the process. Mr. McKinney responded that the NCDOT project Ms. Hoderne was speaking about is known as R-2577, and it is from Winston-Salem and is broken into three (3) parts: "A," "B,"

and "C." "A" is under construction, "B" is close to the right-of-way stage if not already there, and this is "C". Yes, it may be ten years before prioritization catches up and funds this project, but it is a project. It has gone through extensive public involvement, it has a valid environmental document, and they have a preliminary design. So, this is not a simple dotted line on the map; there is a plan. Chair Donnelly stated that he realizes that there are a lot of moving pieces that have to fit together, and he is just trying to understand, in terms of the Board's responsibilities, what the risks and options are for the Board, and that may be a question to be directed to either Attorney Mason or Attorney Leslie-Fite. He just wants to make sure that they are clear on what those responsibilities are.

Mr. Drumwright asked if Attorney Hodierne's client has received all the information on what the requirements are. Attorney Hodierne responded that actually her client did not receive notice for those meetings, much to their dismay. So, no, they were not aware of those meetings. She noted that the NCDOT process, when Mr. McKinney says there is a plan, is a very long and multi-faceted process, so they do the studies, they create the very wide-ranging corridors, but those plans are then there waiting to become prioritized and funded as part of the STIP (State Transportation Improvement Plan) list. It is a very long improvement project list, and it gets constantly reshuffled. There is a large discrepancy of what it means to be a project, with all due respect, but it's out there and it's been studied because it should be and because it's being planned for. What they are talking about here, it is probably helpful for her to say, that little loop just north of the word "Stokesdale." [Referencing the proposed map]. So that crossroads above "Stokesdale" is Highways 68 and 158. The little hump to the north is the 158 bypass, and that is what they are talking about, where it comes down and rejoins 158 on the east side and is on her client's property. They are talking about how they manage the uncertainty, the in-between from when a project corridor has been studied because conditions may warrant it someday, so they are doing what they need to do as a thoughtful planning organization to study it and be ready for it, but knowing that it is not prioritized and not even on that STIP list yet. Where is the allocation for a property owner to bear that burden for decades? There is case law on this from 2020, and what they are trying to communicate is let's be informed and be thoughtful about it now, when it is a planning issue and not a litigation issue. In response to a question posed by Mr. Little, Attorney Hodierne stated that her client is not opposing or certainly not in favor, but they just want to be thoughtful about the process because once this gets adopted, that means to the average property owner that when they go submit development plans, they are going to be told that there is a roadway corridor coming through your property that you have to reserve and you have to plan for that. That obviously devalues that property greatly for something that may never happen or may not happen in the near future.

In response to some other questions, Mr. McKinney stated that now they are talking about the State Transportation Improvement Program (STIP) and that identifies projects, the scope of the project, the costs, and when funds are programmed for it. The prioritization process is how those projects finally get to the point of getting funded and they are now in prioritization 7. There is a final list of projects that will be put out to the public after the Wednesday TAC meeting of projects that are to be scored in this Prioritization round 7, and he does not

remember if this particular project, R-2577-C, is on that list or not. But regardless, what happens in that prioritization process, the MPO puts points on projects, the NCDOT Division 7 Office puts points on projects, and it goes back to Raleigh, where they put points on projects, and all the points get added up and aggregated, and they determine what the budget is going to be for the 2026-2035 Transportation Improvement Program, and they will draw a line of where that budget hits on the list, and anything above that line will get funded, and anything below will not get funded and be subject to future prioritization.

Chair Donnelly stated that he would like some clarification from Mr. Bell in terms of what their options are, in terms of what the Planning Board can do. Mr. Bell responded that several years ago, across the State of North Carolina, there were about six (6) corridor projects that they had considered to be priority projects, and they were regional in nature. Those corridors had been reserved, he is just using the terms that Attorney Hodierne has used, and based on case law, because it ended up going to Court, they deemed that the State Department of Transportation could not hold those corridors in abeyance indefinitely. Now, to the property owners, it was "develop at your own risk," which meant that if you developed that property and it was deemed as a new roadway and became a reality, then it would go through the normal process that it would go through, potentially eminent domain or what-have-you, in that process. So, he doesn't know if this precludes the developer from developing, but it is sort of "develop at your own risk" unless there has been some case law since then. Those were actually recorded in the Register of Deeds at the counties where they were located. Again, it was deemed that you could not reserve that without some compensation for reserving it.

Mr. McKinney stated that what Mr. Bell is referring to is the Corridor Map Act and the State Supreme Court struck down the Map Act. It was the Winston-Salem Loop because the Greensboro Loop had already been funded. The Map Act took the preliminary design of projects, it listed out the properties and the owners that were in the path of it, and what it was intended to do. If anyone wanted to develop, it would then force NCDOT to make the decision either to allow it to happen or, under the Map Act, find funds to buy the right-of-way from that property. Attorney Hodierne added that the issue is when does the State have to provide just compensation for a taking? [Holding it up for] several years is why the Supreme Court rejected it (i.e., How long can property be reserved for construction of street or proposed street improvements?)

Chair Donnelly stated that he would personally feel uncomfortable taking any kind of position as a Planning Board, when this is in Stokesdale, and they haven't had an opportunity to take a position on that.

Attorney Mason said there is a requirement that the Boards, like the Board of County Commissioners and the governing boards for these towns that are within this MPO, have to approve the thoroughfare/collector plans in front of this Board tonight. Whatever this Board might do is frankly not leave the operative of anything; it's going to be what the Board of Commissioners decides to do with it. He asked Mr. Bell if the Board of Commissioners has

asked this Board to review and comment on this Plan? Mr. Bell stated that they have not, but this is part of the process to get it to the Commissioners. It is part of the process that is laid out, and as Mr. McKinney mentioned, the TAC has two elected officials on the TAC. This is the next logical step. He believes that it is going to all the jurisdictions for their review. Attorney Mason stated that he believes that the Board of Commissioners may assign to the Planning Board a responsibility to review and comment on this Plan. If they have not done that, there is no explicit assignment to the Planning Board to review and comment on this Plan. It has to come from the Board of Commissioners. Since it hasn't, the Board is under no obligation right now to take action.

Chair Donnelly shared that he has had a conversation with one of the Commissioners who was on the TAC, and that person perceived, like him, that because they are involved in the development and this is a development tool, they (the Planning Board) may be in a better position to comment, in detail, on some things. So, he thinks there is a rationale behind that because of having sort of a delegated authority.

Mr. Bell suggested that the Board table this matter to allow staff to obtain more information. Rev. Drumwright stated that he also felt that this matter should be tabled to get more clarity and direction from the Board of Commissioners.

Mr. Bell noted that the minutes will be provided to Commissioners and the Commissioners may adopt the plan or kick it back to staff. Staff will note concerns expressed to the Planning Board at this meeting in its background report.

Attorney Leslie-Fite asked Attorney Hodierne to clarify exactly what her client would be proposing. Attorney Hodierne stated that it's fair that NCDOT or the County and Stokesdale confer with NCDOT that this is not in the prioritization queue right now for the various reasons, and they don't expect it to be anytime soon, and there should be some sort of mechanism or process by which to take in that data and acknowledge that maybe the property owner has the right to go forward, at his or her own risk, and develop without the reservation of the corridor.

Rev. Drumwright moved to table this item, pending some additional clarification on some questions that were raised, and when some clarity is available from all the appropriate parties, and pro-actively communicate the information that was raised here, to make sure that the appropriate parties hear and understand concerns that were raised, and to bring it back to the Planning Board for action, seconded by Mr. Little.

Chair Donnelly asked that the motion be restated. After some discussion, the Board determined that it may be better to table this case to allow staff to obtain more information. Therefore, the matter was tabled by a 5-0 vote. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Mr. Drumwright amended the motion to move that the Board would table any further action on this item, while also advising the Board of Commissioners of the conversation with concerned members of the public that would be impacted by this Plan, and attaching the notes from this meeting to make them fully aware of the hesitance of this Board to take further action on this item, seconded by Mr. Little. The Board voted (5-0) in favor of the motion. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Chair Donnelly stated that by a vote of 5-0, the Board has voted to table this item and forward the concerns raised to the Board of Commissioners.

Legislative Hearing Item(s)

CONDITIONAL REZONING CASE #23-06-PLBD-00052: CZ-LI, CONDITIONAL ZONING-LIGHT INDUSTRIAL, CASES #11-05-GCPL-01897 AND #19-07-GCPL-05789 TO CZ-LI AMENDED: 4165 PLEASANT GARDEN ROAD (APPROVED)

Aaron Calloway stated that this property is located at 4165 Pleasant Garden Road (a portion of Guilford County Tax Parcel #135130 in Fentress Township), and the subject parcel is northeast of the intersection of Pleasant Garden Road and Blumenthal Road and comprises approximately 8.24 acres. This is a request to conditionally rezone the property from CZ-LI, Conditional Zoning-Light Industrial, Case #11-05-GCPL-01897 and #19-07-GCPL-05789 To CZ-LI Amended, with the following conditions: Use Condition: (1) uses of the property shall be limited to: a) Caretaker Dwelling (Accessory); b) Warehouse (Self-storage); c) Office (General); d) Truck and Utility Rental and Leasing, Light. Development Conditions: 1) Storage unit access will be allowed 24 hours each day of the week. 2) All outdoor lighting will be directed downward and into the interior of the property and shall include diffusers or minimal wattage bulbs that minimize glare to adjoining roadways and properties. 3) The side of the buildings facing Pleasant Garden Road will be constructed of brick or stone materials. 4) An ornamental metal fence six (6) feet high with seven (7) feet high brick columns, approximately twelve (12) feet on center, shall be constructed along the front of the property between the building and the road and on the north side of the property to a point approximately two hundred (200) feet from the front property line. An opaque fence eight (8) feet in height will be constructed around the remaining property to be rezoned and placed inside of planting yards. 5) No billboards will be permitted on the property. 6) Freestanding signage will be monument signs. 7) The eight (8) foot Street Yard along Pleasant Garden Road, from the proposed rezoning line to the north property line, and the Type "A" Planting Yard, along the entire north property line and along the eastern property line to the proposed rezoning line, shall be installed during this project. The eight (8) foot Street Yard along Pleasant Garden Road from the proposed rezoning line south to Blumenthal Road, the eight (8) foot Street Yard along Blumenthal Road and the Type "A" Planting Yard, along the east property line from Blumenthal Road to the proposed rezoning line, will be installed at the time the future development area is constructed. 8) There will be an additional eight (8) foot Planting Yard added which will be planted along the decorative metal fence parallel with Pleasant Garden Road. It will consist of four (4) understory trees and seventeen (17) shrubs per one hundred (100) feet.

The proposed conditional rezoning is conditionally consistent with the Southern Area Plan recommendation of Light Industrial; therefore, if the request is approved, no plan amendment would be required.

Chair Donnelly stated that the public hearing would now be open and asked any speakers in favor of the matter to come forward.

Matt Garcia, Reliant Real Estate, Atlanta, GA, stated that they are the new owner of this property. It was purchased in June 2023. Reliant is an institutional self-storage ownership group, and they have close to 100 properties around the Southeast. He said some of the reasons for the proposed conditions had already been covered by staff. The U-Hauls are a typical service that goes along with most storage properties. They would not be leasing trucks that are more than 20 feet in length. These trucks would be stored behind the gates of the property, and the only time they would come out front is if there is a reservation and a customer is coming to pick it up. There are usually only three or four trucks on site at one time to be leased. The apartment [caretaker dwelling] is an accommodation for the employee/manager. There have been problems with people loitering and hanging around, and it is felt that someone should be on site at all times. There has been a significant decrease in those activities when the manager lives on site. The apartment [caretaker dwelling] would consist of one or two bedrooms with a living area, kitchen, a full bathroom, and it allows them to keep eyes on the property. They are able to retain managers longer by providing the living space as a benefit, and it allows for better upkeep, in general. Typical hours of operation are from 7:00 a.m. until 10:00 p.m. They like to provide the 24/7 access as a client benefit. A lot of their clients are contractors and they have equipment, they have materials within the units and tend to be bringing materials back or equipment back or picking up to go out well before the hours of 6 am or beyond 11 pm.

There being no speakers opposed to the request, Chair Donnelly asked that the public hearing be closed.

Rev. Drumwright moved to close the public hearing, seconded by Mr. Alston. The Board voted 5-0 in favor of closing the public hearing. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Ms. Buchanan moved that Case #23-06-PLBD-00052, 4165 Pleasant Garden Road, and the subsequent zoning map amendment for property located on Guilford County Parcel #135130, from CZ-LI to CZ-LI Amended be approved, because the Amendment is consistent with applicable Plans because Light Industrial is already recommended by the Southern Area Plan. The Amendment is reasonable and in the public interest because the property is already a self-storage facility, and the requested changes serve the surrounding residents by bringing additional services and also increased safety measures, seconded by Mr. Alston. The Board voted 5-0 in favor of the motion to approve the request. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Mr. Bell asked to amend the motion to include, "That the request is consistent with Policy 1.1.1 in the Future Land Use element of Guilford County's Comprehensive Plan which states, "Planning will continue to utilize the Future Land Use as depicted on Citizen Based Area Plans in conjunction with the rezoning guidance matrix as the basis for land use and policy recommendations."

Ms. Buchanan made a motion to amend the previous motion, seconded by Mr. Little. The Board voted 5-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Chair Donnelly stated that the request is approved and constitutes final action on this matter unless the case is appealed to the Board of County Commissioners within 15 business days and must be in writing.

G. New Business

Legislative Hearing Item(s)

CONDITIONAL REZONING CASE #23-07-PLBD-00059: LB, LIMITED BUSINESS TO CZ-GB, CONDITIONALLY ZONING-GENERAL BUSINESS: 5101 YANCEYVILLE ROAD (APPROVED)

Aaron Calloway stated that the subject property is located at 5101 Yanceyville Road (Guilford County Tax Parcel #125339 in Monroe Township), the subject parcel is northeast of the junction of Thacker Road and Yanceyville Road and comprises approximately one (1) acre. This is a request to conditionally rezone the property from LB, Limited Business to CZ-GB, Conditional Zoning-General Business with the following condition: Use Condition: (1) Uses of the property shall be limited to: a) Club or Lodge; b) Physical Fitness Center; c) Vocational, Business or Secretarial School; d) Daycare Center (Not In-Home); e) Emergency Services; f) Government Office; g) Office (General); h) Medical or Professional Office; i) Personal Service; j) Bank or Finance without Drive-through; k) Bank or Finance with Drive-through; l) Building Maintenance Services; m) Insurance Agency (Carriers and On-Site Claims Inspections); n) Laundromat or Dry Cleaner; o) Motion Picture Production; p) Pest or Termite Control Services; q) Studios-Artists and Recording; r) Retail (General); s) Convenience Store (With Gasoline Pumps); t) Equipment Rental and Repair, Light; u) Garden Center or Retail Nursery; v) Pawnshop or Used Merchandise Store; w) Bakery; x) Restaurant (With Drive-thru); y) Restaurant (Without Drive-thru); z) Equipment Rental and Leasing (No Outside Storage); aa) Equipment Repair, Light; bb) Communication or Broadcasting Facility; cc) Utility Company Office. The proposed rezoning is not consistent with the Guilford County Northern Lakes Area Plan recommendation of Light Commercial; therefore, if the request is approved, a land use plan amendment to Moderate Commercial will be required.

Chair Donnelly stated that the public hearing would now be open and asked any speakers in favor of the matter to come forward.

Curt Holmes, 5027 Warm Springs Point, Greensboro, NC, stated that his father, Ray Holmes, is the property owner. He stated that there is a lot of support from surrounding neighbors, and there have been a lot of improvements to the property. They came before the Board initially with a concern that any change of the zoning for this particular piece of property, without certain conditions, would certainly be a big concern. The tenant who has been in this building since February 2022 did not realize that there was a zoning issue at that time. The building was a very old gas station and the tanks have been removed. There have been a variety of uses in the building, but since the current tenant has taken over, he has really put a lot of care into the building. There are over 90 people that have submitted their support for the current business. They wish to be able to continue the current business and are asking for the change in zoning to be able to allow that.

Chair Donnelly asked anyone who wished to come forward and speak in opposition to the request.

Rhonda Oakley, 5109 Yanceyville Road, stated that she is speaking for herself and her mother-in-law who lives at 5103 Yanceyville Road, which is next door. They are not in favor of the current business that is located in the building. To add these other uses is a concern for them. The traffic is very heavy in this area. It takes her five minutes to get out of her driveway now, so that is a concern. The lawnmower place is not just a lawnmower place, it is also a welding place. When the tenant welds, their power goes out. This is a residential area and does not have a well, septic tank, and anything for a business. When the power goes out, it leaves the residents with no air conditioning, and that is a concern. It is not clean, and she produced pictures of the property showing lawnmowers and beat up golf carts, which she submitted to the Board members for their review. The tenant did put up a brown fence to hide a lot of it. They throw their cigarette butts on the ground, and it is not clean. She cannot think of one neighbor that approves of this business. She feels that the Board members would not want this building next door to them either. She stated that the pictures were taken two days ago. The noise level when they are open is also unbearable. Ms. Oakley also mentioned that the tattoo parlor was a setup for a drug ring. None of the businesses that have been there in the past were legitimate businesses except for the antique store. In response to a question posed by Chair Donnelly, Ms. Oakley stated that the reason more neighbors did not come to this meeting is because the sign that was posted is very small and cannot be seen easily. This area is no longer agricultural, but is now all residential. There are new subdivisions being put on that road.

Aaron Calloway described how notices are generated for development cases and to whom they are mailed (abutting property owners).

Shirley Ashley, 5103 Yanceyville Road, asked if the Board members had a nice home, would they like to have this junk pile beside their house? If she wanted to sell her house, she probably could not because she wouldn't want to buy anything beside the subject property.

