



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

**Regular Meeting Agenda**

Board of Commissioners' Chambers, Old County Courthouse  
301 W. Market Street, 2nd Floor, Greensboro, NC 27401

**November 8, 2023**

6:00 PM

- A. Roll Call**
- B. Agenda Amendments**
- C. Approval of Minutes:** October 11, 2023
- D. Rules and Procedures**
- E. Continuance Requests**
- F. Old Business**

None

- G. New Business**

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

None

**Legislative Hearing Item(s)**

**RESOLUTION TO CLOSE A PUBLIC ROAD CASE #23-09-PLBD-00061: MARION ELSIE DRIVE**

Request adoption of Resolution to close and remove from dedication 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. The portion of Marion Elsie Drive subject to this request is not developed or maintained by NCDOT.

Information for **RESOLUTION TO CLOSE A PUBLIC ROAD CASE #23-09-PLBD-00061: MARION ELSIE DRIVE** can be viewed by scrolling to the November 8, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>.

**Evidentiary Hearing Item(s)**

**SPECIAL USE PERMIT CASE #23-07-PLBD-00057: 1813 YOUNGS MILL ROAD**

Located at 1813 Youngs Mill Road (Guilford County Tax Parcel #115779 in Jefferson Township) on the east side of the Youngs Mill Road approximately 500 feet south of the Youngs Mill Road Off-Ramp from Interstate 85 N and comprises approximately 5.19 acres. Subject parcel is zoned AG, Agricultural District. A portion of the subject parcel is within the I-85 Scenic Corridor Overlay District.

This is a request to approve a Special Use Permit (SUP) for a Major Utility (Energy Substation). No development conditions are proposed by the applicant. The request includes a SUP Sketch Site Plan.

Information for **SPECIAL USE PERMIT CASE #23-07-PLBD-00057** can be viewed by scrolling to the November 8, 2023 Agenda Packet at <https://www.guilfordcountync.gov/our-county/planning-development/boards-commissions/planning-board>. A copy of the submitted SUP Sketch Site Plan also is included under the **MEETING CASE INFORMATION** section at the link above.

**H. Other Business**

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**

**October 11, 2023, 6:00 PM**

**Call to Order**

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

**A. Roll Call**

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

James Donnelly, Chair; Rev. Gregory Drumwright; Ryan Alston; Guy Gullick; Sam Stalder; Dr. Nho Bui; David Craft and Jason Little.

The following Board members were absent for this meeting:

Cara Buchanan

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

Oliver Bass, Senior Planner; Aaron Calloway, Planner I; Avery Tew, Planner I; Jessie Baptist, Administrative Officer; Brianna Christian, Planning Technician; Elaine Nolan; Land Use Compliance Officer; Robert Carmon, Fire Inspections Chief; Andrea Leslie-Fite, Guilford County Attorney; and Matthew Mason, Chief Deputy County Attorney

Mr. Bass stated that he would like to introduce a new team member: Elaine Nolan, Land Use Compliance Officer. Chair Donnelly welcomed Ms. Nolan to the team.

Chair Donnelly stated that Rev. Drumwright has joined the meeting.

**B. Agenda Amendments**

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

*[Mr. Little arrived for the remainder of the meeting.]*

**C. Approval of Minutes: September 13, 2023**

There being no corrections noted, Mr. Alston moved approval of the minutes of the September 13, 2023 meeting, as submitted by staff, seconded by Mr. Gullick. The Board voted (8-0) in favor of the motion. (Ayes: Donnelly; Alston; Bui; Craft; Drumwright; Gullick; Little; Stalder. Nays: None.)

**D. Rules and Procedures**

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

**E. Continuance Requests**

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

**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 (APPROVED – TO BE HELD NOVEMBER 8, 2023)**

Aaron Calloway, Planning Department, stated that this is a request to adopt a Resolution of Intent and to schedule a public hearing for November 8, 2023, as presented, 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 of the intersection of Queen Alice Road and Marion Elsie Drive.

Regarding Case #23-09-PLBD-00061, Marion Elsie Drive, Mr. Craft moved to approve the request for a Resolution of Intent to hold a Public Hearing to be held November 8, 2023, seconded by Dr. Bui. The Board voted 8-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Gullick, Craft; Stalder; Little; Drumwright. Nays: None.)

**ROAD RENAMING CASE #23-09-PLBD-00062: WHITEROCK ROAD (TABLED)**

Aaron Calloway stated that this property is presently known as Whiterock Road, located in Monroe Township and running 0.21 miles west and 0.05 miles east from Arvid Drive, a 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 (City of Greensboro) action to change the name of Whiterock Road to Dunstan Road. A slide

presentation showed a proposed housing development to be located on this property. Highlighted in yellow is the section of Whiterock Road within Guilford County's jurisdiction and subject to this request; highlighted in blue is the section of road that will be constructed upon approval of that subdivision within the City of Greensboro city limits; and highlighted in orange is the redirection of Whiterock Road, thus, requiring this renaming request.

Mr. Craft asked if on the map it shows McKnight Mill Road on the right? Mr. Calloway responded that was correct.

Chair Donnelly asked if the extension was going to be connected because there is already a Dunstan Road that exists in that area. Mr. Calloway responded that it is included in the adopted Thoroughfare and Collector Street Plan that Dunstan will be constructed to connect all the way north to that section you are familiar with, and this will be a step to fulfilling that.

In regards to public safety, Fire Marshal Robert Carmon responded that the biggest issue would be that a directional is needed until separate sections on streets with the same name are connected. Sometimes, streets are named East or West to make a determination on which portion of the street is being addressed.

In response to an additional question posed by Chair Donnelly, Mr. Calloway stated that this is in the preliminary stages of development, and as a major subdivision of this intensity, it will be some time before this plan comes to fruition with those infrastructural improvements. However, being in the City's jurisdiction, this redirection of Whiterock Road is out of the County's control. There are only two (2) residences on these properties along this road, and one of them has an address on Arvid Drive. Notices were sent out to all residences on these roads for input on possible names; there was no response.

There being no speakers related to this case, the public hearing was opened and closed by unanimous vote.

### **Board Discussion**

Chair Donnelly stated that, as the Board approves this name change, he is a little concerned that there already is a Dunstan Road, and if they rename this right now, they are creating a separation. Is there a way for the Board to make the renaming pending the actual development instead of doing it right now? He does not want to create a public safety issue. Counsel Mason stated that the Board does not need to take this action tonight. It could be approved at a later meeting somewhere down the line closer to development of the property. Fire Marshal Robert Carmon recommends that the Board not do this at this time because that will cause a problem with addressing any response unless you do some type of a possible Dunstan Road Extension, or something like that. Having two (2) Dunstan Roads, not connected with no distinguishing factors, will potentially cause a very hazardous issue on the response plans.

Chair Donnelly moved that it is his recommendation to **Table** this request, pending review and public safety clarification. He sees no reason to turn the request down at this point because it does make sense, but he does want to make sure that public safety is addressed, seconded by Dr. Bui. The Board voted 8-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Gullick, Craft; Stalder; Little; Drumwright. Nays: None.)

At this time, there was a very short recess.

**REZONING CASE #23-08-PLBD-00060: CZ-AG (Ref. Case #5-91), CONDITIONAL ZONING-AGRICULTURAL TO AG, AGRICULTURAL: 1236 WILEY LEWIS ROAD**

Oliver Bass, Planning Department, stated that this property is 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. There is no history of denied cases. 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. [However, compliance with the ordinance is mandatory]
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.

The subject property remains under the approved Special Use Permit.

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 - "agri-tourism" - 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 district. All other regulations which may be offered by the property owner and approved by the Jurisdiction as part of the rezoning process apply.

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. To the North is low-density single-family residential; to the South is the Martin Marietta Quarry zoned HI; to the East is low density single-family residential/undeveloped; and, to the West is low-density, single-family residential. There are no inventoried historic resources located on or adjacent to the subject property. There are no cemeteries shown to be located on the subject property, but efforts should be made to rule out the potential of unknown grave sites.

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.

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. 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.

Mr. Donnelly clarified with Mr. Bass that the driver for the change is to allow a housing use that would not be permitted because of the zoning conditions on this case.

Chair Donnelly opened the Public Hearing and asked for any speakers in favor of the request to take this opportunity to speak on this matter; no one came forward.