In rebuttal, Curt Holmes stated that there were some comments made that they were not aware of with regard to the power issues. He invited the tenant, Mr. Allen, to address those concerns. Regarding the appearance to the building, it certainly was an eyesore before this tenant moved in. It was an empty run-down gas station and was dilapidated. The current building appearance is much improved and should be a strong consideration.

Jeff Allen, owner of Jeff's Welding and Lawnmower Repair, stated that he agreed with Mr. Holmes that the building was in very bad shape previously. Since he has been there, he has started a pile of scrap metal to take to the scrap metal yard. He cannot put a scrap metal dumpster on the property because the weight would damage the septic lines. Regarding the welding situation, he uses a 220 Mig welder, and he also does 110 welding for the lawnmower decks. Most of the welding is done inside the building, which is wired for 220 amps. If there were power outages in the area, his building would have lost power first. He noted that there are petitions from 90+ people who support the request. He has a good relationship with a lot of the neighbors in the area and has not heard of any of the complaints stated before today. If he had, he would have taken measures to do something about it.

Chair Donnelly noted that the Board members' packets included those petitions and letters in support of the request.

Rebuttal speaking in opposition to the request, Rhonda Oakley stated that this is nothing personal against this man and his business, it is about the zoning request from one zone to another. He might be there for a year or might be there 20 years. She does not want a McDonald's with a drive-thru next door. She doesn't like the mowers out, doesn't like the noise. Her concern is the change in the zoning. It should be a Limited Business.

Shirley Ashley stated that the Board members would not like to hear those lawnmowers cranking and stop, crank and stop, constantly. She likes to sit on her front porch in the evenings and during the day when she finishes her work, and she does not like listening to all that.

There being no other speakers, Rev. Drumwright moved to close the public hearing, seconded by Mr. Alston. The Board voted unanimously in favor of closing the public hearing.

Board Discussion

Rev. Drumwright stated that he does not know who the Sutherlands are, and he has not spoken to anyone who lives in this neighborhood. He has been to the property and has taken the time to read all of the letters of support, and the Sutherlands stated that they lived across the street from him (business owner), and they were one of the families that wrote in favor of this business. He really appreciates all of the letters of support from the applicant.

Mr. Little stated that he is glad to hear from all the neighbors in support of the request.

Chair Donnelly stated that he had a chance to visit the property, and he noted that there was not much traffic and the building, from his perspective, looks clean and looked like a business

that was in operation. He reminded the Board that they have heard a lot of things this evening and the Board's role is to decide a zoning request. The request before the Board is to eliminate some of the things that used to be possible in LB zoning, and add some things that are in GB, that would allow the current business to continue. It does open the door to other businesses if the current business were to leave. He appreciates the concerns when power goes out, he does not feel that the Board has the ability to do anything on that. It sounds like an issue that should be addressed with Duke Energy.

Ms. Buchanan stated that it seems that care was taken to limit uses that would be a burden to the area or wouldn't provide a service. She feels it was well done as far as restrictions on what uses can and cannot be imposed.

Rev. Drumwright stated that he appreciates that the owner and tenant have said they would be willing to address the concerns of the neighbors who are opposed. He would support the rezoning request.

Ms. Buchanan moved that regarding Case # 23-07-PLBD-00059, 5101 Yanceyville Road, that this request be approved for the property located on Guilford County Parcel #125339, from LB to CZ-GB, and this approval will also amend the Northern Lakes Area Plan from LC Light Commercial to MC Moderate Commercial. The zoning map amendment and associated Northern Lakes Area Plan amendments are based on the following changes and conditions in the Northern Lakes Area Plan. While Yanceyville Road is already a major thoroughfare in an area that is continuing to grow, in 2016 the Northern Lakes Area Plan was updated in two different pieces for 329 acres and also 314 acres were changed, predominantly to RS-30 and RS-40, indicating that there is a greater need for this type of service. Changing to Moderate Commercial land use will also allow this property to continue providing that service to the area. In addition, the request is consistent with Objective 1.5 of the Future Land Use element of Guilford County's Comprehensive Plan, which states that it is important to recognize or respect the unique characteristics of Guilford County's unincorporated and emerging communities. The amendment is reasonable and is in the public interest because the parcels already have been a host to multiple commercial uses. Limitations set forth in this request should not provide any additional burden and sets a nice limitation to what can be done with that property, seconded by Mr. Alston. The Board voted 5-0 in favor of the motion to approve the request for rezoning. (Ayes: Donnelly; Alston; Little; Buchanan; Drumwright. Nays: None.)

Evidentiary Hearing Item(s)

None

H. Other Business

Comprehensive Plan Update

Mr. Bell stated that everyone should have received the dates for the open houses as part of the Comprehensive Plan Update, starting Monday from 5:30 – 7:30 p.m. at the Alamance

Presbyterian Church. He noted the dates and locations for the rest of the open houses. The dates and locations will be sent to the Board members for their review, or they can visit the County website.

Mr. Bell announced that for the upcoming Planning Board meeting in October, there is a road closing case, a road renaming case, and possibly two (2) Special Use Permit cases. He suggested that since the Special Use Permit cases may take a long time, the Board members may want to consider holding two (2) separate meetings to accommodate the time involved. Staff will notify everyone involved in the near future so Board members can make an informed decision.

I. Adjourn

There being no other items to be discussed, the meeting adjourned at 8:04 p.m.

The next scheduled meeting is October 11, 2023 at 6:00 p.m.

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Road Closing
Petition**

Date Submitted: 9/11/23 Fee \$126.00 Receipt # 010393-2023 Case Number 23-09-PLBD-0006
(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 Marion Elsie Dr Secondary Road# N/A in Jamestown Township, and running 440' SE from Queen Alice Rd Secondary Rd# 1369 and terminating at 440' Secondary Rd# NA. (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.	<u>Renaissance Church Gate City, LLC</u>	<u>5810 Marion Elsie Dr</u>
2.	<u>[Signature]</u>	<u>[Signature]</u>
3.	<u>Black Dogs, LLC</u>	<u>5811, 5811ZZ, and 5813 Queen Alice Rd</u>
4.	<u>[Signature]</u>	<u>[Signature]</u>
5.	<u>[Signature]</u>	<u>[Signature]</u>
6.	<u>[Signature]</u>	<u>[Signature]</u>
7.	<u>[Signature]</u>	<u>[Signature]</u>
8.	<u>[Signature]</u>	<u>[Signature]</u>
9.	<u>[Signature]</u>	<u>[Signature]</u>
10.	<u>[Signature]</u>	<u>[Signature]</u>

Additional sheets for petitioners are available upon request.

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

Submitted By: Michael Goins 5909 W. Gate City Blvd 251-656-9922, michaelgoins@rentriad.Church
Contact Name Address Contact Phone # & Email

• Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings

Non-Profit Corporation

Legal Name

Renaissance Church - Gate City, Inc.

Prev Legal Name

Renaissance Road, Inc.

Information

SosId: 1006448

Status: Current-Active ⓘ

Date Formed: 10/11/2007

Citizenship: Domestic

Annual Report Due Date:

Registered Agent: Goins, Jason M

Addresses

Mailing

3723 Apple Orchard Cove
High Point, NC 27265

Principal Office

3723 Apple Orchard Cove
High Point, NC 27265

Reg Office

3723 Apple Orchard Cove
High Point, NC 27265

Reg Mailing

3723 Apple Orchard Cove
High Point, NC 27265

Officers

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

Limited Liability Company

Legal Name

Black Dogs LLC

Information

SosId: 0743315

Status: Current-Active ⓘ

Date Formed: 9/14/2004

Citizenship: Domestic

Annual Report Due Date: April 15th

Current Annual Report Status:

Registered Agent: Arosa Management Inc.

Addresses

Principal Office

5823 W. Gate City Blvd.
Greensboro, NC 27407

Reg Office

5823 W. Gate City Blvd.
Greensboro, NC 27407-7004

Reg Mailing

5823 W. Gate City Blvd.
Greensboro, NC 27407-7004

Mailing

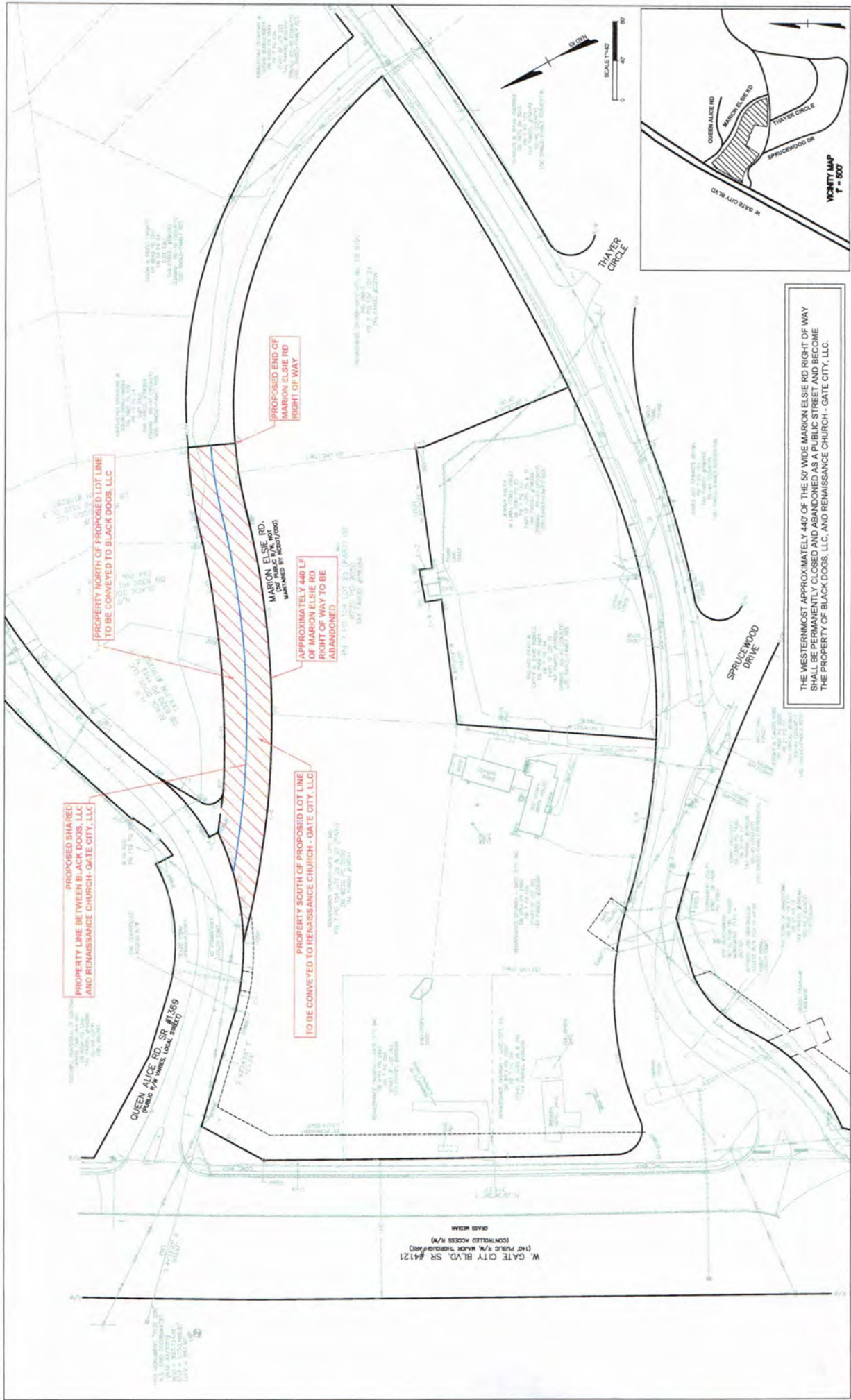
PO Box 1975
Jamestown, NC 27282-1975

Company Officials

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

Manager

KD Badorf
PO Box 1975
Jamestown NC 27282



PROPOSED SHARE
PROPERTY LINE BETWEEN BLACK DOGS, LLC
AND RENAISSANCE CHURCH-GATE CITY, LLC

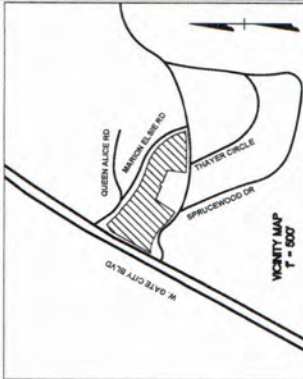
PROPERTY NORTH OF PROPOSED LOT LINE
TO BE CONVEYED TO BLACK DOGS, LLC

PROPOSED END OF
MARION ELSIE RD
RIGHT OF WAY

MARION ELSIE RD.
APPROXIMATELY 400 LF
OF MARION ELSIE RD
RIGHT OF WAY TO BE
ABANDONED

PROPERTY SOUTH OF PROPOSED LOT LINE
TO BE CONVEYED TO RENAISSANCE CHURCH - GATE CITY, LLC

THE WESTERMOST APPROXIMATELY 400' OF THE 50' WIDE MARION ELSIE RD RIGHT OF WAY
SHALL BE PERMANENTLY CLOSED AND ABANDONED AS A PUBLIC STREET AND BECOME
THE PROPERTY OF BLACK DOGS, LLC, AND RENAISSANCE CHURCH - GATE CITY, LLC.



W. GATE CITY BLVD, SR #4121
(140' PUBLIC R/W, MAINT THROUGHOUT)
CLASS MAIN

MARION ELSIE RD - STREET CLOSURE EXHIBIT

SEPTEMBER 5, 2023

J. HYATT HAMMOND
ARCHITECTS

301 SOUTH ELM STREET, SUITE 1011
GREENSBORO, NC 27401
TEL: 336-370-8400

TIMMONS GROUP
YOUR FUTURE AGRI-FARM THROUGH FINANCE

© 2023 J. Hyatt Hammond Architects, Inc. All rights reserved. This drawing is the property of J. Hyatt Hammond Architects, Inc. and is not to be reproduced without written permission.

LEGAL DESCRIPTION – MARION ELSIE ROAD RUNNING 440' +/-
SOUTHEASTWARD FROM QUEEN ALICE ROAD

All that certain Right-of-Way, being generally 50 feet in width, located in Jamestown Township, Guilford County, North Carolina, running 440 feet in a southeasterly direction from the right-of-way of Queen Alice Road, being more particularly described as follows:

BEGINNING at a metal rebar found in the southerly right-of-way line of Queen Alice Road, said rebar being located the following three (3) courses and distances from NGS Monument "212E 200" (said monument having North Carolina Grid Coordinates NAD 83/2011 of North = 823,724.41 feet and East = 1,733,408.51 feet): 1) South 44 deg. 11' 27" East a distance of 203.97 feet to an NCDOT right-of-way monument found; 2) with the northerly right-of-way line of Queen Alice Road South 43 deg. 24' 55" East a distance of 121.74 feet to an NCDOT right-of-way monument found; and 3) along a curve to the left an arc length of 68.69 feet to a metal rebar found, being the point and place of BEGINNING, said curve having a chord bearing of South 53 deg. 17' 45" East, a chord distance of 68.50 feet, and a radius of 267.85 feet; running thence with the proposed new southerly right-of-way line of Queen Alice Road the following four (4) courses and distances: 1) with a curve to the left an arc length of 61.57 feet to a point, said curve having a chord bearing of South 67 deg. 13' 40" East, a chord distance of 61.43 feet, and a radius of 267.85 feet; 2) with a curve to the left an arc length of 52.80 feet to an NCDOT right-of-way monument, said curve having a chord bearing of South 79 deg. 27' 39" East, a chord distance of 52.72 feet, and a radius of 267.85 feet; 3) North 02 deg. 32' 04" East a distance of 9.86 feet to an NCDOT right-of-way monument; and 4) with a curve to the left an arc length of 81.12 feet to an iron pipe found in the northwesterly line of property owned, now or formerly, by Black Dogs, LLC (Deed Book 8320, Page 1512, Guilford County Register of Deeds), said curve having a chord bearing of North 79 deg. 05' 08" East, a chord distance of 80.46 feet, and a radius of 183.37 feet; running thence with the line of said Black Dogs, LLC property the following six (6) courses and distances: 1) South 60 deg. 00' 23" West a distance of 49.24 feet to a metal rebar found; 2) with a curve to the left an arc length of 32.86 feet to an iron pipe found, said curve having a chord bearing of South 05 deg. 51' 05" West, a chord distance of 26.63 feet, and a radius of 14.95 feet; 3) with a curve to the left an arc length of 152.22 feet to a metal rebar found, said curve having a chord bearing of South 61 deg. 46' 06" East, a chord distance of 152.06 feet, and a radius of 939.66 feet; 4) with a curve to the left an arc length of 97.87 feet to a metal rebar found, said curve having a chord bearing of South 69 deg. 23' 34" East, a chord distance of 97.82 feet, and a radius of 939.66 feet; 5) with a curve to the left an arc length of 21.90 feet to a metal rebar found, said curve having a chord bearing of South 73 deg. 02' 39" East, a chord distance of 21.90 feet, and a radius of 939.66 feet; and 6) with a curve to the right an arc length of 75.67 feet to an iron pipe found, said curve having a chord bearing of South 67 deg. 18' 32" East, a chord distance of 75.60 feet, and a radius of 493.80 feet; thence a new line South 25 deg. 09' 31" West a distance of 47.54 feet to a point in the northeasterly line of property owned, now or formerly, by Renaissance Church, Gate City –

Inc. (Deed Book 8720, Page 2050, Guilford County Register of Deeds); thence with the line of said Renaissance Church property the following three (3) courses and distances: 1) with a curve to the left an arc length of 69.74 feet to a metal rebar found, said curve having a chord bearing of North 69 deg. 18' 46" West, a chord distance of 69.67 feet, and a radius of 446.83 feet; 2) with a curve to the right an arc length of 206.39 feet to an iron pipe found, said curve having a chord bearing of North 67 deg. 03' 34" West, a chord distance of 205.91 feet, and a radius of 879.17 feet; and 3) with a curve to the right an arc length of 231.39 feet to the point and place of BEGINNING, said curve having a chord bearing of North 52 deg. 47' 40" West, a chord distance of 230.72 feet, and a radius of 879.17 feet;

containing 0.510 acres [22,237 Sq.Ft.], more or less, BEING a 440 foot +/- portion of the right-of-way of Marion Elsie Road, as shown in Plat Book 7, Page 154, Guilford County Register of Deeds, which lies southeast of the intersection of Marion Elsie Road and Queen Alice Road.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT
PLANNING BOARD**

**RESOLUTION OF INTENT
TO CLOSE A PUBLIC ROAD (S)**

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

ROAD CLOSING CASE #23-09-PLBD-00061:

Request adoption of Resolution of Intent and to schedule a public hearing for November 8, 2023, as presented herein, to close a portion of Marion Elsie Drive which fronts Guilford County Tax Parcels 232721, 156284, 156248, 156253, 156288, and 156287, in Jamestown Township, running southeast approximately 440 feet of the intersection of Queen Alice Road and Marion Elsie Drive.

NOW, THEREFORE, BE IT RESOLVED, that it is the intent of this Board to close said public road(s) to the public use, and that a public hearing on this request will be held on the 8th day of November, 2023, at 6:00 PM at the North Carolina Cooperative Extension-Agricultural Center, 3309 Burlington Road, Greensboro, NC 27405, at which time the Board will hear all interested citizens and make a final determination as to whether the public road(s) shall be closed and removed from dedication.



Portion of Road
to be Closed



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
23-09-PLBD-00061

Case Area:
Parcel - 156284
5810 Marion Elsie Dr.



(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Road Renaming Petition
Initiated by Government Action

Date Submitted: 8/24/2023

Case Number 23-09-PLBD-00062

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 Whiterock Road, Secondary Road #5343 in Monroe Township, running 0.21 miles west and 0.05 miles east from the Arvid Drive, Non-State Owned Road #NS-99778 and terminating at the western property line of Guilford County Tax Parcel #126957. This petition does not apply to the portion of road located inside Greensboro city limits or north of Guilford County Tax Parcel #126957.

Proposed Street Name:

Name	Suffix
Dunstan	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:

Melissa Jones

400 W Market St, Greensboro, NC 27401

336-641-2337

Contact Name

Address

Contact Phone #

(This page intentionally left blank.)



August 18, 2023

Kaye Graybeal
Deputy Director of Guilford County Planning and Development
PO Box 3427
Greensboro, NC 27402

Dear Ms. Graybeal:

The City of Greensboro has received for review and approval a plan for redevelopment of the property at 4513 McKnight Mill Road. In conjunction with this plan and to comply with City of Greensboro Land Development Ordinance and the adopted Greensboro Area Thoroughfare Plan and Collector Street Plan, the developer is responsible for the construction of a collector street through this development. This collector street intersects and runs concurrently with Whiterock Road but would eventually connect the dead end of Dunstan Road to form a continuous collector street that extends out to McKnight Mill Road.

We would request that the portion of Whiterock Road indicated on the attached map be renamed to Dunstan Road in conjunction with the construction of these newly developed streets in order to facilitate the orderly development of this area and set the stage for a continuous collector street connection. This section of roadway is outside the City of Greensboro boundary and to our knowledge, the Whiterock name has no significant historic significance to this area.

If you have further questions, please let me know.

Sincerely,

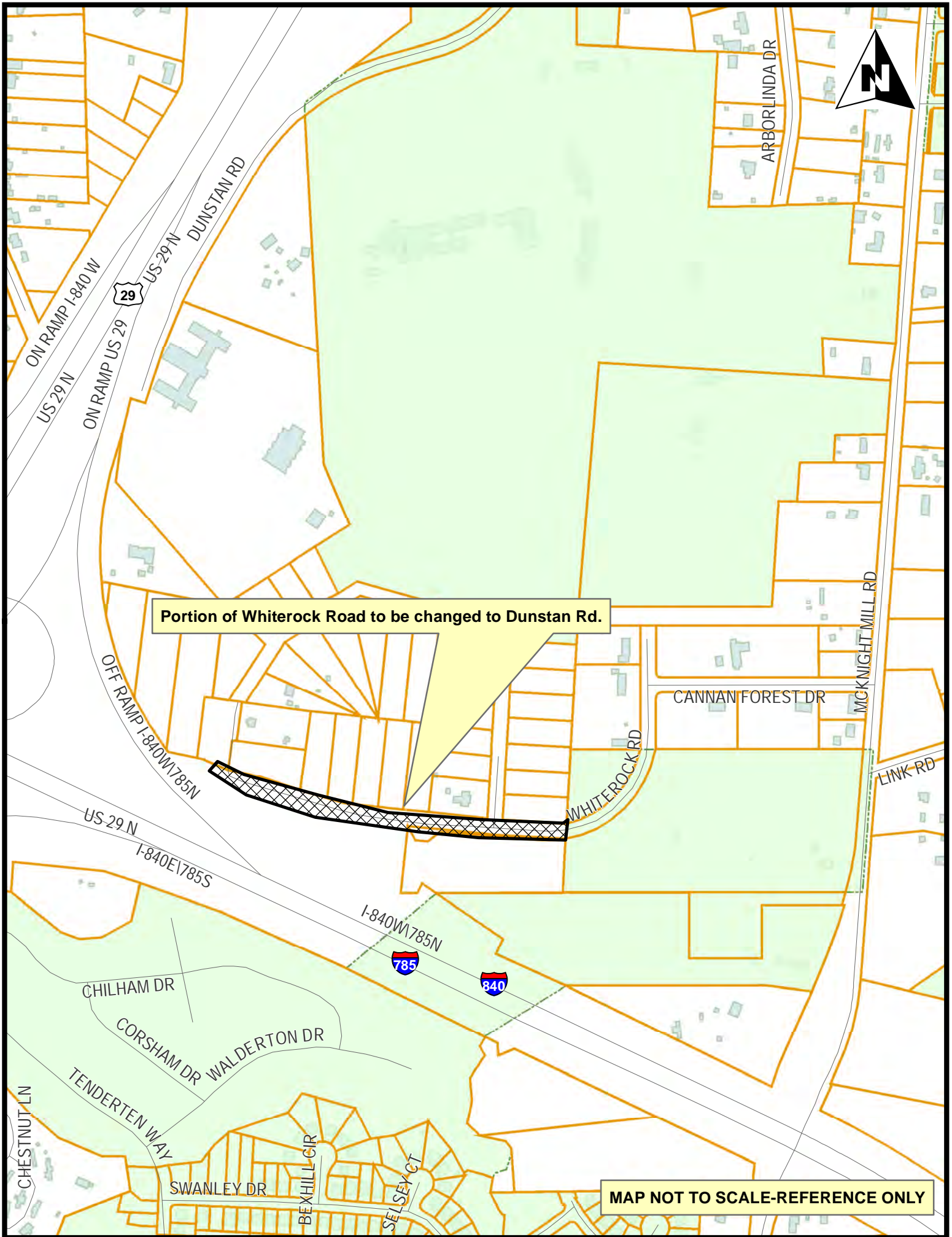
Mr. Chris R. Spencer, PE
Transportation Engineering Division Manager
City of Greensboro

CRS

cc: Sheila Curry



Portion of Whiterock Road to be changed to Dunstan Rd.



MAP NOT TO SCALE-REFERENCE ONLY



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

CASE # 23-09-PLBD-00062

WHEREAS, pursuant to NCGS 153A-239.1, notices were posted that a public hearing would be held before this Board on October 11, 2023, on a request that the official name of a portion of a certain road be established or changed.

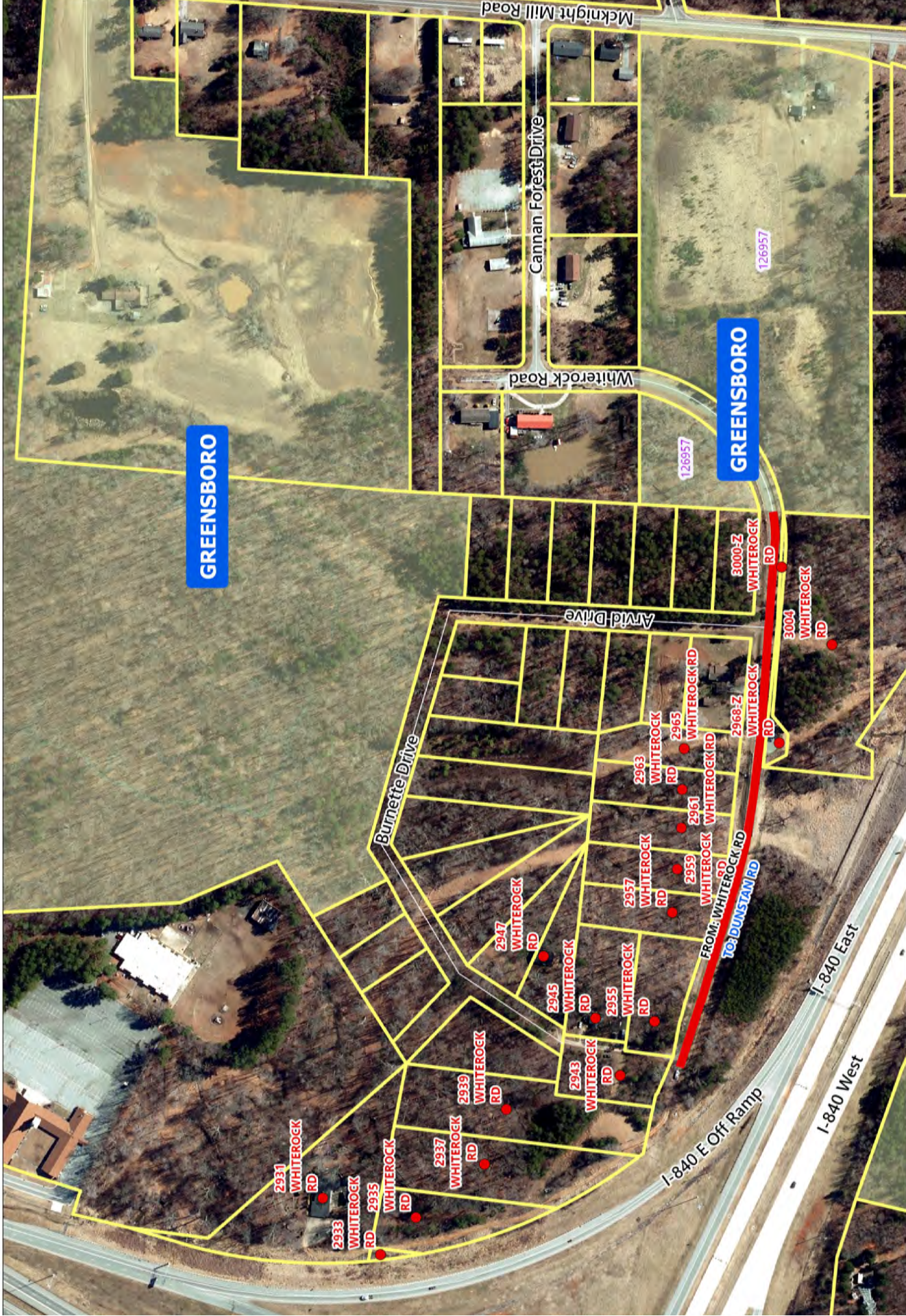
NOW, THEREFORE, BE IT RESOLVED, that the official name is hereby established for the following road(s) as indicated:

PREVIOUS NAME: Whiterock Road (Secondary Road #5343)

PROPOSED/
ESTABLISHED NAME: Dunstan Road

LOCATION: Presently known as Whiterock Road, located in Monroe Township and running 0.21 miles west and 0.05 miles east from Arvid Drive, Non-State-Owned Road #NS-99778 and terminating at the western property line of Guilford County Tax Parcel #126957.

STAFF COMMENT: This renaming is a request from the City of Greensboro in which a major subdivision under development will redirect Whiterock Road to conform with the City of Greensboro's adopted Throughfare and Collector Street Plan.



Guilford County GIS
August 2023

WHITEROCK ROAD RENAMING

● Active Address

■ Affected Section of Whiterock Road



1 inch equals 300 feet

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Rezoning
Application

Date Submitted: 6/26/23 Fee \$500.00 Receipt # 10001-2023 Case Number 23-08-PLBD-00060

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

Pursuant to Section 3.5.M of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to rezone the property described below from the ~~C2-A6-S10~~ OB 9/13/23 zoning district to the AG1 zoning district.

Said property is located at 1235 Wiley Lewis Rd Greensboro, NC 27400
in 09-FEWTRISS Township; Being a total of: 6.22 acres.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # <u>130940</u>	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____
Tax Parcel # _____	Tax Parcel # _____

Check One: (Required)

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

Check One: (Required)

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

Check One: (Requires)

- 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.

A NEIGHBORHOOD MEETING IS STRONGLY ENCOURAGED PRIOR TO SUBMITTAL AND YOU OR SOMEONE REPRESENTING YOU MUST BE PRESENT AT THE PUBLIC HEARING

Submitted by

Miguel Angel Sanabria Monta
Property Owner Signature

Representative/Applicant Signature (if applicable)

Miguel Angel Sanabria Monta
Name

Name

1237 Wiley Lewis Rd unit #A
Mailing Address

Mailing Address

Greensboro, NC 27406
City, State and Zip Code

City, State and Zip Code

336-3824877 Miguel.gw.landscaping@gmail.com
Phone Number Email Address

Phone Number Email Address

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



GUILFORD COUNTY

February 14, 1991

Bobby Williams
1324 Wiley Lewis Road
Greensboro, NC 27406

Konrad K. Fish
221 Commerce Place
Greensboro, NC 27402

RE: REZONING CASE #5-91

Gentlemen:

Following a public hearing on February 13, 1991 requesting conditional use rezoning of your property, the Guilford County Planning Board approved the request to rezone the following property from A-1 to CU-A-1:

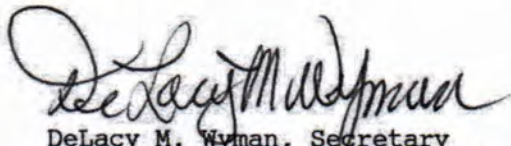
Located on the north side of Wiley Lewis Road (SR 3314) approximately 2,500 feet east of Liberty Road (SR 3549) in Fentress Township. Burlington Watershed. Being Guilford County Tax Map 3-152, Block 493S, Parcel 48.

USE(S): Limited to landscape and horticultural services and storage of equipment and vehicles in connection therewith.

CONDITION(S): Voluntary compliance with requirements for landscaping and horticultural services as set forth in the Guilford County Development Ordinance in the AG zone.

If this decision is not appealed within 15 days from the date of the public hearing, the decision will be final.

Very truly yours,


DeLacy M. Wyman, Secretary
Guilford County Planning Board

bh/l

cc: Norma Bodsford, Clerk to Board of County Commissioners



GUILFORD COUNTY

February 14, 1991

Bobby Williams
1324 Wiley Lewis Road
Greensboro, NC 27406

Konrad K. Fish
221 Commerce Place
Greensboro, NC 27402

RE: CASE #6-91SP

Gentlemen:

Following a public hearing on February 13, 1991 requesting a Special Use Permit to permit a landscape and horticultural service with equipment and vehicle storage on your property, the Guilford County Planning Board approved the request for a Special Use Permit on the following property:

Located on the north side of Wiley Lewis Road (SR 3314) approximately 2,500 feet east of Liberty Road (SR 3549) in Fentress Township. Burlington Watershed. Being Guilford County Tax Map 3-152, Block 493S, Parcel 48.

USE(S): Landscape and horticultural services and storage of equipment and vehicles in connection therewith.

The special use permit was approved effective March 1, 1991 with the following conditions:

- (1) Voluntary compliance with applicable provisions of the Guilford County Development Ordinance.
- (2) No lighting.
- (3) Hours of operation: 8:00 a.m. - 6:30 p.m., every day except Sundays.
- (4) All parking areas and drives must be constructed so as not to allow dust or dirt to settle on adjoining property.
- (5) A security gate conforming to the demolition debris landfill requirements must be installed at the entrance to the property on Wiley Lewis Road.
- (6) There will be no garbage brought to the site.
- (7) No below-ground storage of fuel. All above-ground fuel storage will comply with all applicable storage requirements and health regulations.
- (8) No pesticides, herbicides, or other related chemicals to be used or stored on the property.
- (9) All landscape screening to be completed and approved by March 1, 1992.

Site map

Geo design Map loc High point

(300) 454-3104

REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-AGRICULTURAL TO AG, AGRICULTURAL: 1235 WILEY LEWIS ROAD

Property Information

Located at 1235 Wiley Lewis Road (Guilford County Tax Parcel #130940 in Fentress Township) approximately 1,581 feet west of the Oliver Hills Road intersection and comprises approximately 6.22 acres.

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

Nature of the Request

Located at 1235 Wiley Lewis Road (Guilford County Tax Parcel #130940 in Fentress Township) approximately 1,581 feet west of the Oliver Hills Rd intersection and comprises approximately 6.22 acres.

This is a request to rezone CZ-AG (Ref. Case #5-91), Conditional Zoning-Agricultural to AG, Agricultural which would remove the following two conditions.

1. Uses limited to landscape and horticultural services and storage of equipment and vehicles in connection therewith (this condition while being requested to be removed also is included as one of the conditions for Special Use Permit Case #6-91 SP).
2. Voluntary compliance with requirements for landscaping and horticultural services as set forth in the Guilford County Development Ordinance in the AG zone (this condition while being requested to be removed also is included as one of the conditions for Special Use Permit Case #6-91 SP).