Mr. Gullick moved that Case #23-08-PLBD-00060, 1235 Wiley Lewis Road, Guilford County Tax Parcel # 130940, from CZ-AG to AG, be approved because the proposed rezoning is consistent with Alamance Creek Area Plan recommendation of Single-Family Residential. The request to rezone the subject parcel from Conditional AG 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 for the Alamance Area Plan. The conditions of the Special Use Permit will continue to apply to its current use. The proposed AG zoning matches the current zoning on those parcels abutting the subject parcel, seconded by Mr. Craft. The Board voted 8-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Gullick, Craft; Stalder; Little; Drumwright. Nays: None.)

#### **Evidentiary Hearing Item(s)**

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

Chair Donnelly stated that anyone wishing to speak on this Hearing must be sworn in. Therefore, persons wishing to speak were sworn or affirmed for their testimony in this matter.

Oliver Bass stated that the property involved in this case is 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. 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.

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 ten (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.\*

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.

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. To the North are Agricultural tracts of land; to the South is an Agricultural, single-family dwelling and railroad right-of-way; to the East is a Demolition Landfill (SUP Case #61-90), and to the West is a Wastewater Treatment Plant within the City Limits of Greensboro. There are no inventoried historic resources located on or adjacent to the subject parcel. There are no cemeteries shown to be located on this property, but efforts should be made to rule out the potential of unknown grave sites.

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 one (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 non-residential 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 non-residential 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. 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. Non-residential uses are required to have expanded landscape buffers when adjacent to residentially zoned properties or single-family or two-family dwellings.

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; and
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.

Chair Donnelly pointed out that there is not a Summary Report from the TRC on the Watershed Review, and that will happen concurrently with and be completed before the Permit is available.

Jennifer Fountain, attorney representing the applicant, works in offices at 804 Green Valley Road, Suite 200. She stated that she had a booklet to present to each Board member for their review so they can follow along with her presentation. Mr. Donnelly noted that all of the members of the Planning Board received the packet as well as the Planning staff available at the meeting. Jennifer Fountain began stating her case. Major land clearance and an inert debris landfill is currently operated on this property and has been operated by the Pryor

family for almost 25 years. She asked the family to stand to show their support of the request. This landfill does not accept household garbage, but only accepts trees, stumps and other vegetation along with concrete, brick, soil, rock and gravel. This type of landfill is also known as an LCID. They recycle concrete and asphalt products to sell to the general public. This is a 121-acre property which was rezoned and granted an SUP back in 1998. At that time, TRC approved the site plan. The site plan shows the location of four (4) initial cells to be used for the landfill; in addition to, the rest of the property to be used for deeper cells. They now wish to use the landfill beyond the four (4) initial cells that were shown on the site plan in 1998, but still within that original 121 acres. The County staff advised that a new SUP must be obtained to continue the use beyond those four (4) initial cells. They are seeking to be able to continue operating the landfill in the same manner it has been for the last 25 years. The site plan with this application shows the limits to include a majority of the property, which was the owner's original intent in the 1998 application. The landfill does, and will continue to meet all the local zoning requirements as well as the State's Permitting requirements. She walked the Board members through the booklet she had presented for evidence that was relevant to this request for a Special Use Permit. The evidence submitted shows that they are in compliance with all requirements and conditions of this request.

In response to questions posed by Chair Donnelly, Mr. Dalton Ward, Engineer for the project, stated that as previously submitted by Ms. Fountain, this property has been used as a landfill for about 25 years, and there have been no violations that he is aware of during that time. There also have been no issues with surrounding property owners. The site is heavily graded by the State, and there have been no issues throughout that time. There is a limit on the amount of area that they can use for the additional cells they are proposing. Each cell goes through its own separate review and permitting process. The State requires an inspection every five (5) years and the permit with the State is renewed. They will prove that they have erosion control measures in place and the required number of buffers and screenings.

Molly Chism, Real Estate Appraiser in High Point, said she has been there for about 30 years. Her report is included in the booklets presented by Attorney Fountain and indicates that there are single-family homes that are sold within one-half mile of this subject property and landfill. The reports show examples of how the values of those homes are not affected by their location near the landfill. Based on the objective data in her study, she concluded that the extension of the existing LCID landfill, in accordance with the submitted plans, will not substantially injure the value of adjoining or abutting properties.

Attorney Fountain returned and stated that it is felt that the applicants have met all the requirements of the request for this SUP and hopes the Board will grant the request.

There being no one to speak in opposition, the Public Hearing was closed by unanimous vote.

Mr. Craft moved that in the matter of Special Use Permit Case #23-02-PLBD-00038, Major Land Clearing Inert Debris Landfill located at 5233 McLeansville Road, the Guilford County Planning Board Grants a Special Use Permit, having held an Evidentiary Hearing on October

11, 2023, to consider a request for SUP for said property, subject to site plan along with proposed conditions, Guilford County Tax Parcel, #119692 in Jefferson Township, and comprises approximately 121.91 acres, and having heard all the evidence and arguments presented, makes the following Findings of Fact and draws the following conclusions:

1. The application was submitted and is complete in all respects;
2. 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 on the sworn testimony and evidence submitted during the Evidentiary Hearing, which shows the following: the landfill has been operating for approximately 20 years without incident; State permitting requirements, County UDO, and TRC approval of the site plan are all safeguards that will ensure there is minimal harm to public safety; Dalton Ward, Engineer, presented evidence that LCIDs are heavily regulated and inspected to prevent any negative impacts to the environment; this testimony demonstrated that because landfills will be developed into cells, there would be no additional traffic generated; the UDO, NC Administrative Code and site plan requirements also will prevent or minimize any harm to public safety; accordingly, the proposed use will not be detrimental to the health and safety and instead will provide a much-needed service to a growing part of the community.
3. The use, Major LCID, for which the SUP is sought is in conformance with all special requirements related to this use; the use meets all required conditions and specifications and based upon the sworn testimony and evidence submitted during the Evidentiary Hearing, which shows the following: LCIDs are permitted in Agricultural zoning districts in connection with a SUP; Dalton Ward submitted evidence that the landfill will conform with the special requirements for LCIDs set forth in both State and County regulations; additionally, the site plan approved by staff and the TRC provides additional development standards required for the landfill.
4. That the location of the use, if developed according to the plan, will be in harmony with the area in which it is located and is in general conformity with the plan of development, the jurisdiction and the environs. This is based upon the sworn testimony and evidence submitted during the Evidentiary Hearing, which shows the following: the use is in conformity with the UDO, the Comprehensive Plan and the Land Use Policies of Guilford County; the Comprehensive Plan speaks to the need of expansion of recycling and disposal of solid waste options; the landfill will not only provide a place for disposal of stumps and inert debris, but also recycles much material for the residents of Guilford County and the construction industry; the property is adjacent to the wastewater treatment plan of Greensboro, agricultural property, and the owner's residences and is not out of character with the neighborhood properties; the regulations governing the use further ensure that possible disturbance to neighboring properties will be sufficiently mitigated and minimal.
5. The use will not substantially injure the value of adjoining or abutting properties, and [or] that the use is a public necessity. This is based upon the sworn testimony and evidence submitted during the Evidentiary Hearing, which shows the following: Appraiser Molly Chism testified to the findings of a market study prepared for the site, which

demonstrated that there would be no injury to the value of adjoining or abutting properties.

Therefore, on the basis of the foregoing, it is ORDERED that the application for a SPECIAL USE PERMIT for Major LCID be 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 SUP application and kept on file with Guilford County Planning and Development Department.
3. The development shall proceed upon the plan of design features of the TRC, illustrating conditions related to the request and applicable development standards.
4. [There are no added conditions.]
5. If the specified conditions addressed in the SUP are violated, the permit shall be revoked, and the use will no longer be allowed. Only by re-applying to the Planning Board for another SUP and receiving its approval, can the use be again permitted.

The motion was seconded by Dr. Bui. The Board voted 8-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Gullick, Craft; Stalder; Little; Drumwright. Nays: None.)

#### **H. Other Business**

##### 2024 Proposed Planning Board Meeting Schedule

Mr. Bass stated that in the Board members' package is the proposed Planning Board meeting schedule for 2024.

Mr. Stalder pointed out that the February 2024 meeting date is actually the 14<sup>th</sup> and asked that the meeting be rescheduled for a different date. The Board agreed that the meeting date would be changed to Thursday, February 15, 2024.

Mr. Stalder moved to approve the proposed Planning Board Meeting Schedule for 2024, with a correction that the February meeting would be held on Thursday, February 15<sup>th</sup>, seconded by Mr. Little. The Board voted 8-0 in favor of the motion. (Ayes: Donnelly; Alston; Little; Gullick, Craft; Stalder; Little; Drumwright. Nays: None.)

##### Comprehensive Plan Update

Mr. Bass stated that they are in the final leg of the development of the Plan. They have had the focus group meetings for the community-wide survey and completed the community workshops over the last month. The next phase is to prepare the draft of the plan and propose the recommendations, which will be made available to the public by visiting the County website once the draft is presented. They are still accepting comments from the public.

Chair Donnelly expressed his appreciation for staff's hard work. He attended a meeting; there was a nice turn-out, and he thought it was very well presented with the opportunities for folks to provide input into the Plan.

Mr. Bass noted that for the November meeting, staff is expecting about five (5) cases; a rezoning case, another Special Use Permit, a Text Amendment, a Road Closing, and a possible Road Renaming.

#### **I. Adjourn**

There being no other items to be discussed, the meeting adjourned at 7:30 p.m.

***The next scheduled meeting is November 8, 2023, at 6:00 p.m.***



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(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. _____	_____
3. <u>Black Dogs, LLC</u>	<u>5811, 5811ZZ, and 5813 Queen Alice Rd</u>
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____

*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

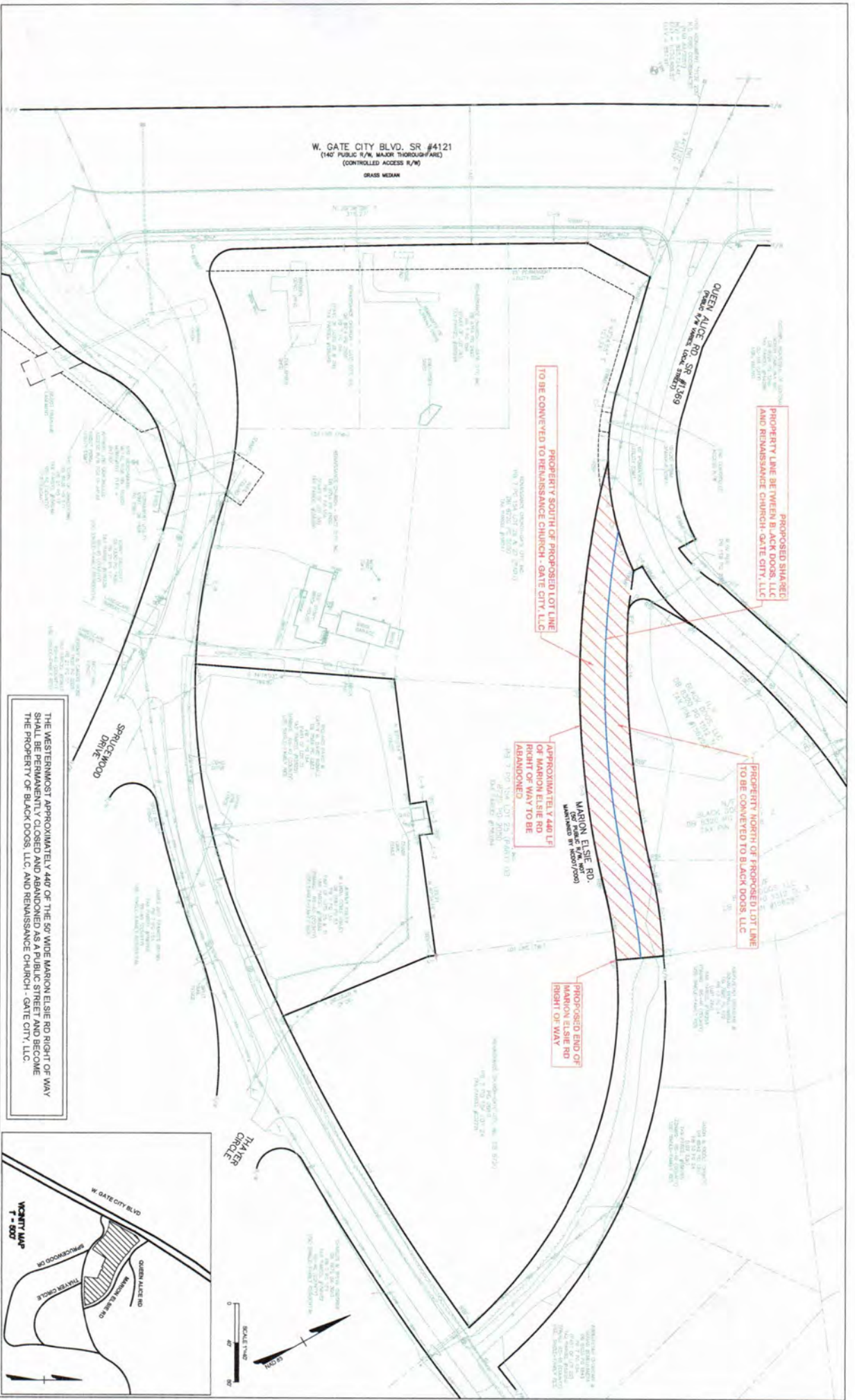
All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

### Manager

KD Badorf  
PO Box 1975  
Jamestown NC 27282

# 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

THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE ARCHITECT.

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.



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

### Nature of the Request

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

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. The portion of Marion Elsie Drive subject to this request is not developed or maintained by NCDOT.

The resolution of intent was adopted on October 11, 2023.

### Staff Comment

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

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

Staff submits the following findings for consideration by the Board:

1. The Planning Department has received a request to close a portion of 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.; AND
2. At the October 3, 2023 Technical Review Committee (TRC) meeting staff reviewed the request and commented that a recombination plat will be required and recorded prior to the recordation of the resolution to close this portion of Marion Elsie Drive such that parcel 156284 continues to meet access requirements. Furthermore, the required plat will need to show the dedication of a North Carolina state compliant turnaround per Unified Development Ordinance **Sec. 8.5.B.2.e.**

TECHNICAL REVIEW COMMITTEE  
Comments  
October 3, 2023

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

Planning: Aaron Calloway 336-641-2489

1. Ensure all parcels have access to a right-of-way.
2. A recombination plat will be required showing parcel 156284 combined with another that has access as well as the portion of Marion Elsie Drive removed.
3. All streets must provide sufficient access & turnaround provisions for public safety in compliance with the current adopted version of the North Carolina State Building Code - Fire Prevention Code Appendix D. Refer to UDO Sec. 8.5.B.2.e. for a graphic depiction.



Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
23-09-PLBD-00061

Case Area:  
Parcel - 156284  
5810 Marion Elsie Dr.



Scale: 1" = 200'



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
PLANNING BOARD**

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

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

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

WHEREAS, pursuant to a resolution of intent to close said road adopted by this Board on October 11, 2023, an Electronic Notice was published on the Guilford County Website that a hearing would be held concerning said petition on November 8, 2023, at 6:00 P.M. in the Board of County Commissioner's Chamber, at the Old Courthouse, 301 W Market Street, Greensboro, NC 27401; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The following described public road is hereby closed and removed from dedication to the public use:  
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. The portion of Marion Elsie Drive subject to this request is not developed or maintained by NCDOT.
2. A certified copy of this resolution, together with a copy of the published notice of this hearing, is hereby ordered recorded in the Office of the Register of Deeds of Guilford County, North Carolina.

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE GUILFORD COUNTY PLANNING BOARD AT A REGULAR MEETING HELD ON NOVEMBER 8, 2023.

*J. Leslie Bell*

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

(Insert Color Paper)



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Planning Board
Special Use Permit
Application

Date Submitted: 10/10/2023 amended Fee \$526.00 Receipt # 008640-2023 Case Number 23-07-PLBD-00057
(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 AT 1813 YOUNGS MILL RD. in JEFFERSON Township; Being a total of: 5.099 acres. The property is in the AG-AGRICULTURE Zoning District. The proposed use(s) is (are) MAJOR UTILITY (ELECTRIC SUBSTATION)

Further referenced by the Guilford County Tax Department as:

Tax Parcel # 115779 Tax Parcel #
Tax Parcel # Tax Parcel #
Tax Parcel # Tax Parcel #

Additional sheets for tax parcels are available upon request.