The Special Use Permit was approved for a landscape and horticultural service and storage of equipment and vehicles in connection therewith, with the following conditions:

1. Voluntary compliance with applicable provisions of the Guilford County Development Ordinance.
2. No lighting.
3. Hours of operation: 8:00 a.m. — 6:30 p.m., every day except Sundays.
4. All parking areas and drives must be constructed so as not to allow dust or dirt to settle on adjoining property.
5. A security gate conforming to the demolition debris landfill requirements must be installed at the entrance to the property on Wiley Lewis Road.
6. There will be no garbage brought to the site,
7. No below-ground storage of fuel. All above-ground fuel storage will comply with all applicable storage requirements and health regulations.

8. No pesticides, herbicides, or other related chemicals to be used or stored on the property.
9. All landscape screening to be completed and approved by March 1, 1992.

A list of conditions for SUP Case #6-91 SP is attached (see letter).

District Descriptions

The AG, Agricultural 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.

The CZ, Conditional Zoning District is established as a companion district for every district established in Section 4-2. 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 apply.

Character of the Area

The subject parcel is occupied by a landscape and horticultural service business permitted by a Special Use Permit. The adjacent parcels on the north side of Wiley Lewis Road are mostly low-density (more than 1 acre) single-family residential parcels. Across the street on Wiley Lewis Road is a quarry on property zoned HI, Heavy Industrial.

Existing Land Use(s) on the Property: Landscape and Horticultural Services (Ref. Case #6-91 SP)

Surrounding Uses:

- North: Low density single-family residential
- South: Martin Marietta Quarry, zoned HI
- East: Low density single-family residential/undeveloped
- West: Low density single-family residential

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

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

Infrastructure and Community Facilities

Public School Facilities: No significant impact

Emergency Response:

Fire Protection District: Alamance FPSD
Miles from Fire Station: Approximately 2.8 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells
Within Service Area: Yes (Greensboro)
Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: Wiley Lewis Road is classified as a Collector Street with an Average Annual Daily Traffic (AADT) of 1,800 vehicles near Liberty Road per the 2021 NCDOT traffic count.
Proposed Improvements: Subject to NCDOT Driveway Permit requirements
Projected Traffic Generation: Undetermined

Environmental Assessment

Topography: Gently sloping, moderately sloping, and steeply sloping.

Regulated Floodplain/Wetlands:

A regulated floodplain runs diagonally through southeastern portion of the property. There are mapped wetlands on the property.

Streams and Watershed:

The property is located in the Lake Mackintosh (WS-IV) Water Supply Watershed in the General Watershed Area. There are mapped streams on the property.

Land Use Analysis

Land Use Plan: Alamance Creek Area Plan (Updated 2016)

Plan Recommendation: Residential Single-family

Consistency:

The Alamance Creek Area Plan recognizes the AG zoning district as Generally Consistent with the Residential Single-family Land Use Classification. The anticipated land uses are those permitted in the Agricultural, (AG), RS-40 Residential Single-Family, and RS-30 Residential Single-Family, RS-20 Residential Single-Family, RS-12 Residential Single-Family, and RS-9 Residential Single-Family zoning districts. The current land use of the subject parcel is allowed in the AG district with a special use permit.

Recommendation

Staff Recommendation: Staff recommends approval.

The request to rezone the subject parcel from a conditional AG zoning to a conventional AG zoning is reasonable and in the public interest because it is consistent with the Residential Single-family land use classification recommendation of the Alamance Creek Area Plan. Under Special Use Permit (SUP), Reference Case #6-91 SP, the conditions listed for the conditional zoning are included among those listed for the approved SUP. The conditions of the Special Use Permit will continue to apply to the current use. The proposed AG zoning matches the current zoning on those parcels abutting the subject parcel.

The request is consistent with Goal #1, Objective 1.1, Policy 1.1.1 of the Future Land Use Element of Guilford County's Comprehensive Plan which states, "planning staff will continue to utilize the future land uses depicted on citizen-based Area Plans, in conjunction with the rezoning guidance matrix, as the basis for land use and policy recommendations."

Additionally, the request is supported by Goal #1 of the Housing Element of the Guilford County Comprehensive Plan, which states "Provide current and future residents of Guilford County with a variety of housing options and opportunities," by removing the Use Condition that prohibits otherwise permitted residential uses on the site.

Area Plan Amendment Recommendation:

The proposed rezoning is consistent with the Alamance Creek Area Plan recommendation of Residential Single-family; therefore, if the request is approved, no plan amendment would be required.



GUILFORD COUNTY

February 14, 1991

Bobby Williams
1324 Wiley Lewis Road
Greensboro, NC 27406

Konrad K. Fish
221 Commerce Place
Greensboro, NC 27402

RE: CASE #6-91SP

Gentlemen:

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GUILFORD COUNTY

February 14, 1991

Bobby Williams
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RE: REZONING CASE #5-91

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Very truly yours,

DeLacy M. Wyman, Secretary
Guilford County Planning Board

bh/1

cc: Norma Bodsford, Clerk to Board of County Commissioners



Planning & Development
Department

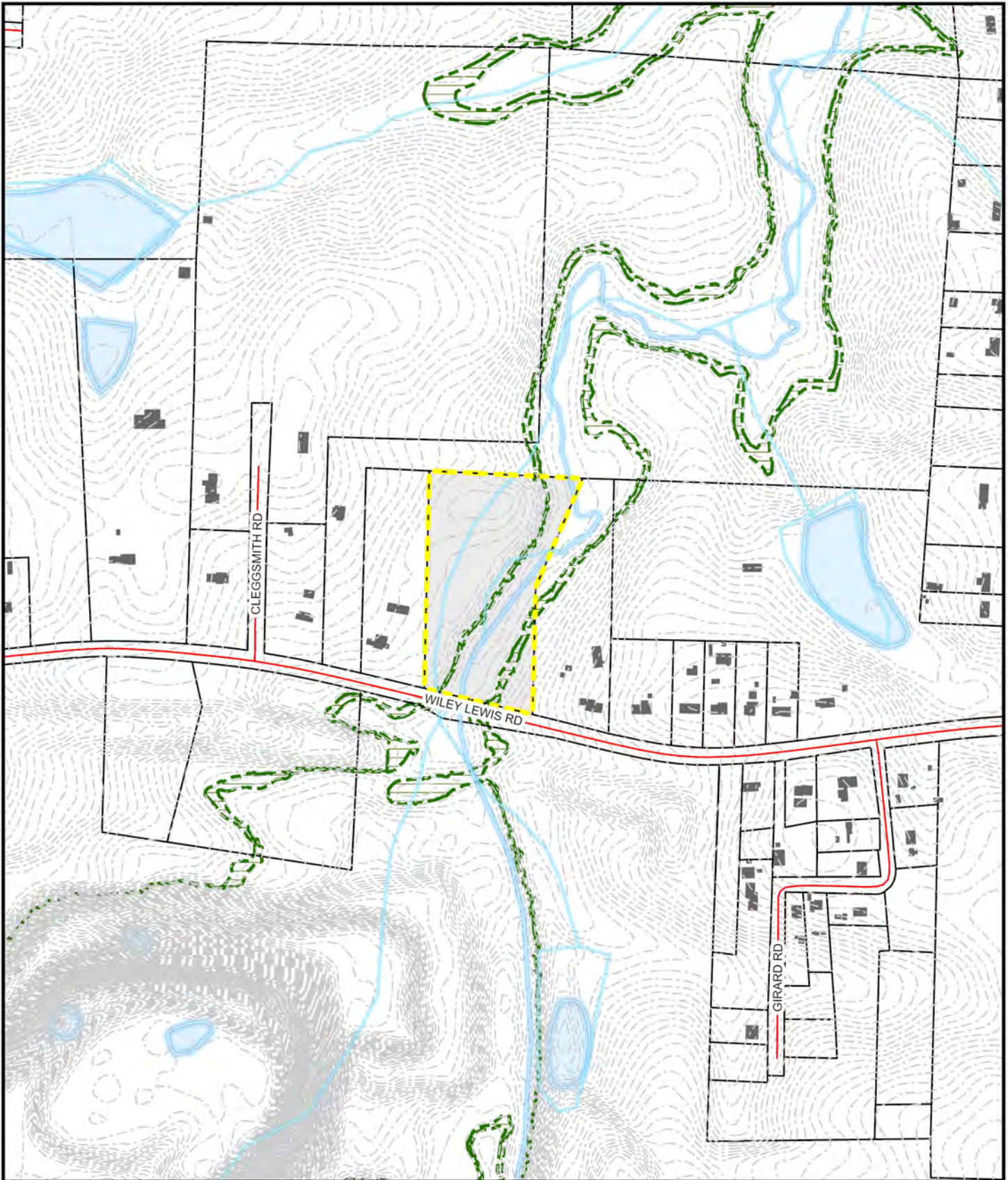
Jurisdiction:
GUILFORD COUNTY

Case Number:
23-08-PLBD-00060

Case Area:
Parcel - 130940
1235 Wiley Lewis Rd



Scale: 1" = 400'



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

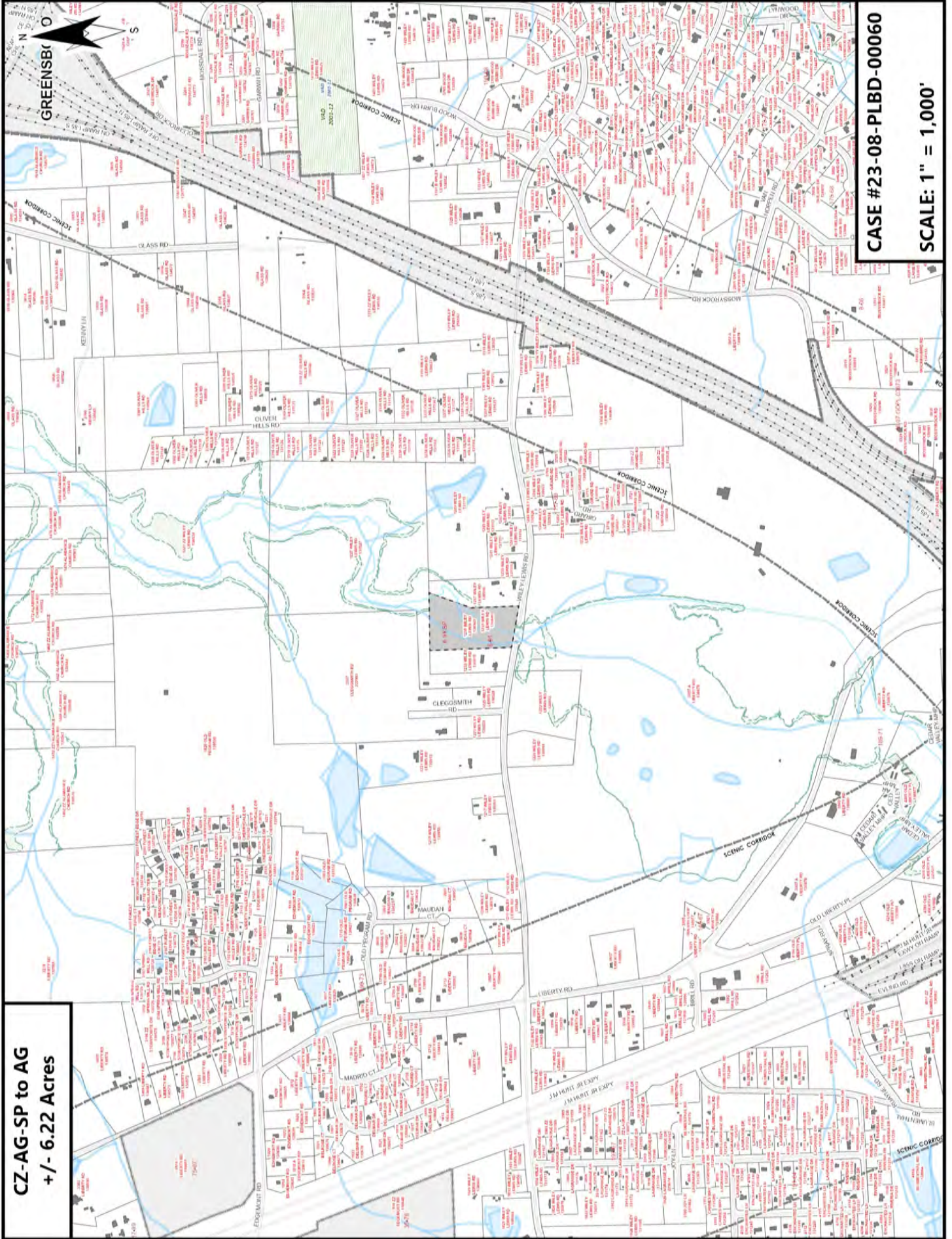
Case Number:
23-08-PLBD-00060

Case Area:
Parcel - 130940
1235 Wiley Lewis Rd



Scale: 1" = 400'

**CZ-AG-SP to AG
+/- 6.22 Acres**



CASE #23-08-PLBD-00060

SCALE: 1" = 1,000'

REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-
AGRICULTURAL TO AG, AGRICULTURAL: 1235 WILEY LEWIS ROAD

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

DECISION MATRIX

Zoning	Plan Consistency	Decision
Approve	Consistent	#1
Deny	Inconsistent	#2
Approve	Inconsistent	#3
Deny	Consistent	#4

(This page intentionally left blank.)

**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 #130940 from **CZ-AG** 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.]

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.]

REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-AGRICULTURAL TO AG, AGRICULTURAL: 1235 WILEY LEWIS ROAD

**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 #130940 from **CZ-AG** to **AG**:

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

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

REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-
AGRICULTURAL TO AG, AGRICULTURAL: 1235 WILEY LEWIS ROAD

**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 #130940 from **CZ-AG to AG**:

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

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

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

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

(Insert Color Paper)



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board
Special Use Permit
Application

Date Submitted: _____ Fee \$526.00 Receipt # 4496-2023 Case Number 23-02-PLBD-00038
(includes \$26 recording fee)

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

Pursuant to Section 3.5.Q of the Unified Development Ordinance (UDO), the undersigned hereby requests Guilford County to authorize a Special Use Permit for the property described as being located 5233 McLeansville Road in Jefferson Township; Being a total of: 122 acres. The property is in the AG Zoning District. The proposed use(s) is (are) major land clearing and inert debris landfill.

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 1 1 9 6 9 2 Tax Parcel # _____
Tax Parcel # _____ Tax Parcel # _____
Tax Parcel # _____ Tax Parcel # _____

Additional sheets for tax parcels are available upon request.

Check One:

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

Check One:

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

Check One:

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

Special Use Permit Requirements:

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



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
Special Use Permit
Application

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

- 1. A written application was submitted and is complete in all respects.

- 2. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted. This conclusion is based the following:
See Exhibit B.

- 3. The use, a major land clearing and inert debris landfill, for which the Special Use Permit is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications. This is based on the following:
See Exhibit B.

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

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



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

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) A copy of the construction and operating permit from NCDEQ and a copy of the recorded notice with deed book and page number will be provided.
- 2) A watering method will be used to keep haul road dust from leaving the property.
- 3) Hours of operation for the major LCID: Monday-Friday 7:30 a.m.-5:00 p.m., closed Saturday and Sunday during summer and spring and Monday-Friday 8:00 a.m.-4:30 p.m., closed Saturday and Sunday during the winter and fall.
- 4) _____
- 5) _____
- 6) _____
- 7) _____
- 8) _____

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

A Special Use Permit Application must be signed by the 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,

R. Rankin Fryar, Jr.

R. Rankin Fryar Jr. (Sep 15, 2023 15:27 EDT)

Property Owner Signature

Carrob Properties, LLC

Name

5230 McLeansville Road

Mailing Address

McLeansville, NC 27301

City, State and Zip Code

(336) 382-7462

Phone Number

rankinfryar@hotmail.com

Email Address

R. Rankin Fryar, Jr.

R. Rankin Fryar Jr. (Sep 15, 2023 15:27 EDT)

Owner/ Representative/ Applicant Signature (if applicable)

R. Rankin Fryar, Jr., Manager

Name

5230 McLeansville Road

Mailing Address

McLeansville, NC 27301

City, State and Zip Code

(336) 382-7462

Phone Number

rankinfryar@hotmail.com

Email Address

Additional sheets for conditions and signatures are available upon request.



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Planning Board
Special Use Permit
Application**

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- 4) _____
- 5) _____
- 6) _____
- 7) _____
- 8) _____

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A Special Use Permit Application must be signed by the current property owner(s).

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Respectfully Submitted,

Property Owner Signature

Name

Mailing Address

City, State and Zip Code

Phone Number

Email Address



Owner/ Representative/ Applicant Signature (if applicable)

Jennifer N. Fountain
Name

Isaacson Sheridan, 804 Green Valley Rd., Suite 200
Mailing Address

Greensboro, NC 27408
City, State and Zip Code

(336) 609-5136 jennifer@isaacsonsheridan.com
Phone Number Email Address

Additional sheets for conditions and signatures are available upon request.

PROJECT SUMMARY

THIS COVER SHEET IS INTENDED FOR INFORMATION PURPOSES ONLY. IT SUMMARIZES AND OMITTS SOME REQUIREMENTS FOR SITE PLAN APPROVAL. IT IS NOT TO BE CONSTRUED DRUGS AS MEANS OR NOT COMPLYING WITH COMPLETE ALL APPLICABLE SECTIONS.

TYPE OF PLAN: SITE PLAN
 GROUP DEVELOPMENT PLAN
 CLEARING/GRADING
 PLATON LAND HIGH-CREED ASSOCIATES, INC., N.C.