Check One:

- X 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:

- X 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:

- X 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:

- X 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'.
X 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:

- X 1. A written application was submitted and is complete in all respects.
- X 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 A2**

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- 3. The use, a MAJOR UTILITY (ELECTRIC SUBSTATION), 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 A3**

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- X 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 A4**

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- X 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 A5**

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**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) **NOT APPLICABLE**
- 2)
- 3)
- 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,

Jeff Goto,  
Sr. Mgr. Transmission  
Permitting

Property Owner Signature

Duke Energy Carolinas, LLC

Name

526 S. Church St., Mail Code EC09Q

Mailing Address

Charlotte, NC 28202

City, State and Zip Code

760-445-3332 jeff.goto@duke-energy.com

Phone Number

Email Address

Owner/Representative/Applicant Signature (if applicable)

Anthony Fox

Name

620 S. Tryon St., Suite 800

Mailing Address

Charlotte, NC 28202

City, State and Zip Code

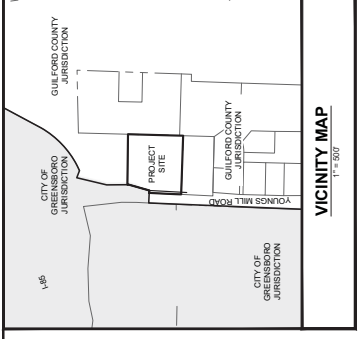
704-335-9841 anthonyfox@parkerpoe.com

Phone Number

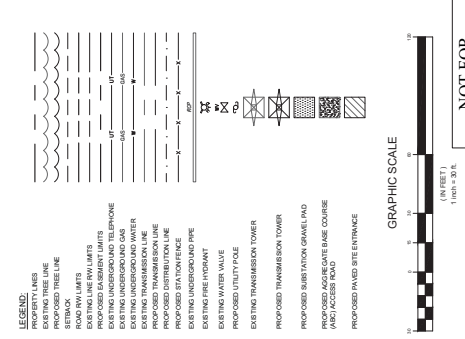
Email Address

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





- VICINITY MAP**  
1" = 500'
- SITE NOTES:**
1. ALL DIMENSIONS ARE 90° UNLESS OTHERWISE NOTED.
  2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF GREENSBORO CONSTRUCTION CODE AND THE STATE OF NORTH CAROLINA CONSTRUCTION CODES.
  3. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT FACE OF BUILDING OR CENTERLINE UNLESS OTHERWISE NOTED.
  4. -WAY REQUIRE AIRIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH THE INSTALLATION.
  5. ALL THE EXCESS SPILL AND DEMOLITION MATERIAL SHALL BE DISPOSED OF AT AN APPROVED LOCATION.
  6. APPROVED UNDER THE SCOPE OF THIS PROJECT MUST BE RELOCATED BEFORE YOU DO STOP AND CALL THE NC ONE-CALL CENTER AT 800-368-7888.
  7. MINIMUM FENCE HEIGHT FOR ELECTRICAL SUBSTATION IS 8 FEET.
  8. PER GUILFORD COUNTY ORDINATIONS 14.02.01 UPON THE TERMINATION OF THIS PROJECT, THE OWNER SHALL BE RESPONSIBLE FOR THE REMOVAL AND SUCH ELEMENTS SHALL BE RECORDED BY THE UTILITY PROVIDER AND PROPERTY OWNER AT THE GUILFORD COUNTY REGISTER OF DEEDS.



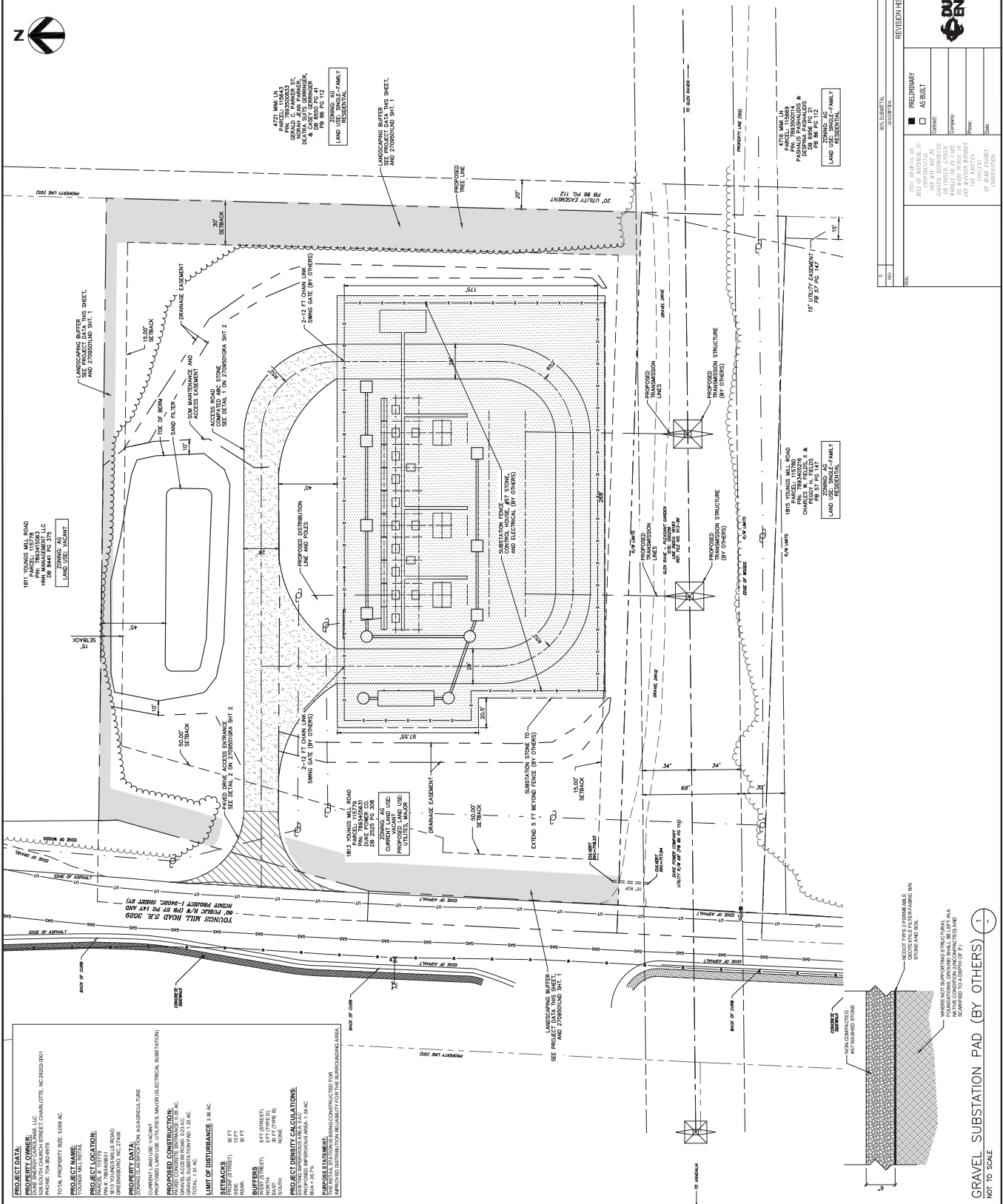
**NOT FOR CONSTRUCTION**

**SITE PLAN**

**YOUNGS MILL ROAD RET**

GREENSBORO, NC 27405

ARCHD NC-SC 2043 2709501SDV 0



**PROJECT DATA:**  
PROJECT OWNER: DUK ENERGY SERVICES, LLC  
PROJECT LOCATION: 181st YOUNGS MILL ROAD, GREENSBORO, NC 27405  
TOTAL PROPERTY SIZE: 5.00 AC.  
PROJECT NAME: YOUNGS MILL ROAD

**PROPERTY DATA:**  
CURRENT LAND USE: RESIDENTIAL (R-1)  
PROPOSED CONSTRUCTION: GRAVEL SUBSTATION PAD, PAVED DRIVEWAY  
TOTAL: 1.5 AC.  
LIMIT OF DISTURBANCE: 3.0 AC.

**SETBACKS:**  
FRONT: 10 FT  
SIDE: 10 FT  
REAR: 10 FT  
CORNER: 10 FT

**PROJECT DENSITY CALCULATIONS:**  
PROPOSED IMPERVIOUS AREA: 1.3 AC  
TOTAL: 1.5 AC

**PERMITS & APPROVALS:**  
THESE CALCULATIONS WERE CONDUCTED FOR THE PROPOSED CONSTRUCTION OF THE GRAVEL SUBSTATION PAD AND PAVED DRIVEWAY.

**REVISION HISTORY**

NO.	DATE	DESCRIPTION
1	08/14/2023	PRELIMINARY
2	08/14/2023	AS BUILT

**DUKE ENERGY**

7000 SHILOH ROAD  
GREENSBORO, NC 27405  
PHONE: 336-733-1111  
FAX: 336-733-1112

PROJECT: YOUNGS MILL ROAD RET  
SHEET: 1 OF 1

**PRELIMINARY**

AS BUILT

DATE: 08/14/2023

SCALE: 1" = 30.0'

**GRAVEL SUBSTATION PAD (BY OTHERS)**

NOT TO SCALE

**181st YOUNGS MILL ROAD**  
PARCEL 11279  
DUE TO THE LOCATION OF THE GRAVEL SUBSTATION PAD AND PAVED DRIVEWAY, THE SETBACKS SHALL BE LEFT IN PLACE AND NOT RELOCATED.

**181st YOUNGS MILL ROAD**  
PARCEL 11280  
DUE TO THE LOCATION OF THE GRAVEL SUBSTATION PAD AND PAVED DRIVEWAY, THE SETBACKS SHALL BE LEFT IN PLACE AND NOT RELOCATED.

**181st YOUNGS MILL ROAD**  
PARCEL 11281  
DUE TO THE LOCATION OF THE GRAVEL SUBSTATION PAD AND PAVED DRIVEWAY, THE SETBACKS SHALL BE LEFT IN PLACE AND NOT RELOCATED.

**181st YOUNGS MILL ROAD**  
PARCEL 11282  
DUE TO THE LOCATION OF THE GRAVEL SUBSTATION PAD AND PAVED DRIVEWAY, THE SETBACKS SHALL BE LEFT IN PLACE AND NOT RELOCATED.



526 South Church St.  
Charlotte, NC 28202  
Mail Code: EC09Q  
760-445-3332  
Jeffrey Goto

July 10, 2023

Guilford County  
Planning and Development  
400 W. Market Street  
Greensboro, NC 27402

**RE: Letter of Intent of Duke Energy's Youngs Mill Substation**

Duke Energy's North Carolina service area includes Guilford County. The immediate area surrounding the proposed substation has experienced several large developments that are straining the existing electrical grid. The new substation is a public necessity and will alleviate the strain attributable to rapid growth in the area and will provide safe and reliable electricity to the existing and planned developments in the area.

The Guilford County Zoning Ordinance provides that the installation of a public utility must apply individual development standards and obtain a Special Use Permit. With its Special Use Permit Application, Duke Energy is respectfully seeking approval from the Guilford County Planning Board to construct this new substation, the Youngs Mill Substation, to meet current and future electrical energy demands for the area

The Youngs Mill Substation will be a vital part of Duke Energy's service commitment and public service obligation to provide a continuous supply of reliable and affordable electrical energy. If approved, the Youngs Mill Substation will benefit Guilford County and the area in the following ways:

1. The new substation will provide the additional electrical capacity that is needed to assure an adequate supply of reliable electrical energy for the area, now and in the years to come;
2. Service reliability in the region will be improved by decreasing the average length of distribution lines from substations to customers. The reduction in line length will reduce the potential for lengthy storm-related outages to customers in the region;
3. The new substation will maintain Duke Energy's compliance with established industry standards, and it will increase redundancy and reliability for the area.

Thank you for your consideration of this critical energy supply project. Please let me know if I can provide additional information or assistance. I can be reached via email at [jeff.goto@Duke-Energy.com](mailto:jeff.goto@Duke-Energy.com) or telephone at 760.445.3332.

Kindest regards,

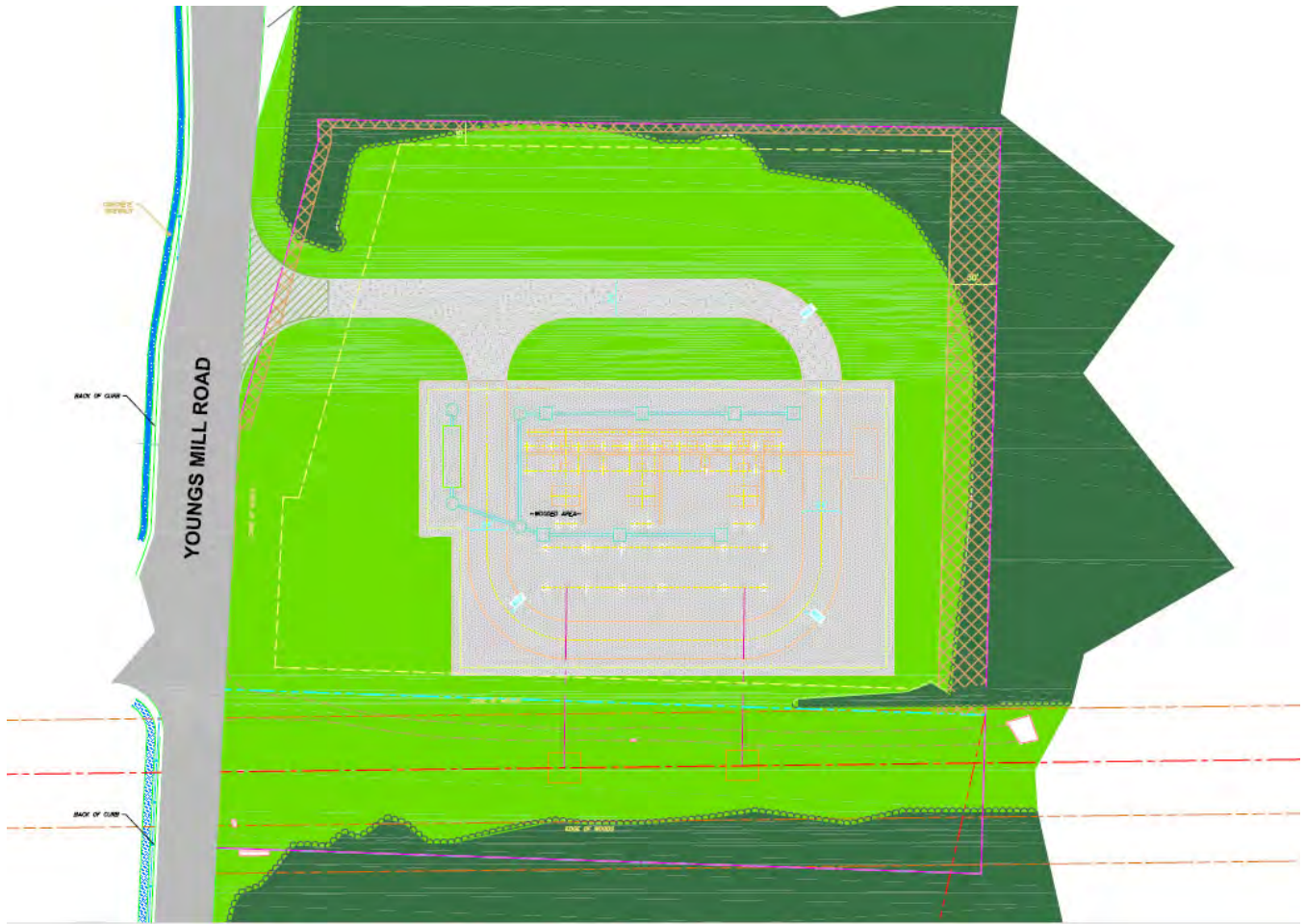
A handwritten signature in blue ink, appearing to read "Jeffrey Goto", with a stylized flourish at the end.

Jeffrey Goto

# Location Map



# Sketch Plan



## Exhibit A

### **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:**

As a Public Utility Company, Duke Energy is committed to providing safe and reliable power that serves to protect and enhance the health, safety, or general welfare of the public. The proposed use provides a reasonable balance between the promotion of the public health, safety and welfare and the needs of a fast-growing area for reliable and efficient electrical power generation in the following ways.

Health: The health of the general public is directly linked to the quality of the environment in which it lives. Duke Energy plans to take every precaution necessary to ensure that the health of the public and the environment is maintained. The substation will be strategically positioned on a 5.0-acre site. The site will be secured by fencing and shall have limited access. Tree canopies and existing vegetation will be preserved where possible.

Erosion Control: During grading operations, Duke Energy will apply and diligently abide by the guidelines detailed in the North Carolina Department of Environmental Quality Erosion and Sediment control Planning and Design Manual to minimize site disturbance, control storm water, and stabilize graded slopes; thereby preventing sediment from exiting the property and entering local streams and reservoirs.

Secondary Oil Containment: Duke Energy will implement a suitable oil spill prevention plan that involves the installation of an intensive secondary oil containment system that will collect all spills in the rare event of infrastructure failure.