CONTACT NAME: _____
 ADDRESS: 1506 H. HENDOVER AVE.
 GREENSBORO, NC 27408
 PHONE #: (336) 278-4826
 E-MAIL ADDRESS: HIGH-CREED@ASSOCIATES.COM

DEVELOPER'S NAME: FRYAR ENTERPRISES, INC.
 ADDRESS: PO BOX 320
 MCLEANSVILLE, NC 27301

PHONE #: 336-592-7462
 CONTRACTOR'S NAME: N/A
 ADDRESS: N/A

PHONE #: N/A
 PROPERTY OWNER'S NAME: CARLOS PROPERTIES, LLC
 ADDRESS: 5250 MCLEANSVILLE RD
 MCLEANSVILLE, NC 27301

PHONE #: 336-592-7462
 DESIGNER/ENGINEER: HIGH CREED ASSOCIATES, INC., P.A.
 ADDRESS: 1506 H. HENDOVER AVE.
 GREENSBORO, NC 27408

PHONE #: (336) 278-4826
 E-MAIL ADDRESS: HIGH-CREED@ASSOCIATES.COM

TOTAL ACREAGE OF TRACT: 12.85 ACRES
 TAX PARCEL (S) # (18 DIGITS): 116642

PLAT/DEED BOOK REFERENCE: DB 35565, PG 570
 ZONING: AGRICULTURAL (A5)

EXISTING LAND USE: LAND CLEARING & INSERT DEBRIS LANDFILL
 PROPOSED LAND USE: LAND CLEARING & INSERT DEBRIS LANDFILL

EXISTING BUILDING SQUARE FOOTAGE: 0
 PROPOSED BUILDING SQUARE FOOTAGE: 0

TOTAL BUILDING SQUARE FOOTAGE: 0
 MULTIFAMILY DEVELOPMENT
 NUMBER OF UNITS: N/A

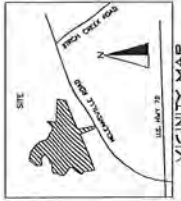
SPECIAL USE PERMIT #29-98-SP AMENDMENT:

FRYAR LCID LANDFILL

MCLEANSVILLE TOWNSHIP
 5233 MCLEANSVILLE RD
 MCLEANSVILLE, NC 27301

GUILFORD COUNTY, NORTH CAROLINA

CASE #29-98-SP



ENVIRONMENTAL SERVICES PUBLIC WATER & SEWER

- WATER & SEWER SYSTEM
- WATER & SEWER FEASIBILITY STUDY REQUIRED.
- COMMISSIONERS' APPROVAL REQUIRED.
- WATER & SEWER FEES REQUIRED.
- OUTSIDE CITY-UTILITY AGREEMENT & ANNEXATION PERMITS REQUIRED.

CONTACT ENVIRONMENTAL SERVICES
 @ 336-641-3646

STORM WATER MANAGEMENT/ WATERSHED PROTECTION

- SOUTH BUFFALO CREEK (NON-WATER SUPPLY) WATER-SUPPLY WATERSHED AREA:
- N/A
- OWAWAGA TIER #
- 2.41 AC.
- AMOUNT OF EXISTING BUILT-UPON AREA
- 0.00 AC.
- AMOUNT OF PROPOSED BUA
- 2.41 AC.
- AMOUNT OF TOTAL BUA
- 1.00%
- PERCENTAGE OF BUILT-UPON AREA
- 24% MAX FOR LOW-DENSITY DEVELOPMENT
- MAXIMUM AMOUNT OF BUA ALLOWED PER STORM WATER CONTROL DESIGN

CONSTRUCTION OF THE WATER QUALITY DEVICES MUST BE COMPLETE AND THE CONSTRUCTION MUST BE APPROVED BY THE WATERSHED PROTECTION ENGINEER PRIOR TO RECEIVING A FINAL CERTIFICATE OF OCCUPANCY.

CONTACT WATERSHED DEPARTMENT
 @ 336-641-3753

EROSION CONTROL

10.0 AC. MAXIMUM AT ONE TIME
 TOTAL DISTURBED AREA

- A GRADING PERMIT IS REQUIRED IF TOTAL DISTURBED AREA IS 1 ACRE OR MORE.
- IF PROPOSED DEVELOPMENT INVOLVES STREAM AND/OR WETLAND DISTURBANCE, THE DEVELOPER NEEDS TO CONTACT THE NC DIVISION OF WATER QUALITY AND THE US ARMY CORPS OF ENGINEERS FOR APPROVAL PRIOR TO DISTURBANCE.
- ALL SOIL EROSION & SEDIMENTATION CONTROL AND SITE PLAN COMPLIANCE REQUIREMENTS ARE TO BE MET PRIOR TO RECEIVING A FINAL CERTIFICATE OF OCCUPANCY.

CONTACT EROSION CONTROL
 @ 336-641-3803

BUILDING

YEAR, EDITION OF CODE:

- 2018 EDITION NC STATE BUILDING CODES
- 2019 EDITION NC STATE BUILDING CODES
- NEW CONSTRUCTION
- RENOVATION (EXISTING BLDG)
- CLIFFKIT
- CALIBRATION

LOT OR PARKING AREA	REQUIRED	PROVIDED	# OF ACCESSIBLE SPACES PROVIDED	# OF ACCESSIBLE SPACES REQUIRED	TOTAL # ACCESSIBLE PROVIDED
TOTAL					

OCCUPANCY GROUP:

- GROUP A-ASSEMBLY
- GROUP B-BUSINESS
- GROUP F-FACTORY
- GROUP I-MERCANTILE
- GROUP M-STORE
- GROUP E-EDUCATIONAL
- GROUP H-HAZARDOUS
- GROUP I-HOSPITAL
- GROUP R-MULTIFAMILY RESIDENTIAL
- GROUP U-UTILITY AND MISCELLANEOUS

HANDICAPPED ACCESSIBILITY:
 48" HIGHSIDES WITH 1:12 SLOPE
 ALL REDUCED CURBS FROM VAN ACCESSIBLE PARKING SPACE

BUILDING SEPARATION:
 3'-0" DISTANCE BETWEEN BUILDINGS

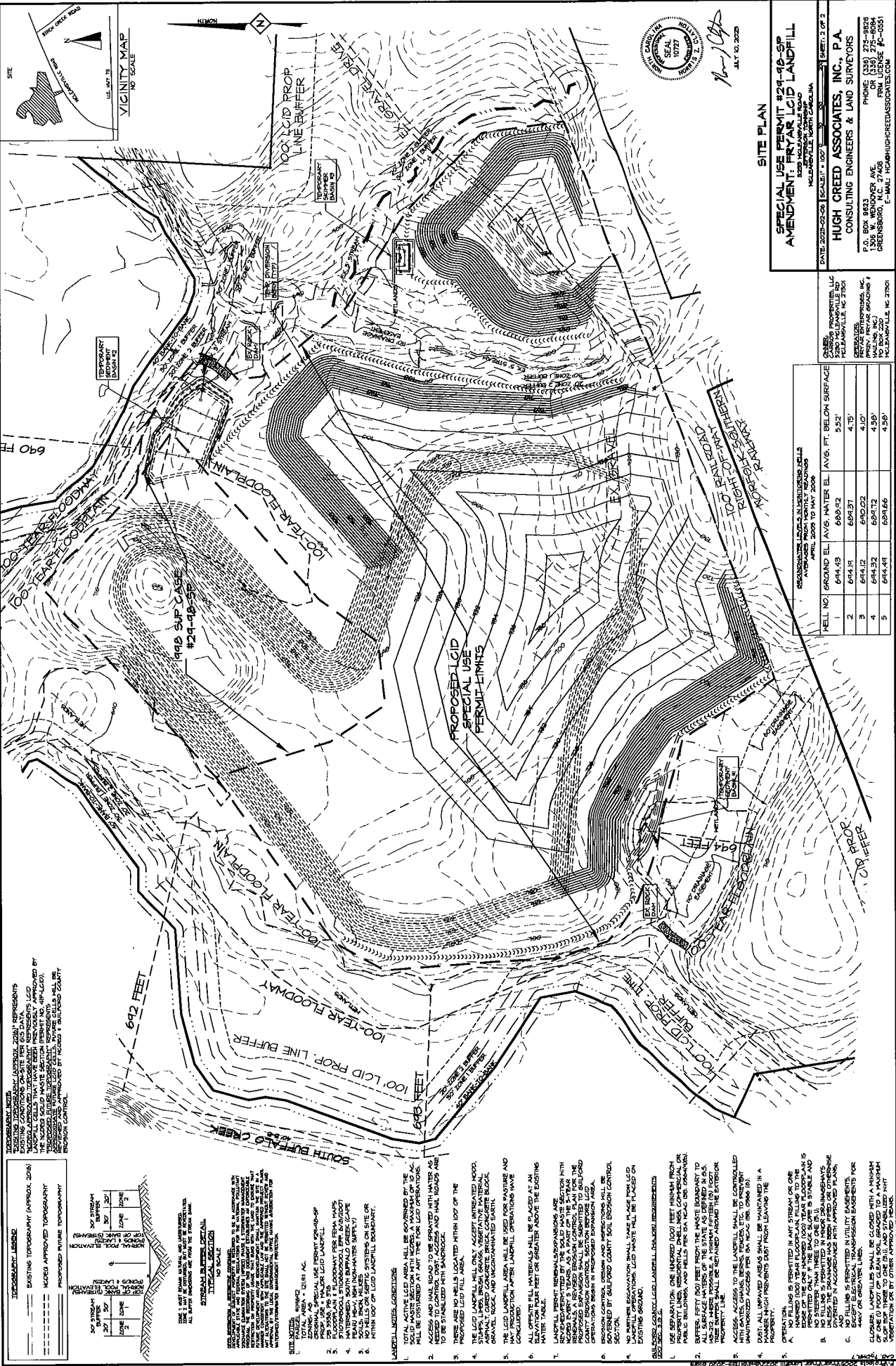
DEPARTMENT OF TRANSPORTATION

- DRIVEWAY PERMIT REQUIRED

CONTACT NC DOT @ 336-334-3161
 1ST 2ND 3RD 4TH 5TH 6TH 7TH 8TH

SHEET INDEX
 SHEET NO. 1 OF 2
 COVER SHEET OVERALL SITE PLAN





TOPOGRAPHY LEGEND
 --- EXISTING TOPOGRAPHY (APPROX. 2016)
 - - - - - HIGHER APPROVED TOPOGRAPHY
 - - - - - PROPOSED FUTURE TOPOGRAPHY

SOIL STRIPES
 30' STRIPE
 20' STRIPE
 10' STRIPE
 5' STRIPE

100' YEAR FLOODWAY
 --- FLOODWAY LINE BUFFER

100' YEAR FLOODWAY LINE BUFFER
 --- FLOODWAY LINE BUFFER

600 FEET
 --- 600 FEET

690 FEET
 --- 690 FEET

SOUTH BRUNNEN CREEK
 --- SOUTH BRUNNEN CREEK

LEGEND
 --- 100' YEAR FLOODWAY
 --- 100' YEAR FLOODWAY LINE BUFFER
 --- 600 FEET
 --- 690 FEET
 --- SOUTH BRUNNEN CREEK

PROPOSED LCID SPECIAL USE PERMIT LIMITS

100' YEAR FLOODWAY
 --- 100' YEAR FLOODWAY

100' YEAR FLOODWAY LINE BUFFER
 --- 100' YEAR FLOODWAY LINE BUFFER

600 FEET
 --- 600 FEET

690 FEET
 --- 690 FEET

SOUTH BRUNNEN CREEK
 --- SOUTH BRUNNEN CREEK

LANDFILL WATER QUALITY

1. LANDFILL WATER QUALITY SHALL BE MAINTAINED AT OR ABOVE THE LEVELS SET FORTH IN THE FOLLOWING TABLE.

WELL NO.	GROUND EL.	AVERAGE EL.	AVG. FT. BELOW SURFACE
1	674.43	669.92	5.51'
2	674.15	669.31	4.15'
3	674.12	669.02	4.10'
4	674.32	669.12	4.59'
5	674.24	669.66	4.58'

PROPOSED LCID SPECIAL USE PERMIT LIMITS

1. USE SEPARATION ONE HUNDRED (100) FEET MINIMUM FROM PUBLIC BUILDINGS, RESIDENTIAL DEVELOPMENTS, COMMERCIAL OR PUBLIC BUILDINGS, AND PUBLIC USE AREAS (SCHOOLS, CHURCHES, PARKS, AND RECREATION AREAS).

2. ALL SURFACE WATERS OF THE STATE AS DEFINED IN 16A-0302 shall be protected by a minimum of 100 feet separation from the landfill.

3. ALL SURFACE WATERS OF THE STATE AS DEFINED IN 16A-0302 shall be protected by a minimum of 100 feet separation from the landfill.

4. ACCESS TO THE LANDFILL SHALL BE CONTROLLED BY A SECURITY SYSTEM WHICH SHALL BE MAINTAINED IN A MANNER WHICH PREVENTS UNAUTHORIZED ACCESS TO THE LANDFILL.

5. NO FILLING IS PERMITTED IN ANY STREAM OR CREEK OR IN ANY OTHER WATERWAY OR IN ANY OTHER BODY OF WATER.

6. NO FILLING IS PERMITTED IN ANY STREAM OR CREEK OR IN ANY OTHER WATERWAY OR IN ANY OTHER BODY OF WATER.

7. NO FILLING IS PERMITTED IN ANY STREAM OR CREEK OR IN ANY OTHER WATERWAY OR IN ANY OTHER BODY OF WATER.

SITE PLAN

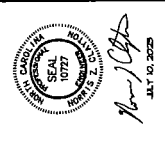
SPECIAL USE PERMIT #29-19-SP
AMENDMENT: FRYAR LCID LANDFILL

DATE: 02-28-2018 SCALE: 1" = 100'-0"
 HULLANDVILLE NORTH CAROLINA

HUGH CREED ASSOCIATES, INC., P.A.
 CONSULTING ENGINEERS & LAND SURVEYORS

PHONE: (813) 275-8866
 1308 W. WEAVER AVE.
 GREENSBORO, N.C. 27408
 E-MAIL: HUGHCREED@HUGHCREED.COM

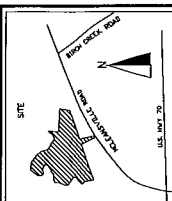
DATE: 02-28-2018 SCALE: 1" = 100'-0"
 SHEET: 2 OF 2



CONSULTING ENGINEERS & LAND SURVEYORS
 HULLANDVILLE NORTH CAROLINA
 APRIL 2009 TO MAY 2009

WELL NO.	GROUND EL.	AVERAGE EL.	AVG. FT. BELOW SURFACE
1	674.43	669.92	5.51'
2	674.15	669.31	4.15'
3	674.12	669.02	4.10'
4	674.32	669.12	4.59'
5	674.24	669.66	4.58'

OWNER: HUGH CREED ASSOCIATES, INC.
 1308 W. WEAVER AVE.
 GREENSBORO, N.C. 27408
 PHONE: (813) 275-8866
 E-MAIL: HUGHCREED@HUGHCREED.COM



CONVEYANCE NOTES: THIS PLAN IS A CONVEYANCE INSTRUMENT AND IS SUBJECT TO ALL RIGHTS, EASEMENTS, AND INTERESTS OF RECORD IN THE LAND AND TO ALL APPLICABLE LAWS, ORDINANCES, AND REGULATIONS. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF RECORD. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF RECORD. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES OF RECORD.

LEGEND: EXISTING TOPOGRAPHY (APPROX. 2016) MAPPED APPROVED TOPOGRAPHY PROPOSED FUTURE TOPOGRAPHY

GENERAL NOTES: 1. TOTAL ACTIVE LID AREA WILL BE GOVERNED BY THE LID CONTROL PLAN. 2. ACCESS AND MAINTENANCE SHALL BE MAINTAINED AT ALL TIMES. 3. THERE ARE NO WELLS LOCATED WITHIN 100' OF THE PROPOSED LID FILL AREA. 4. THE LID LANDFILL SHALL ONLY ACCEPT UNTREATED WOOD, ASPHALT, CEMENT, BRICK, CONCRETE, BLOCK, GRANITE, ROCK, AND UNCONTAMINATED EARTH. 5. THE LID LANDFILL SHALL BE USED FOR WASTE AND CONSTRUCTION DEBRIS ONLY. 6. ALL WASTE SHALL BE PLACED AT AN ANGLE OF NOT LESS THAN 45 DEGREES TO THE HORIZONTAL. 7. THE LID LANDFILL SHALL BE COVERED WITH A MINIMUM OF 18 INCHES OF TOPSOIL.