Electric and Magnetic Fields: Electric and magnetic fields (EMF) exist anywhere there is electricity, whether that electricity is being produced, distributed, or consumed. Thus, EMF is created by substations, residential wiring, appliances, and even by the earth itself. Since the early 1970's, hundreds of studies have debated the possible health effects of EMF. In almost all cases where magnetic field strength readings have been conducted at existing substations similar to the Youngs Mill Substation, the magnetic field strength level at a distance 50' away from the fence is usually the background ambient mG level --- in other words, at a distance of 50' from the fence, the substation usually has no effect on the strength of magnetic fields. Based on this evidence, it is predicted that the magnetic field strength level along the property lines will not change as a result of the substation equipment.

Safety: To provide for public safety and protection, Duke Energy will design and construct the proposed substation in a manner that will comply with the National Electrical Safety Code in effect when construction begins. Furthermore, Duke Energy commits to continue its long-standing tradition of operating and maintaining facilities in a manner that will ensure public safety. To that end, Duke Energy will follow standard operating procedure by installing security fencing around the substation infrastructure. Standard fencing consists of woven steel fabric (minimum height of 6') with additional barbed-wire extension arms (1-foot in length) on the top which will prevent people from climbing over. The substation fence will also include warning signage to the effect of "Danger! High Voltage." Gates to the property and to the substation itself will be locked at all times.

Welfare: While providing safe and reliable power to the general public is Duke Energy's primary mission, satisfying this mission should not and will not be at the disposal of the rural character or quality of living in the general area. Within the 5.0-acre site, Duke Energy will sufficiently provide vegetative cover along the perimeter of the station and/or supplement with additional landscape screening elements per the requirements found within the Guilford County Unified Development Ordinance.

**3. The use, an Electrical Substation, 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:**

The property is suitable for the proposed use and meets all review factors.

1. Circulation: The 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 will meet the required conditions.
  - The substation will have one entrance off Youngs Mill Road and that will be permitted by NCDOT.
2. Parking and Loading: Location of off-street parking and loading areas.
  - After completion of construction, the site may be visited once or twice a month by a Duke Energy pickup truck. Parking will be made available within the substation fenced area. The gate to the substation will be secured and locked at all times.
3. Service Entrances and Areas: All service entrance requirements shall be met. Locations of refuse and service areas with adequate access for services vehicles.
  - Service vehicles will visit the site maybe once or twice a month. These vehicles will park within the station fence.
4. Lighting: Location of lighting with reference to spillage & glare, motorist & pedestrian traffic safety, and compatibility with other property in the area.
  - Any lighting at the station will be designed to not emit any light beyond the property lines.
5. The substation will not require any public or private utilities such as water or sewer.
  - The substation will not have water or sewer service.
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable).
  - The substation and access drive will occupy approximately 1.50 acres (30 percent) of the 5.009-acre parcel after construction, 70 percent (3.599 acres) of the site will go unused and serve as open space, tree retention and landscape buffers.

7. Environmental Protection: Provisions to protect floodplains, stream buffers, wetlands, watersheds, open space and other natural features
  - Duke Energy is committed to protecting our regions natural resources during construction. Duke Energy will apply and diligently abide by the guidelines detailed in the North Carolina Department of Environmental Quality Erosion and Sediment control Planning and Design Manual to minimize site disturbance, control storm water, and stabilize graded slopes; thereby preventing sediment from exiting the property and entering local streams and reservoirs.
  
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.
  - The substation and access drive will occupy approximately 1.50 acres (30 percent) of the 5.009-acre parcel after construction, 70 percent (3.599 acres) of the site will go unused and serve as open space, tree retention and landscape buffers. **The applicant shall meet all buffering and screening requirements.**
  
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.
  - As a Public Utility Company, Duke Energy is committed to providing safe and reliable power that serves to protect and enhance the health, safety, or general welfare of the public. The proposed use provides a reasonable balance between the promotion of the public health, safety and welfare and the needs of a fast-growing area for reliable and efficient electrical power. Approximately 70% percent (3.599 acres) will remain unused and provide a buffer to surrounding land uses.
  - The substation produces no smell or odors on nearby properties. At the property line, it is anticipated that no audible noise will be detected other than background noise. Any lighting on the site will be limited and will be designed to not emit beyond the property.
  
10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties.
  - The area where the Youngs Mill Substation is planned is typical of residential agricultural districts often appearing on the fringes of urban centers. General development patterns for residential agricultural districts include the presence of public utility infrastructure to support and manage smart growth. Public utilities in such areas routinely include water towers, sewer pump stations, electrical substations, and telecommunication facilities. The Youngs Mill Substation is consistent with these development patterns. Further, while the area still conforms to the residential agricultural district aesthetics, multiple new distribution buildings have been built. This growth is transitioning the area into a more suburban environment. Electrical facilities, such as substations, are necessary public facilities needed to support everyday life in these communities.

**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:**

The area where the Youngs Mill Substation is planned is typical of residential agricultural districts often appearing on the fringes of urban centers. General development patterns for residential agricultural districts include the presence of public utility infrastructure to support and manage smart growth. Public utilities in such areas routinely include water towers, sewer pump stations, electrical substations, and telecommunication facilities. The Youngs Mill Substation is consistent with these development patterns. Further, while the area still conforms to the residential agricultural district aesthetics, multiple new distribution buildings have been built. This growth is transitioning the area into a more suburban environment. Electrical facilities, such as substations, are necessary public facilities needed to support everyday life in these communities.

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

**The use is a Public Necessity**

The existing 3-phase power distribution presently serving the Youngs Mill Industrial Park vicinity originates from Randolph Ave substation – 1706 Randolph Ave (7.1-line miles from site); McConnell Center Industrial Park vicinity originates from Kildare substation – 229 Woodnell St (5.4-line miles from site). Both Randolph Ave and Kildare substations are “congested, urban residential” in nature. Neither are conducive for expansion.

The ongoing commercial/industrial development along the I-85 corridor has rapidly increased power needs, unlike residential development, which is more gradual in nature. There are industrial shell buildings already constructed or being constructed within the designated service footprint of this proposed Youngs Mill substation. Guilford County is presently experiencing multiple economic development inquiries that will necessitate availability of additional power in this area.

In consideration of Duke Energy’s Grid Improvement Plan, the Youngs Mill substation will reduce line exposure and provide higher reliability service to the southeast I-85 corridor. The Youngs Mill substation parcel can provide additional capacity to further enhance Grid Automation within this area and support rural areas south of city limits if expansion progresses.

**The use will not substantially injure the value of adjoining or abutting property**

The area where the Youngs Mill Substation is planned is typical of residential agricultural districts often appearing on the fringes of urban centers. General development patterns for residential agricultural districts include the presence of public utility infrastructure to support and manage smart growth. This area is no different. Public utilities in such areas routinely include water towers, sewer pump stations, electrical substations, and telecommunication facilities. The Youngs Mill Substation is consistent with these development patterns.

Further, while the area still conforms to the residential agricultural district aesthetics, multiple new distribution buildings are being built at 1810 Youngs Mill Road and 1818 Youngs Mill Road. I-85 and its clover-leaf intersections exist along Youngs Mill Road. The area is growing and the growth is transitioning the area into a more suburban environment. While electrical facilities, such as substations, are necessary public



facilities needed to support everyday life in these communities, they are consistent with the evolving character of this area.

In addition, land surrounding the 5.0-acre substation site is largely treed and undeveloped. Both a 4.0-acre and a 10.64-acre undeveloped site lie to the north of the site. A 9.39-acre property abuts the eastern boundary of the site. This tract lies adjacent to a 38.37-acre parcel. Few residential uses exist on adjacent parcels and therefore this limits any adverse effect on adjoining or abutting properties.



Ben I. Harrison Jr.  
Duke Energy  
VP Transmission Engineering &  
Asset Management  
526 South Church St.  
Charlotte, NC 28202

February 1, 2023

Mr. Toby Vinson Jr., PE, CPESC, CPM  
Program Operations Chief  
Department of Environmental Quality  
Division of Energy, Mineral, and Land Resources  
512 North Salisbury Street  
1612 Mail Service Center  
Raleigh, North Carolina, 27699

Subject: **Duke Energy Carolinas, LLC and Duke Energy Progress, LLC**  
List of Designated Signatories for the Submittal to NC DEQ  
for Transmission Projects

Dear Mr. Vinson:

By this letter, Duke Energy Carolinas, LLC and Duke Energy Progress, LLC are providing below a list of positions for which the incumbents are delegated agents for signatory of applicable permit applications (such as Financial Responsibility/ Ownership Forms, Stormwater Management Permit Applications) relating to Transmission Projects.

- GM, Transmission Engineering
- Director, Transmission Engineering
- Director, Transmission Permitting & Env. Oversight
- Manager, Transmission Line Engineering
- Manager, Substation Engineering
- Lead Transmission Permitting Manager
- Sr. Transmission Permitting Manager

Should there be any questions, please contact Mr. Randy Veltri at 704-382-2741 or [randy.veltri@duke-energy.com](mailto:randy.veltri@duke-energy.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Ben I. Harrison Jr.", written in a cursive style.

Ben I. Harrison Jr.  
VP Transmission Engineering & Asset Management

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**SPECIAL USE PERMIT CASE #23-07-PLBD-00057: MAJOR UTILITY (ENERGY SUBSTATION), 1813 YOUNGS MILL RD**

**Property Information**

Located at 1813 Youngs Mill Road (Guilford County Tax Parcel #115779 in Jefferson Township) is on the east side of the Youngs Mill Road approximately 500 feet south of the Youngs Mill Road Off-Ramp from Interstate 85 N and comprises approximately 5.19 acres. Parcel is located in the AG, Agricultural District. A portion of the subject parcel is within the I-85 Scenic Corridor Overlay District.

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

**Nature of the Request**

This request is to consider granting a Special Use Permit (SUP) for a Major Utility (Energy Substation) subject to the submitted Site Plan. No development conditions are proposed by the applicant.

The Sketch Site Plan was reviewed by TRC on July 25, 2023, and revised to satisfy the comments by staff and provided to the applicant.

**Character of the Area**

While the subject property and properties to the north and east are undeveloped, nearby parcels in unincorporated Guilford County are mostly low-density residential properties with 1 or more acres. Across Youngs Mill Road are industrial properties within the city limits of Greensboro.

**Existing Land Use(s) on the Property:** Undeveloped with electric utility lines running along the southern boundary of the subject property.

**Surrounding Uses:**

- North: Undeveloped (Zoned AG, Guilford County)
- South: Low density residential (Zoned AG, Guilford County)
- East: Undeveloped (Zoned AG, Guilford County)
- West: Industrial (Zoned CD-HI, City of Greensboro)

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

**Cemeteries:** No cemeteries appear 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: Alamance FD ST 54

Miles from Fire Station: Approximately 1.5 miles

### Water and Sewer Services:

Provider: Individual Well and Septic

Within Service Area: Greensboro Water/Sewer Boundary

Feasibility Study or Service Commitment: No

### Transportation:

Existing Conditions: Youngs Mill Road is classified as a Major Thoroughfare with an Average Annual Daily Traffic (AADT) of 2,700 vehicles near the I-85 N interchange per the 2021 North Carolina Department of Transportation (NCDOT) traffic count.

Proposed Improvements: Subject to NCDOT driveway permit.

Projected Traffic Generation: Data not available.

## Environmental Assessment

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

**Regulated Floodplain/Wetlands:** There are no mapped regulated floodplains on the site. There are no regulated wetlands mapped on the site.

**Streams and Watershed:** The property is within the Lake Mackintosh WS-IV General Water Supply Watershed. There are no mapped streams on the property.

## Land Use Analysis

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

**Plan Recommendation:** AG Rural Residential

**Consistency:** The requested action is consistent with the recommendation of the Alamance Creek Area Plan. The AG Rural Residential Land Use Classification is intended to accommodate agricultural uses, large-lot residential developments, and low-density residential subdivisions not connected to public water and sewer with densities generally up to two (2) dwelling units per acre. Anticipated land uses are those permitted in the Agricultural (AG) zoning district, including but not limited to, institutional and recreational uses, as determined by the Guilford County Development Ordinance. Energy Substations, as a major utility, are permitted in the AG zoning district with a Special Use Permit. The general requirements under Section 4.9.B.3.a (2) and (3) apply to the I-85 Scenic Corridor regarding permitted uses and screening outdoor storage and truck parking area.

## Review Factors: Section 3.5.Q 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 Youngs Mill 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 Utility (Electric Substation) is subject to TABLE 6-1-1: PARKING REQUIREMENTS of the Guilford County Unified Development Ordinance (UDO), which requires a minimum of 1 space per 1,500 sf gross floor area (GFA) for Major Utilities. 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: **Location of service area will be reviewed to allow for adequate access for all service vehicles when the official site plan is submitted for review by the Technical Review Committee (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: **Where a proposed nonresidential use in an AG Zoning District is located next to a vacant property, a minimum average 5-foot Type D landscape buffer is required. Where a proposed non-residential use in a residential zoning district (includes Agricultural Zoning District) abuts a single-family or two-family dwelling along any property line, a minimum 30-foot Type B planting yard is required. Where a non-residential or multi-family residential use with 8 or more units is adjacent to an AG or RS zoning district, a 20-foot minimum average Type C planting yard is required. Section 6.2 of the UDO does not apply to property lines abutting utility easements that are more than 60 feet in width. The site plan shows a 68-foot-wide utility right-of-way along the southern property line.**
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 utilities (energy substation) are compatible with surrounding uses that include heavy industrial uses to the west of Youngs Mill Road. Non-residential uses are required to have expanded landscape buffers when adjacent to residentially-zoned properties or single- 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, Major Utility (Energy Substation), subject to the submitted Site Plan (no development conditions were proposed), 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 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.

DRAFT





# SUBMITTAL SUMMARY REPORT (23-07-PLBD-00057) FOR GUILFORD COUNTY

**PERMIT ADDRESS:** 1813 YOUNGS MILL RD  
GREENSBORO, NC 27406      **PARCEL:** 115779

**APPLICATION DATE:** 07/12/2023      **SQUARE FEET:** 0      **DESCRIPTION:** Duke Electrical Substation for Youngs Mill Retail (UTILITY)

**EXPIRATION DATE:**      **VALUATION:** \$0.00

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	KEVIN MASON	DUKE ENERGY	526 S CHURCH ST CHARLOTTE, NC 28203
Owner	KEVIN MASON	DUKE ENERGY	526 S CHURCH ST CHARLOTTE, NC 28203

SUBMITTAL	STARTED	DUE	COMPLETE	STATUS
Sketch Plan Review v.1	07/12/2023	08/02/2023	07/26/2023	Revise & Re-Submit
Sketch Plan Review v.2	09/13/2023	09/27/2023	10/09/2023	Review Completed
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) <i>Comments</i>	Jim Lankford	07/24/2023	07/26/2023	Review Completed
Clarifying requirement for BUILDING PERMIT. Service personnel periodically on site.				
Environmental Services Review (Solid Waste) <i>Comments</i>	Clyde Harding	07/24/2023	07/17/2023	Review Completed
No Comments				
Fire Review (Fire Marshal) <i>Comments</i>	Michael Townsend	07/24/2023	07/20/2023	Review Completed
No Comments				
Planning (Planning/Zoning) <i>Comments</i>	Oliver Bass	07/24/2023	07/25/2023	Revise & Re-Submit
<ol style="list-style-type: none"> <li>Show minimum 20-ft wide Type C Planting Yard buffer line along interior boundary and minimum 8-ft wide Street Planting Yard. This applies to nonresidential uses adjacent to AG or RS zoned property (See UDO Section 6.2.D for reference)</li> <li>Note that minimum height of security fencing around entire facility is 6 feet.</li> <li>Add note regarding termination of easement. Refer to UDO Section 5.14.C4 guidance on wording.</li> <li>Must submit a formal site plan if SUP is approved.</li> <li>Sketch references a sheet 2 for Access Road detail. I assume Sheet 2 is part of formal site plan submittal not the sketch for SUP?</li> <li>See marked up site plan for any additional comments</li> </ol>				
Watershed Review (Watershed) <i>Comments</i>	Brent Gatlin	07/24/2023	07/24/2023	Revise and Resubmit - No TRC
<p>7/24/23 Watershed Section comments on SUP for 7/25/23 TRC Meeting (Revise &amp; Resubmit per Comments 1 &amp; 2, the Advisory Comments can be addressed in future Site Plan submission):</p> <ol style="list-style-type: none"> <li>Provide Project Density calculation (% BUA) on SUP plan.</li> <li>Revise "SCM Easement" to "SCM Maintenance &amp; Access Easement".</li> <li>[Advisory Comment]: Site appears to be over 24% BUA and is therefore considered high-density requiring treatment of stormwater via a Stormwater Control Measure. A sand filter is proposed on the SUP to treat stormwater.</li> <li>[Advisory Comment]: Submit a Watershed Development Plan (WDP) including stormwater management and conveyance system design plans and calculations with the Site Plan submission.               <ol style="list-style-type: none"> <li>Include the SCM Standard Notes on the plans (emailed to Kevin Mason, Duke)</li> <li>Include the Site Plan Standard Notes on the plans (emailed to Kevin Mason, Duke)</li> <li>Complete and provide the WDP checklist with submission (emailed to Kevin Mason, Duke)</li> </ol> </li> <li>[Advisory Comment]: Off-site drainage discharges from parcel 115780 through the site and possibly to the proposed SCM. Recommend providing a stormwater system to divert the off-site drainage around the proposed SCM. Otherwise, the SCM must be sized to treat the off-site drainage area and potential future development (BUA), and an Owner's Agreement between the property owners will be required for stormwater management and maintenance of the SCM. BUA Allocations for the site and the off-site property would have to be recorded on a plat signed by both owners if the SCM will treat discharge from both properties.</li> <li>[Advisory Comment]: A Drainage Easement will be required for discharge of the off-site drainage through the site and will need to be recorded on a plat. This can be done when the SCM Maintenance &amp; Access Easement is required. Easement locations to be finalized with Site Plan / WDP submission and recorded prior to TCO. If site does not require TCO or CO, then this will be needed prior to final Site Plan approval.</li> </ol>				