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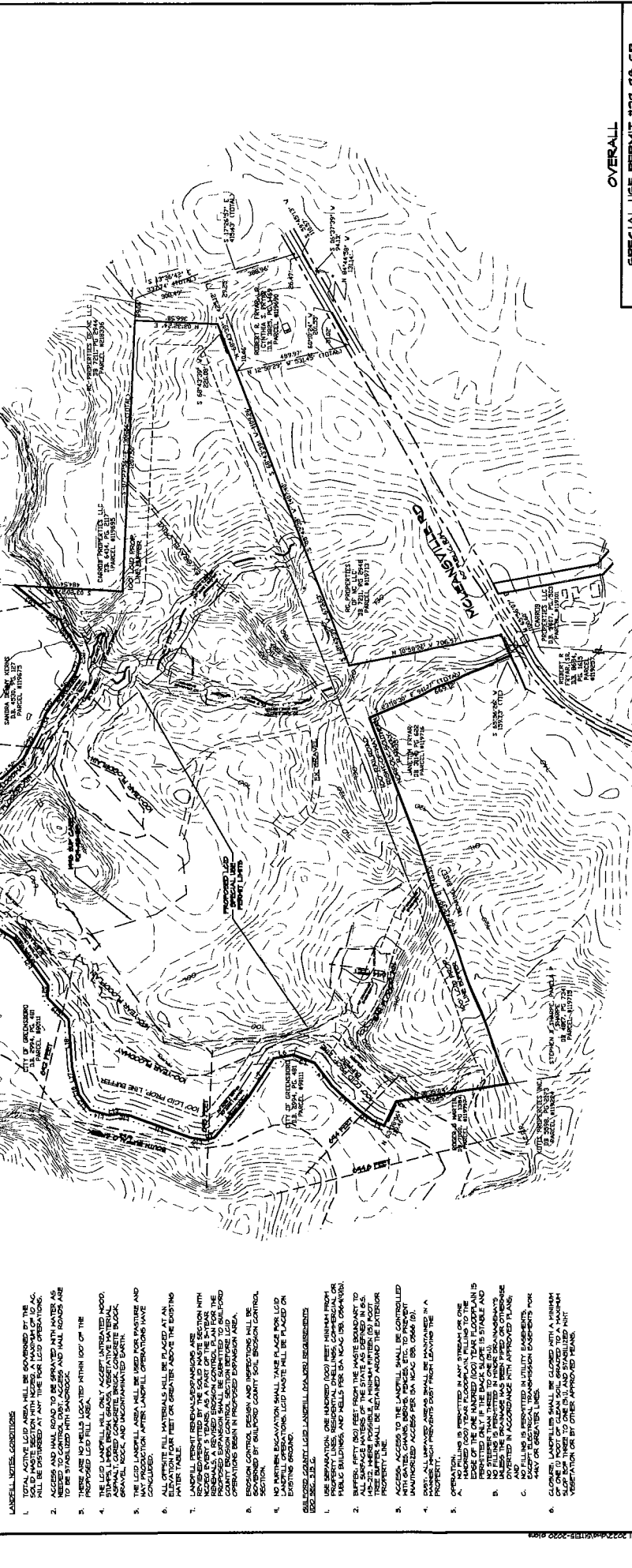
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LEGEND: EXISTING TOPOGRAPHY (APPROX. 2016) MAPPED APPROVED TOPOGRAPHY PROPOSED FUTURE TOPOGRAPHY

OVERALL
SPECIAL USE PERMIT #29-10-SP
AMENDMENT: FRYAR LID LANDFILL
 HIGHLANDVILLE, NORTH CAROLINA
HUGH CREED ASSOCIATES, INC., P.A.
 CONSULTING ENGINEERS & LAND SURVEYORS
 P.O. BOX 3823
 1506 W. WINDOVER AVE.
 GREENSBORO, N.C. 27408
 PHONE (336) 776-8898
 FAX (336) 776-8926
 E-MAIL: HCA@HUGHCREEDASSOCIATES.COM

DATE: 2025-07-10 SCALE: 1"=200' SHEET: 1 OF 2
 DRAFTER: HUGH CREED ASSOCIATES, INC. (HCA)
 5250 HIGHLANDVILLE RD
 HIGHLANDVILLE, NC 27601
 CHECKED BY: HUGH CREED ASSOCIATES, INC. (HCA)
 1506 W. WINDOVER AVE.
 GREENSBORO, NC 27408
 PHONE (336) 776-8898
 FAX (336) 776-8926
 E-MAIL: HCA@HUGHCREEDASSOCIATES.COM

SEAL
 HUGH CREED ASSOCIATES, INC.
 P.A.
 PROFESSIONAL ENGINEER
 STATE OF NORTH CAROLINA
 EXPIRES 12/31/2025
 2025-07-10

[Signature]
 JULY 10, 2025

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Exhibit B
Carrob Properties, LLC
Special Use Permit Application

Carrob Properties, LLC (“Carrob”), presents the following evidence that its application will meet the Guilford County standards for issuance of a Special Use Permit (SUP), with additional evidence to be presented at the hearing before the Planning Board. Please note that Carrob has operated a major “LCID”, as defined below, on the Property for approximately twenty five (25) years and this request is to modify the site plan for the existing operation.

1. A written application was submitted and is complete in all respects.

The Applicant submits that all required materials have been submitted.

2. The use will not materially endanger public health and safety if located where proposed and developed according to the plan proposed.

A. Public Health

This facility will only receive the materials it would be licensed to receive under NCAC 15A Chapter 13B for land clearing and inert debris materials. Commonly referred to as a “LCID,” this debris comes from yard waste and inert debris or organic materials (trees, leaves, stumps, dirt) which are the same organic materials that exist in our yards and the forests that we hunt and hike in.

The “inert debris” consists of materials that do not decompose or react when they come into contact with water or other materials. The N.C. statutory definition is: “Inert debris” means solid waste which consists solely of material that is virtually inert and that is likely to retain its physical and chemical structure under expected conditions of disposal.” N.C. Gen. Stat. § 130A-290(a)(14). By State law, these materials may only include the following, which are materials all of us are exposed to in our homes, churches, businesses, and schools: asphalt, cured concrete, brick, concrete block, gravel, and rock.

The State of North Carolina has already determined that both regular LCID and major LCID facilities, if properly constructed and operated according to issued permits, are not materially dangerous to public health. In fact, there are dozens of active LCID facilities in the State of North Carolina that have been permitted and operate safely. The legal presumption is that the state will properly perform its job and require the applicant to demonstrate that it meets all state requirements.

Guilford County has already determined in previous hearings that this major LCID facility will not materially endanger public health and safety, and no changes have occurred in the ownership or operation of this facility to enable the county find differently. At the hearing on SUP, Carrob will provide a list of the extensive rules established by the State of North Carolina to ensure that LCID facilities are not a danger to public health and safety. These rules were adopted with input from the staff and the NC Department of Environmental Quality and vetted through public

comment. Among the staff at NCDEQ involved in solid waste regulations are health care professionals, environmental engineers, groundwater specialists, and engineers specializing in the construction of solid waste facilities.

B. Public Safety

All landfill facilities of every kind, including major LCID facilities, are required to meet stringent state regulations related to operations and maintenance. The regulations vary, depending upon the type of facility. There is nothing about the operation of a major LCID facility that poses a material danger to the public. In fact, the public is not invited into this facility.

There will not be sufficient additional traffic generated by this added land to trigger a traffic impact study.

3. The use meets all required conditions and specifications.

The applicant affirms it has met all setback and other requirements established by ordinance. Should a deficiency be noted, the Applicant will immediately amend the site plan. The Applicant also notes that this provision is controlled by staff at the hearing stage and as well as at the permitting stage. If all requirements now existing are not met, no permit will be issued.

If NCDEQ requires minor changes to the site plan presented to the Guilford County Planning Board, those changes must be approved by the Guilford County Planning Department to ensure that they comply with Guilford County regulations. If they do not, then no building permits will be issued.

4. 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 in general conformity with the plan of development of the jurisdiction and its environs.

Guilford County's zoning ordinance allows major LCID facilities in AG zoning in the Table of Permitted Uses. By making this designation, Guilford County made a legislative determination that such facilities are harmonious and compatible with other uses within the district.

"Harmony" is not to be confused with similarity of appearance or function. For example, a residential home, a high school, and a police station are in no ways similar, yet they all exist by right in the same zoning districts in most counties in this state. Harmony addresses whether the proposed use prevents another use from performing its purpose. For example, a loud airport would be inharmonious next to a nursing home.

Regarding the general character of this area, the following uses are established in this area: the Carrob facility itself, which has been long been located at this site; a City of Greensboro waste water treatment plant, a sand and gravel operation, a mobile repair shop, and a heating and air contractor and other agricultural uses.

The Guilford County Land Use Plan Map shows this site to be best used for industrial purposes.

5. The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity.

Carrob will obtain, prior to the hearing, an opinion by a local licensed N.C. appraiser using methods that comply with the requirements of the Uniform Standards of Professional Appraisal Practice, including a paired sales analysis to compare the sales of properties adjacent to landfills with sales of comparable properties farther from the same landfill but within the same market and time frame. We expect the study to conclude from objective sales data that the market does not show diminution in value of adjoining properties caused by a major LCID facility.

In the absence of any material changes since the last time the county issued Carrob an SUP for this facility, the previous decisions operates as *res judicata* (binding precedent) on this board. (See, for example, *Mr. Ulla Historical Society v. Rowan County*).



ISAACSON
SHERIDAN

JENNIFER N. FOUNTAIN, ESQ.
336.609.5136 (direct)
jennifer@isaacsonsheridan.com

September 15, 2023

Via Electronic Mail (obass@guilfordcountync.gov),
With Original to Follow via Hand Delivery

Guilford County Planning & Development
c/o Oliver Bass, Senior Planner
Independence Center
400 W. Market Street
Greensboro, NC 27401

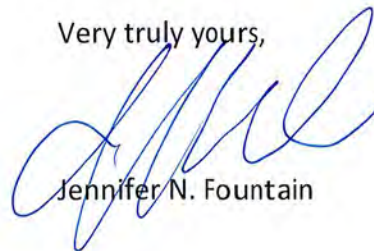
Re: Guilford County Planning Board Special Use Permit Application for the property located at 5233 McLeansville Road, McLeansville, NC 27301, Guilford County Tax Parcel No. 119692

Dear Mr. Bass:

Enclosed please find the revised Special Use Permit submitted on behalf of Carrob Properties, LLC and R. Rankin Fryar, Jr., current owners of the property located at 5233 McLeansville Road, McLeansville, Guilford County, North Carolina. Please note that the enclosed Special Use Permit submitted, dated July 10, 2023 is the version being submitted with this application as it was the version sufficient for the Planning Board.

Please advise if you need anything further for your review prior to the October Planning meeting.

Very truly yours,



Jennifer N. Fountain

Enclosures

September 15, 2023

Page | 2

cc: Carrob Properties, LLC (via electronic mail)
Hugh Creed Associates, Inc., PA (via electronic mail)

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

Limited Liability Company

Legal Name

Carrob Properties, LLC

Information

SosId: 0585020

Status: Current-Active ⓘ

Date Formed: 3/20/2001

Citizenship: Domestic

Annual Report Due Date: April 15th

Current**Annual Report Status:**

Registered Agent: Fryar, R Rankin, Jr

Addresses

Principal Office

5230 McLeansville Rd
Mc Leansville, NC 27301

Reg Office

5230 McLeansville Rd
Mc Leansville, NC 27301

Mailing

PO Box 220
Mc Leansville, NC 27301

Reg Mailing

PO Box 220
Mc Leansville, NC 27301

Company Officials

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

Member

Cynthia S Fryar
5267 McLeansville Rd
Mc Leansville NC 27301

Member

Robert Boston Fryar
5267 McLeansville Rd.
McLeansville NC 27301

Manager

R Rankin Fryar , Jr
5267 McLeansville Rd
Mc Leansville NC 27301

Member

Caroline F. Hollandsworth
5210 McLeansville Rd.
McLeansville NC 27301

**SPECIAL USE PERMIT CASE #23-02-PLBD-00038: Major Land Clearing Inert Debris (LCID)
Landfill: 5233 McLeansville Road**

Property Information

Located at 5233 McLeansville Road (Guilford County Tax Parcel #119692 in Jefferson Township), approximately 3,200 feet northeast of the intersection of Burlington Road and comprises approximately 121.91 acres. Subject parcel is zoned AG, Agricultural.

Zoning History of Denied Cases: Conditional Zoning Case #39-02 (AG to CU-HI) was denied on appeal to the Board of Commissioners on April 3, 2003. The proposed uses were limited to a Major Construction and Demolition (C&D) Landfill. The current Major LCID was permitted with a Special Use Permit under the AG zoning district.

Nature of the Request

This is a request to approve a Special Use Permit (SUP) for a Major LCID with the proposed development conditions listed below. The proposed SUP site plan amends the current SUP site plan to expand the limits of the LCID Active Area. A maximum of 10 acres will be disturbed at any time for LCID operations. Proposed SUP conditions for this request include the following:

1. A copy of the construction and operating permit from NCDEQ and a copy of the recorded notice with deed book and page number will be provided.
2. A watering method will be used to keep haul road dust from leaving property.
3. Hours of operation for the Major LCID: Monday-Friday 7:30 a.m. - 5:00 p.m., closed Saturday and Sunday during summer and spring and Monday – Friday 8:00 a.m. – 4:30 p.m., closed Saturday and Sunday during the winter and fall.

This request includes a new SUP site plan which if approved, would replace the existing SUP Case #29-98-SP site plan, approved on May 13, 1998 including replacing the following conditions (an asterisk "*" after a listed condition under SUP Case #29-98-SP indicates a revision or omission under this request):

1. A copy of the construction and operating permit from NCDENR and a copy of the recorded notice with deed book and page number will be provided.
2. A watering method will be used to keep haul road dust from leaving the property.
3. Technical Review Committee (TRC) site plan approval or conditional approval will be obtained. *
4. Hours of operation: Monday - Friday 7:30 a.m. to 5:30 p.m.; Saturday 7:30 a.m. to 12:00 p.m.*

Character of the Area

The site is operating under Special Use Permit Case #29-98-SP for a Major LCID. Nearby uses include a Wastewater Treatment Plant operated by the City of Greensboro and a demolition landfill.

Existing Land Use(s) on the Property: A Major LCID is currently operating on the site. While mining activities have ceased, the site is under an expired State Mining Permit from the NC Department of Environmental Quality that must be closed.

Surrounding Uses:

North: Agricultural tracts of land

South: Agricultural, Single-family dwelling, railroad right-of-way

East: Demolition Landfill (SUP Case #61-90)

West: Wastewater Treatment Plant in the City Limits of Greensboro

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

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

Emergency Response:

Fire Protection District: McLeansville FPSD

Miles from Fire Station: Approximately 0.9 miles

Water and Sewer Services:

Provider: Private Septic Systems and Wells

Within Service Area: Yes (City of Greensboro)

Feasibility Study or Service Commitment: No

Transportation:

Existing Conditions: The site is accessed off McLeansville Road. McLeansville Road is classified as a Major Thoroughfare and has an Average Annual Daily Traffic (AADT) of 4,000 vehicles per the 2021 NCDOT traffic count.

Proposed Improvements: Subject to NCDOT Commercial Driveway Permit

Projected Traffic Generation: Undetermined

Environmental Assessment

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

Regulated Floodplain/Wetlands: There is regulated floodplain along the northern border of the lot. There are mapped wetlands on the property.

Streams and Watershed: The property is not located in a Water Supply Watershed Area. There are mapped streams on the on the property that may be subject to buffer rules.

Land Use Analysis

Land Use Plan: Northeast Area Plan

Plan Recommendation: Light Industrial

Consistency: The requested action is consistent with the recommendation of the Northeast Area Plan. The Light Industrial (LI) land use classification is designated to recognize land currently zoned or recommended to be zoned Light Industrial that is or could be developed under the LI standards of the Guilford County Unified Development Ordinance (UDO). However, the UDO recognizes that Major LCIDs are appropriate in the AG district with individual consideration of their location, design, configuration, and/or operation in the community.

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

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

1. Circulation: Number and location of access points to the property and the proposed structures and uses, with particular reference to automotive, pedestrian safety, traffic flow and control, and access in case of emergency: **Per the submitted SUP site plan and proposed conditions in this application, access will be from McLeansville Road. An NCDOT commercial driveway permit will be required during the official commercial site plan review process.**
2. Parking and Loading: Location of off-street parking and loading areas: **Parking for a Major Construction and Demolition Debris Landfill is subject to TABLE 6-1-1: PARKING REQUIREMENTS of the Guilford County UDO, which requires a minimum of 1 space per 2500 sf gross floor area (GFA) for waste-related industrial uses. Upon receiving a site plan application for a use subject to this Subsection, the Planning & Development Director is authorized to apply the off-street parking standard applicable to the use or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association.**
3. Service Entrances and Areas: Locations of refuse and service areas with adequate access for services vehicles: **Locations of service areas will be reviewed to allow for adequate access for all service vehicles when the official site plan is submitted for review by the**

TRC per Section 6.1 in the Guilford County UDO.

4. Lighting: Location of lighting with reference to spillage & glare, motorist & pedestrian traffic safety, and compatibility with other property in the area: **A lighting plan for any proposed lighting will be reviewed when the official site plan is submitted for review by the TRC per Section 6.3 of the Guilford County UDO.**
5. Utilities: Location and availability of utilities (public or private): **Soil suitability for septic will be evaluated by Guilford County Environmental Health upon site plan review by the TRC. Utility easements will be reviewed by the TRC.**
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable): **Landscaping requirements will be reviewed by the TRC for compliance with Section 6.2 of the Guilford County UDO.**
7. Environmental Protection: Provisions to protect floodplains, stream buffers, wetlands, watersheds, open space and other natural features: **Environmental regulations will be reviewed by Guilford County's Watershed/Stormwater Section for compliance with all environmental regulations per Article 9 of the Guilford County UDO.**
8. Landscaping, Buffering & Screening: Installation of landscaping, fencing or berming for the purpose of buffering and screening where necessary to provide visual screening where appropriate: **A minimum average 30-foot Type B landscape buffer is required where a proposed nonresidential use abuts a property with a single- or two-family dwelling, and a minimum average 20-foot Type C landscape buffer is required when a nonresidential use abuts an AG or RS zoning district pursuant to the Guilford County UDO. A 100-foot LCID buffer is shown on the submitted SUP site plan.**
9. Effect on Nearby Properties: Effects of the proposed use on nearby properties, including, but not limited to, the effects of noise, odor, lighting, and traffic: **A lighting plan, if required, will be reviewed by the TRC per Section 6.3 of the Guilford County UDO.**
10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties: **Major Land Clearing & Debris Landfill is compatible with surrounding uses that include a wastewater treatment plant to the west and Demolition Landfill to the east of subject parcel. Nonresidential uses are required to have expanded landscape buffers when adjacent to residentially-zoned properties or single-family or two-family dwellings.**

Staff Comments

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

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

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

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



SUBMITTAL SUMMARY REPORT (23-02-PLBD-00038) FOR GUILFORD COUNTY

PERMIT ADDRESS: 5233 MCLEANSVILLE RD **PARCEL:** 119692
 MC LEANSVILLE, NC 27301

APPLICATION DATE: 02/16/2023 **SQUARE FEET:** 0 **DESCRIPTION:** Fryar LCID Landfill: SPECIAL USE PERMIT, 5233
EXPIRATION DATE: **VALUATION:** \$0.00 MCLEANSVILLE ROAD, MCLEANSVILLE NC, TAX
 PARCEL 119692

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	Robert Fryar	Carrob Properties	
Attorney	JENNIFER FOUNTAIN	ISAACSON SHERIDAN	804 GREEN VALLEY RD 200 GREENSBORO, NC 27408
Engineer	NORRIS CLAYTON	HUGH CREED ASSOCIATES, INC, PA	1306 WEST WENDOVER AVENUE GREENSBORO, NC 27408
Owner	Robert Fryar	Carrob Properties	

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Sketch Plan Review v.1	02/17/2023	03/10/2023	07/11/2023	Revise & Re-Submit
Sketch Plan Review v.2	07/11/2023	07/25/2023		In Review
Planning Board Review v.1				Not Received

SUBMITTAL DETAILS

Sketch Plan Review v.1

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Building (Building/Inspections)	Jim Lankford	03/06/2023	05/01/2023	Review Completed
EH Submittal App (Environmental Health) <i>Comments</i> approved - JPS	Jason Shelton	03/06/2023	05/02/2023	Review Completed
Environmental Services Review (Solid Waste) <i>Comments</i> No Comments	Clyde Harding	03/06/2023	03/02/2023	Review Completed
Fire Review (Fire Marshal) <i>Comments</i> No Comments	Michael Townsend	03/06/2023	03/10/2023	Review Completed
Planning (Planning/Zoning) <i>Comments</i> <ol style="list-style-type: none"> 1. Major LCIDs are subject to development standards under Section 5.15.C of the UDO. 2. Update SUP application and associated site plan to specify the uses as a Major LCID. 3. Application should specify conditions proposed to be retained or removed from current SUP #29-98-SP and added to the amended SUP. 4. A detailed major site plan consistent with the approved SUP and associated sketch plan must be submitted for TRC review and approval. Adjustments may be allowed based on site-specific conditions but within the specified limits of the SUP. Site plan will be forthcoming. 5. Advisory: TRC review of sketch site plan results do not a recommendation for or against the SUP. 	Oliver Bass	03/06/2023	07/10/2023	Revise and Resubmit - No TRC
Soil Erosion Review (Soil Erosion) <i>Comments</i> Will contact engineer on minor details.	Earl Davis	03/06/2023	07/10/2023	Review Completed
Watershed Review (Watershed) <i>Comments</i>	Brent Gatlin	03/06/2023	03/06/2023	Revise and Resubmit - No TRC

SUBMITTAL SUMMARY REPORT (23-02-PLBD-00038)

3/6/23 Watershed Section review of SUP for 3/7/23 TRC Meeting (Revise & Resubmit):

Provide response to each Watershed Comment with plan resubmission. Indicate Sheet #, Note #, or Page # for revisions addressing each comment as appropriate.

General Comments:

1. Cover Sheet – Stormwater Management / Watershed Protection info:
 - a. Revise Line 3 for Existing BUA to account for the gravel drives.
 - b. Revise Line 4 to account for any proposed gravel drives or other impervious areas.
 - c. Revise Lines 5 & 6 to include BUA info.
 - d. Revise Line 7 to indicate “24% Max BUA for Low-density Development”.
 - e. Sign/seal Cover Sheet.
2. Add reference to “1998 SUP Case #29-98-SP” on the plan call-outs for “Original LCID Special Use Permit Limits” on Sheets 2 & 3.
3. Revise Site Note 3 (Sheets 2 & 3) to include reference to both FIRM Maps where site is located: 3710789500J and 3710880500J effective 6/18/2007.
4. Add below notes to SUP plan:
 - a. “This property is located within the Jordan Lake Watershed where associated riparian buffer rules apply.”
 - b. “Jurisdictional streams, wetlands, and other waters of the U.S. are subject to USACE and NCDEQ regulations. Required approvals and permits must be obtained from USACE and NCDEQ prior to impacts to jurisdictional streams, wetlands and other waters of the U.S. The owner and contractor are responsible for ensuring all appropriate permits have been obtained prior to construction.”
 - c. “Buffer Authorization application must be approved by Guilford County (or NCDEQ for projects requiring their review of buffers) prior to land disturbance within a riparian buffer, unless the land disturbance is explicitly stated as an “Exempt” use in the Guilford County UDO and NCAC rules that apply.”
 - d. “No development or land disturbance is allowed within the 100-year Floodplain (SFHA) unless approved by Guilford County via a Floodplain Development Permit. No deviations from the approved plan for proposed work in the 100-year Floodplain (SFHA) shall be made, unless otherwise requested by the applicant and approved in writing by Guilford County prior to work being performed.”
5. The Topographic Line Legend text on Sheets 2 & 3 do not match. Clarify/revise.
 - a. “NCDEQ Approved Topography”: Provide reference note on the SUP plan to the specific Permit #(s), issuance date(s), and Division of NCDEQ that issued each referenced approval/permit.
 - b. What does “Approved Topography (Thru 2016 cell)” on Sheet 2 refer to? How does this vary from the “NCDEQ Approved Topography” on Sheet 3? Appears these maybe the same thing. Clarify, reference, and label on plans consistently.

Stream & Buffer Comments:

6. LCID fill must remain outside of Riparian Buffers.
7. Add 50' Riparian Buffer Detail to SUP.
8. Add 50' Riparian Buffer and Zones 1 & 2 to Sheet 2 and label on all sheets.
9. Label the buffer and zones on the “Ex Creek” running north-south on Sheet 3.
10. Extend the “Ex Creek” and buffer running south-north to the existing stream & buffer running west-east near the property line. There should not be a gap between the streams and buffers as currently shown on plan. See mark-up of Sheet 3 for approximate location.
11. There are 3 mapped/buffered ponds and associated streams shown on USGS and Guilford County Soil Survey Maps that are missing from the SUP plans (see plan mark-up for approximate locations). It appears the 3 ponds were breached at various times in the past based on aerial imagery, and these features might have reduced extents compared to the record maps which will need to be verified prior to reducing or removing the associated buffers.
 - a. Options below to verify reduced stream/buffer extents compared to record maps:
 - i. Provide a signed Stream Report from a qualified professional (SWITC certified) indicating the extents of perennial and intermittent streams on-site for County review. Report should include Stream ID forms / scorecards, narrative, a map clearly indicating the determined stream extents, and photos of the features.
 - ii. Or request the County conduct the Stream ID. In this case the applicant must complete and submit the official Request for Stream Determination to Teresa Andrews, Stormwater Program Administrator, 336-641-5565 to schedule a site meeting.
 - iii. Otherwise, show the full mapped extents of the ponds and streams with associated 50' riparian buffers on the SUP. This option would likely result in conflict of regulated areas and current proposed work.
12. Drainage Easements area required along drainage path accepting drainage from ROW / off-site areas where no stream buffer provided. The western-most breached pond will need a drainage easement to accept the off-site runoff from the south.
13. Add mapped wetlands near NE corner of site (see mark-up for approximate location). Other jurisdictional wetlands may exist on site.
14. [Advisory]: Wetlands are under the jurisdiction of USACE. The applicant should contact USACE for determination of wetlands & jurisdictional features, and to obtain appropriate permits from USACE as needed for proposed work. Typically, a wetland determination is needed at least one year after a pond is breached to determine the remaining jurisdictional features.
 - b. Please provide copy of USACE determinations and approvals for County record file.

Floodplain Comments:

15. Add SUP Condition to plan and application:
 - a. A Floodplain Development Permit is required for proposed development & land disturbance within the 100-year Floodplain (SFHA) prior to Site Plan approval and issuance of a Grading Permit.
16. [Advisory Comment]: No fill is allowed in the 100-year Floodplain (SFHA) per County UDO Section 9.3.P.1.p. This provision was added to the ordinance via amendment passed by BOCC on 11/3/2017.
 - a. LCID fill on the 1998 SUP Case #29-98-SP drawing titled Site Plan dated 4/27/1998 that is inside the area defined as “Area to

SUBMITTAL SUMMARY REPORT (23-02-PLBD-00038)

be Permitted for LCID Fill” and outside of the floodplain that was effective in 1998 can remain in the 6/18/2007 effective 100-year Floodplain (SFHA). The 1998 SUP LCID fill area will be considered a legacy LCID fill area (e.g. grandfathered).

b. No fill can be installed in the current effective 100-year Floodplain (SFHA) in areas outside of the defined 1998 LCID SUP fill limits.

c. The 1998 SUP LCID limits must be shown on all floodplain related permit plans/applications moving forward.

d. All intended areas of proposed LCID fill must be shown on the SUP amendment/expansion. Preliminary Flood maps are now available and the new floodplain limits will restrict fill in the future unless these areas are clearly shown as LCID fill on the SUP amendment/expansion plan and approved before the Prelim Maps become effective (date unknown).

17. [Advisory Comment]: The Floodplain Development Permit (FDP) application must clearly indicate on the plans and narrative the existing fill and features (e.g. rock check dams) that were previously approved/permitted prior to the flood maps being revised and the regulated floodplain expanding into those areas. Provide historical approval documentation with application as record. FDP application & associated plans will also need to include any proposed work or land disturbance in the 100-year Floodplain including temporary features such as Temporary Sediment Basins.

b. Temporary fill for Temporary Sediment Basins 1&2 will be allowed in the floodplain (not floodway) with the condition that TSB 1&2 and accumulated sediment will be completely removed with existing grades in floodplain restored to original condition upon completion of the LCID operations and prior to closing of FDP and Grading Permits. The TSB and associated temporary berm will not be considered fill per UDO Section 9.3.P.1.p with this condition.

c. An existing conditions topographic survey of the floodplain areas and proposed TSB areas will be required prior to issuance of FDP. Final as-built topographic survey will be required for verification of restoration of existing grades to original conditions and floodplain area grades in compliance with approved plan.

d. A signed/sealed certification statement from the owner and owner’s PE or PLS representative indicating all temporary fill has been removed and existing grades restored will be required upon completion of work as a condition of the FDP.

18. [Advisory Comment]: Preliminary flood maps (prelim FIRM) and data are now available on FRIS for Guilford County. The regulated 100-year Floodplain (SFHA), Floodway, and Non-encroachment Areas will be revised in future once the preliminary maps become effective (date unknown). It is recommended the owner and their development team review the Preliminary FIRM and data to help ensure new construction does not conflict with the floodplain and to help avoid potential impact to operations. <https://fris.nc.gov/fris/Home.aspx?ST=NC>

Sketch Plan Review v.2

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Planning (Planning/Zoning)	Oliver Bass	07/25/2023	08/01/2023	Review Completed
<i>Comments</i>	Ok to present for SUP case			
Watershed Review (Watershed)	Brent Gatlin	08/01/2023		In Review



GUILFORD COUNTY
PLANNING AND DEVELOPMENT DEPARTMENT

May 14, 1998

Robert R. Fryar, Sr.
5230 McLeansville Road
McLeansville, NC 27301

G. Wesley Webb, III
Alley, Williams, Carmen, & King
P. O. Box 1248
Kannapolis, NC 28082

RE: **CASE #29-98-SP**

Gentlemen:

Following a public hearing on May 13, 1998 requesting a Special Use Permit for a Major Land Clearing And Inert Debris Landfill (LCID), the Guilford County Planning Board approved the request for the Special Use Permit, with the conditions listed below, on the following property:

Located on the west side of McLeansville Road approximately 1500 feet north of the intersection of Mt. Hope Church Road (SR 3015) and McLeansville Road (SR 2819) in Jefferson Township. Being Guilford County Tax Map 9-595, Block 371, Parcel 5 and Block 334, Parcel 9, approximately 112 acres. Zoned AG.

USES(S): A Major Land Clearing And Inert Debris Landfill (LCID)

CONDITION(S):

1. A copy of the construction and operating permit from NCDENR and a copy of the recorded notice with deed book and page number will be provided.
2. A watering method will be used to keep haul road dust from leaving the property.
3. Technical Review Committee (TRC) site plan approval or conditional approval will be obtained.
4. Hours of operation: Monday - Friday 7:30 am to 5:30 pm; Saturday 7:30 am to 12:00 noon

This decision is final unless it is appealed in writing to the Clerk to the Board of County Commissioners within fifteen (15) days of the May 13, 1998 Planning Board public hearing. If appealed, you will be notified by the Clerk to the Board of County Commissioners of the place, date, and time of the public hearing.

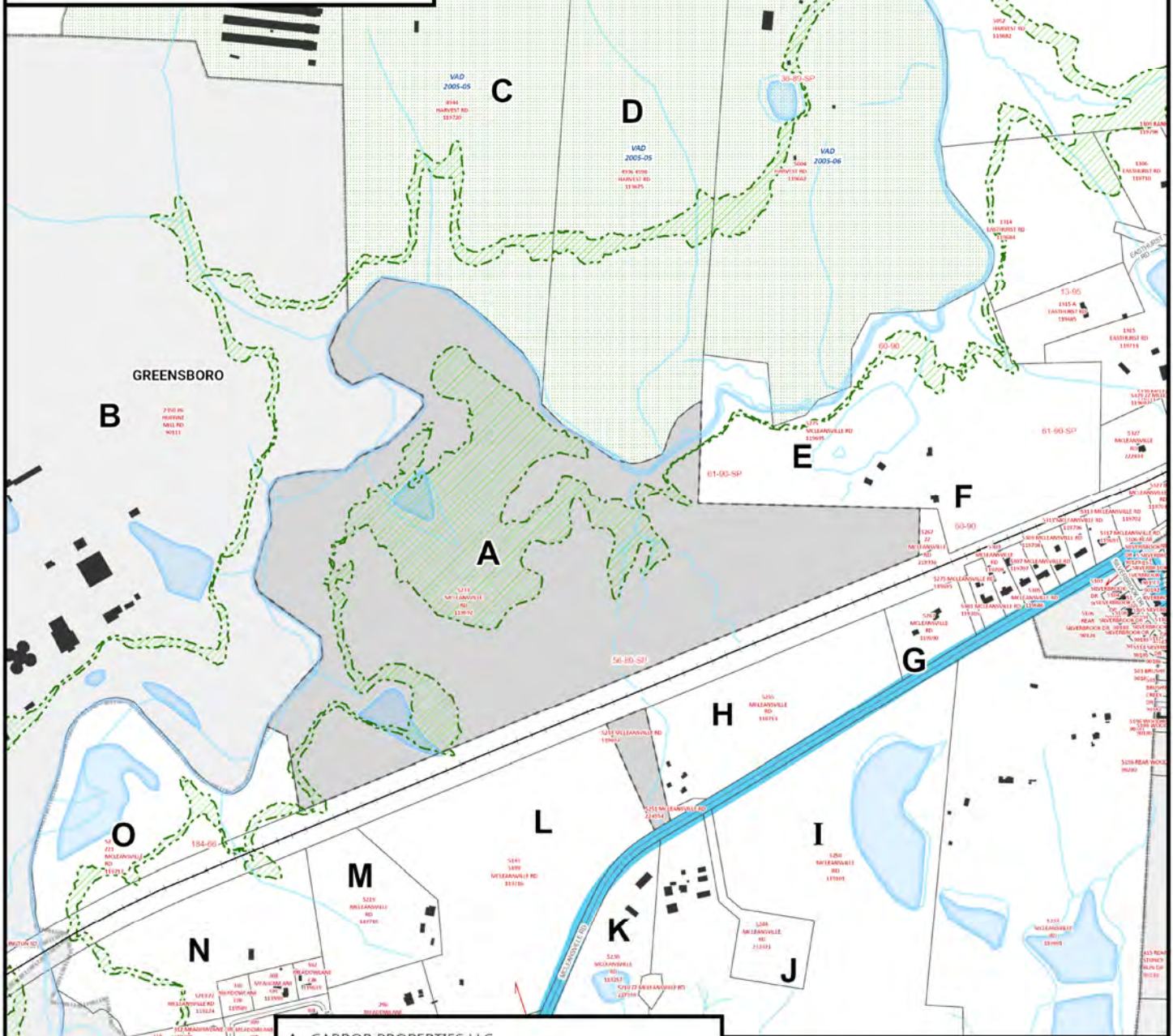
Very truly yours,

DeLacy M. Wyma, Secretary
Guilford County Planning Board

/1

cc: Norma Bodsford, Clerk to Board of County Commissioners
Post Office Box 3427 • Greensboro, North Carolina 27402
Telephone: (336) 373-3334

AG-SP to AG-SP +/- 122 Acres



- A. CARROB PROPERTIES LLC
- B. CITY OF GREENSBORO
- C. KERNS, DANIEL L; DENNY, KERNS; KERNS, DENNY LEE
- D. KERNS, SANDRA DENNY
- E. CARROB PROPERTIES LLC
- F. RC PROPERTIES OF NC LLC
- G. FRYAR, ROBERT R JR; FRYAR, CYNTHIA S
- H. RC PROPERTIES OF NC LLC

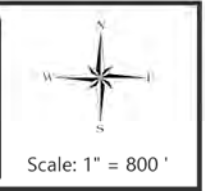
- I. CARROB PROPERTIES LLC
- J. FRYAR, ROBERT BOSTON; GARNER, LAUREN ASHLEY
- K. FRYAR, ROBERT R SR
- L. FRYAR, JANET M
- M. SHARPE, STEPHEN B; SHARPE, PAMELA P
- N. KOTIS PROPERTIES INC
- O. MARTIN, ROGER D



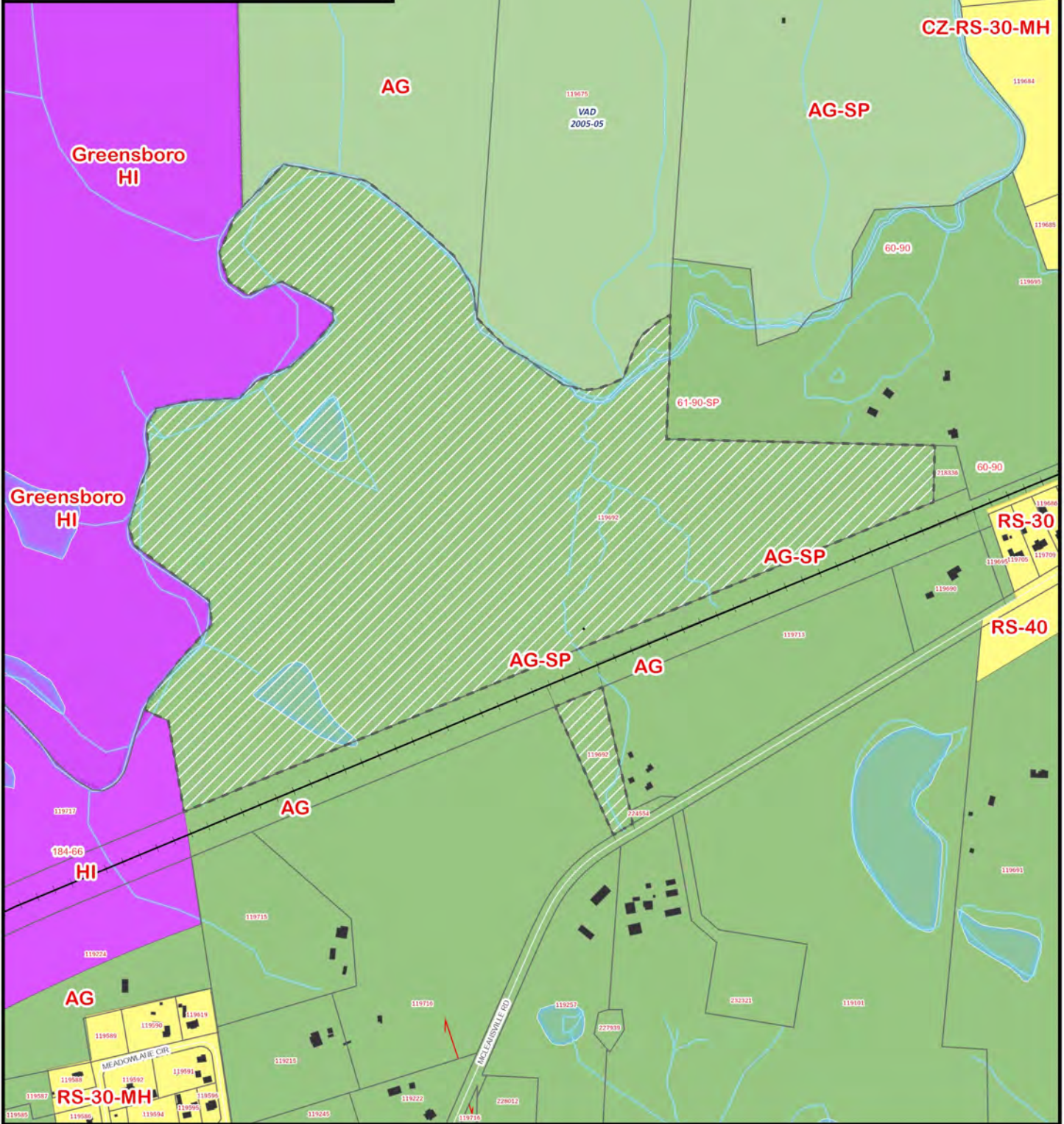
Jurisdiction:
GUILFORD COUNTY

Case Number:
23-02-PLBD-00038

Case Area:
Parcel - 119692
5233 McLeansville Rd



AG-SP to AG-SP +/- 122 Acres



Planning & Development
Department

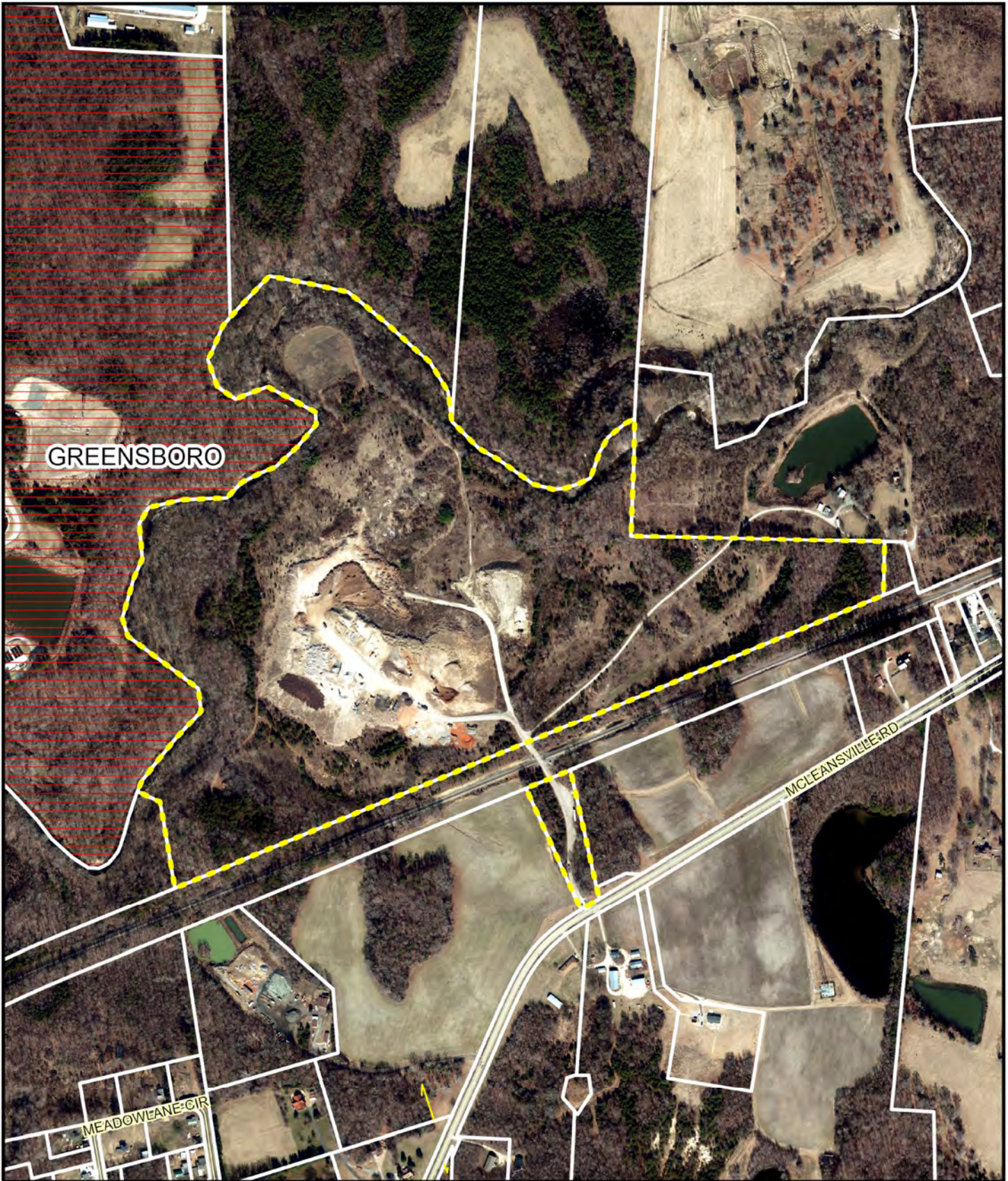
Jurisdiction:
GUILFORD COUNTY

Case Number:
23-02-PLBD-00038

Case Area:
Parcel - 119692
5233 McLeansville Rd



Scale: 1" = 600'



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

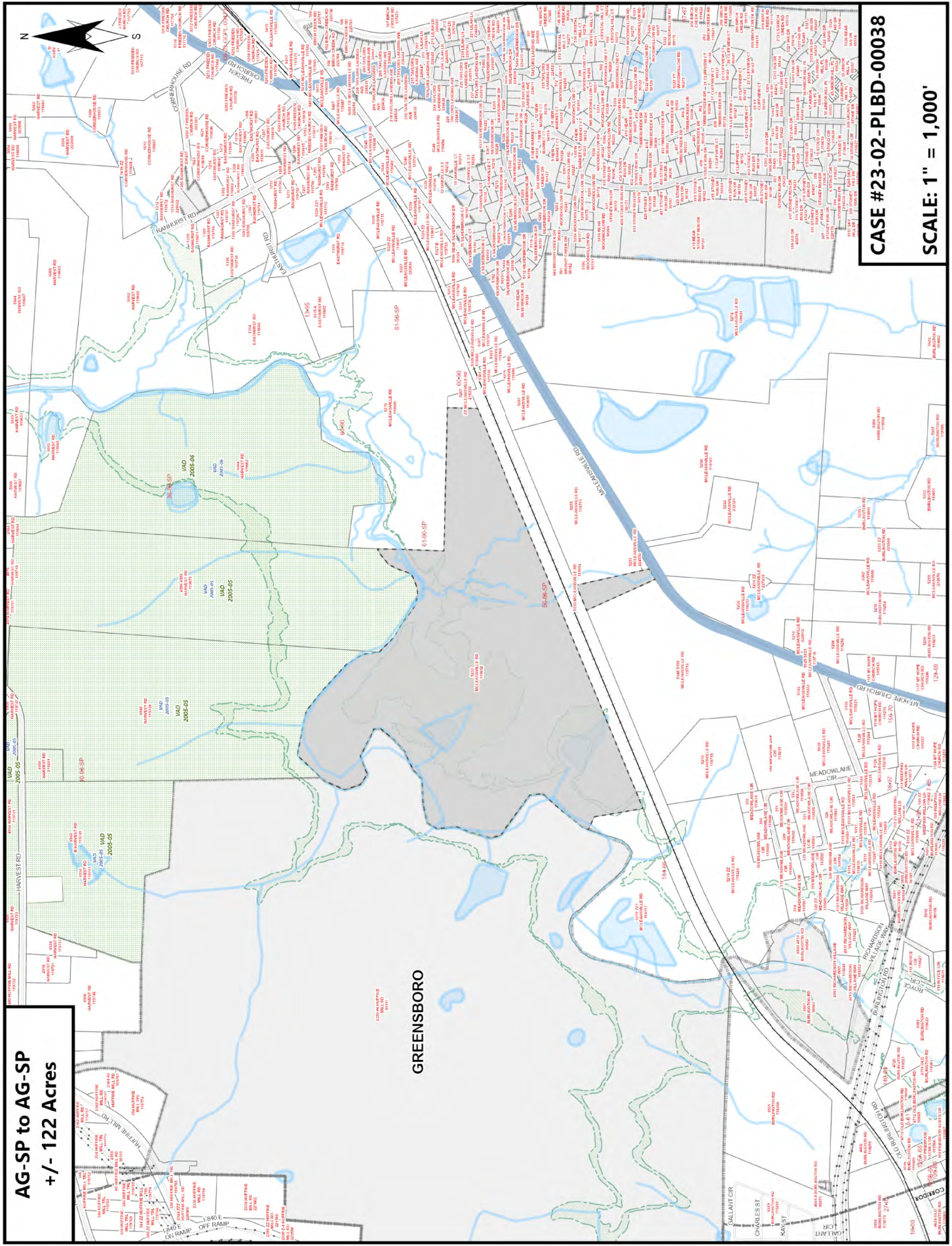
Case Number:
23-02-PLBD-00038

Case Area:
Parcel - 119692
5233 McLeansville Rd

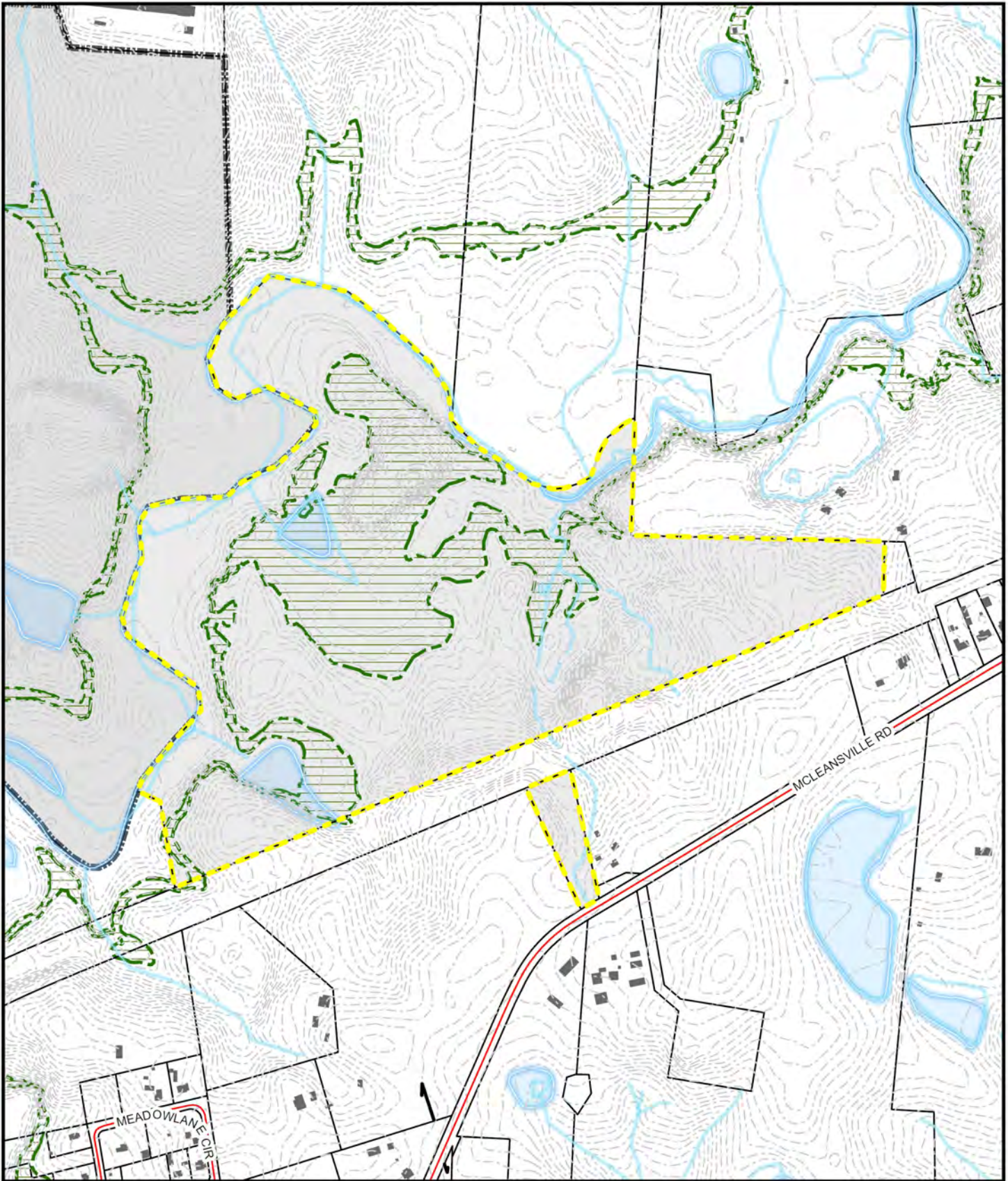


Scale: 1" = 600'

**AG-SP to AG-SP
+/- 122 Acres**



CASE #23-02-PLBD-00038
SCALE: 1" = 1,000'



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
23-02-PLBD-00038

Case Area:
Parcel - 119692
5233 McLeansville Rd



Scale: 1" = 600'

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

The Guilford County Planning Board, having held an Evidentiary Hearing on October 11, 2023 at 6:00 PM to consider a request for a Special Use Permit for a **Major Land Clearing Inert Debris (LCID)** subject to the submitted Site Plan along with the proposed conditions, for the property located at 5233 McLeansville Road (Guilford County Tax Parcel #119692 in Jefferson Township), approximately 3,200 feet northeast of the intersection of Burlington Road and comprises approximately 121.91 acres, and having heard all of the evidence and arguments presented at the Evidentiary Hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

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

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

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

(Insert Color Paper)



**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

Planning Board
2024 Meeting Schedule

PLANNING BOARD Regular Meeting Schedule 6:00 PM NC Cooperative Extension-Agricultural Center 3309 Burlington Road Greensboro, NC 27405				
Application Submittal Dates	Meeting Dates (2 nd Wednesday of Month)	End of Appeal Period		
		Rezoning	Road Naming/ Renaming	Road / Easement Closing
December 12	January 10, 2024	January 25, 2024	January 22, 2024	February 9, 2024
January 9, 2024	February 14	February 29	February 26	March 15
February 13	March 13	March 28	March 25	April 12
March 12	April 10	April 25	April 22	May 10
April 9	May 8	May 23	May 20	June 7
May 7	June 12	June 27	June 24	July 12
June 11	July 10	July 25	July 22	August 9
July 9	August 14	August 29	August 26	September 13
August 13	September 11	September 26	September 23	October 11
September 10	October 9	October 24	October 21	November 8
October 8	November 13	December 2	November 25	December 13
November 12	December 11	December 27	December 23	January 10, 2025
December 10	January 8, 2025	January 23, 2025	January 21, 2025	February 7, 2025
TIME: BY 12:00 NOON				

DRAFT

Guilford County Planning and Development Department
 400 W. Market Street, Independence Center, 5th floor
 Greensboro, NC 27401
 336.641.3334

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