# SUBMITTAL SUMMARY REPORT (23-07-PLBD-00057)

**eREVIEW SESSION FILES:** Duke Energy Site Plan.pdf

REVIEWER	MARKUP	DATE/TIME	FILE NAME	PG #
OBass	Is there a sheet 2 or would that be part of the formal site plan submittal?	07/21/2023 4:17 pm	Duke Energy Site Plan.pdf	1
OBass	Sketch	07/21/2023 4:24 pm	Duke Energy Site Plan.pdf	1

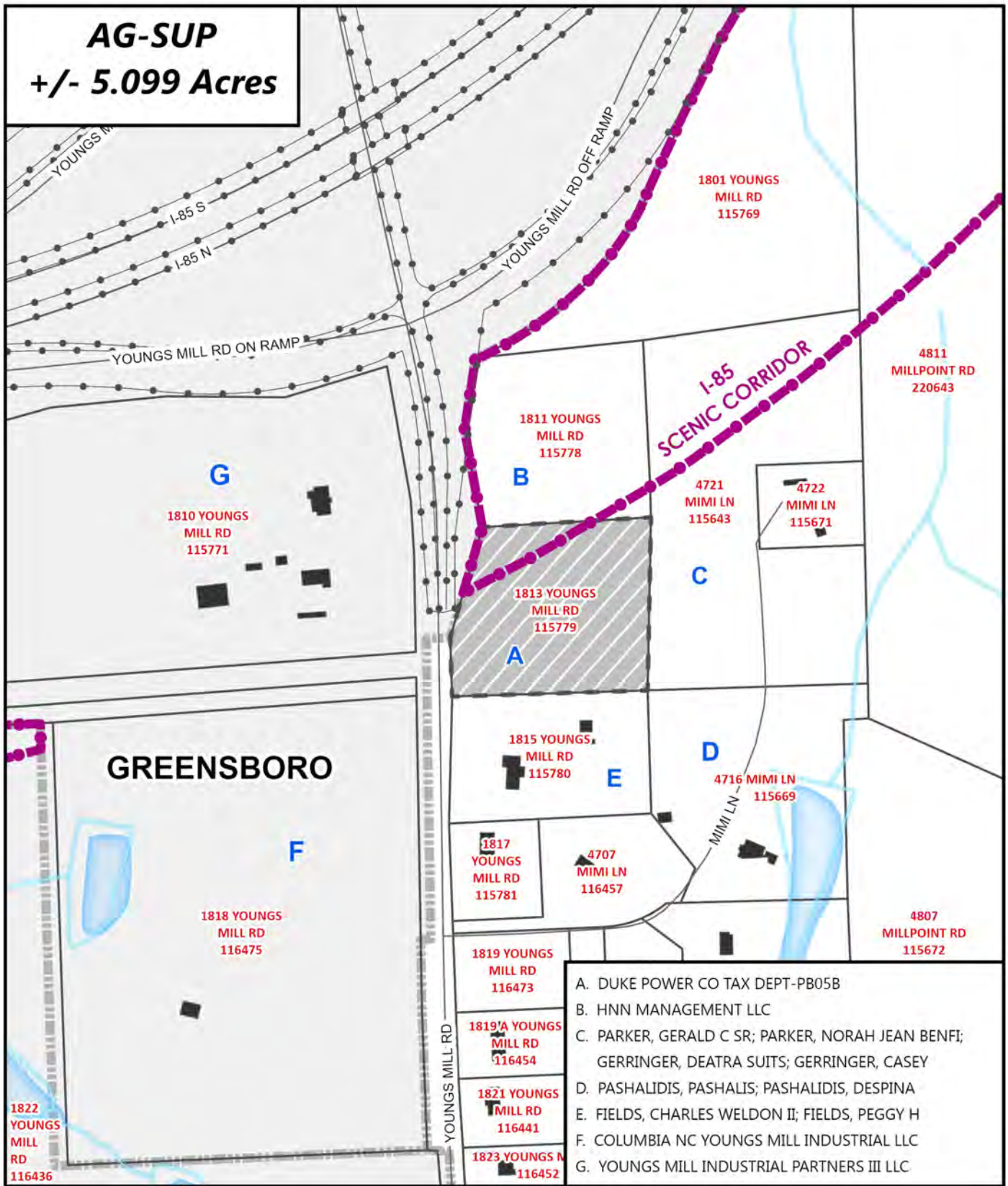
## Sketch Plan Review v.2

ITEM REVIEW NAME (DEPARTMENT)	ASSIGNED TO	DUE	COMPLETE	STATUS
Planning (Planning/Zoning)	Oliver Bass	09/27/2023	10/09/2023	Review Completed
Watershed Review (Watershed)	Brent Gatlin	10/04/2023	10/06/2023	Review Completed
<i>Comments</i>	SUP received 9/13/23 is Approved for watershed compliance.			

Advisory Comments below are to be addressed with future Site Plan and Watershed Development Plan submission:

1. [Advisory Comment]: Submit a Watershed Development Plan (WDP) including stormwater management and conveyance system design plans and calculations with the Site Plan submission.
  - a. Include the SCM Standard Notes on the plans (emailed to Kevin Mason, Duke)
  - b. Include the Site Plan Standard Notes on the plans (emailed to Kevin Mason, Duke)
  - c. Complete and provide the WDP checklist with submission (emailed to Kevin Mason, Duke)
2. [Advisory Comment]: Off-site drainage discharges from parcel 115780 through the site and possibly to the proposed SCM. Recommend providing a stormwater system to divert the off-site drainage around the proposed SCM. Otherwise, the SCM must be sized to treat the off-site drainage area and potential future development (BUA), and an Owner's Agreement between the property owners will be required for stormwater management and maintenance of the SCM. BUA Allocations for the site and the off-site property would have to be recorded on a plat signed by both owners if the SCM will treat discharge from both properties.
3. [Advisory Comment]: A Drainage Easement will be required for discharge of the off-site drainage through the site and will need to be shown on the Site Plan & Watershed Development Plan, then after approval or conditional approval of those plans it will need to be recorded on a plat. This can be done when the SCM Maintenance & Access Easement is required. Easement locations to be finalized with Site Plan / WDP submission and recorded prior to TCO. If site does not require TCO or CO, then this will be needed prior to final Site Plan approval.

**AG-SUP**  
**+/- 5.099 Acres**



- A. DUKE POWER CO TAX DEPT-PB05B
- B. HNN MANAGEMENT LLC
- C. PARKER, GERALD C SR; PARKER, NORAH JEAN BENEF; GERRINGER, DEATRA SUITS; GERRINGER, CASEY
- D. PASHALIDIS, PASHALIS; PASHALIDIS, DESPINA
- E. FIELDS, CHARLES WELDON II; FIELDS, PEGGY H
- F. COLUMBIA NC YOUNGS MILL INDUSTRIAL LLC
- G. YOUNGS MILL INDUSTRIAL PARTNERS III LLC



Planning & Development  
Department

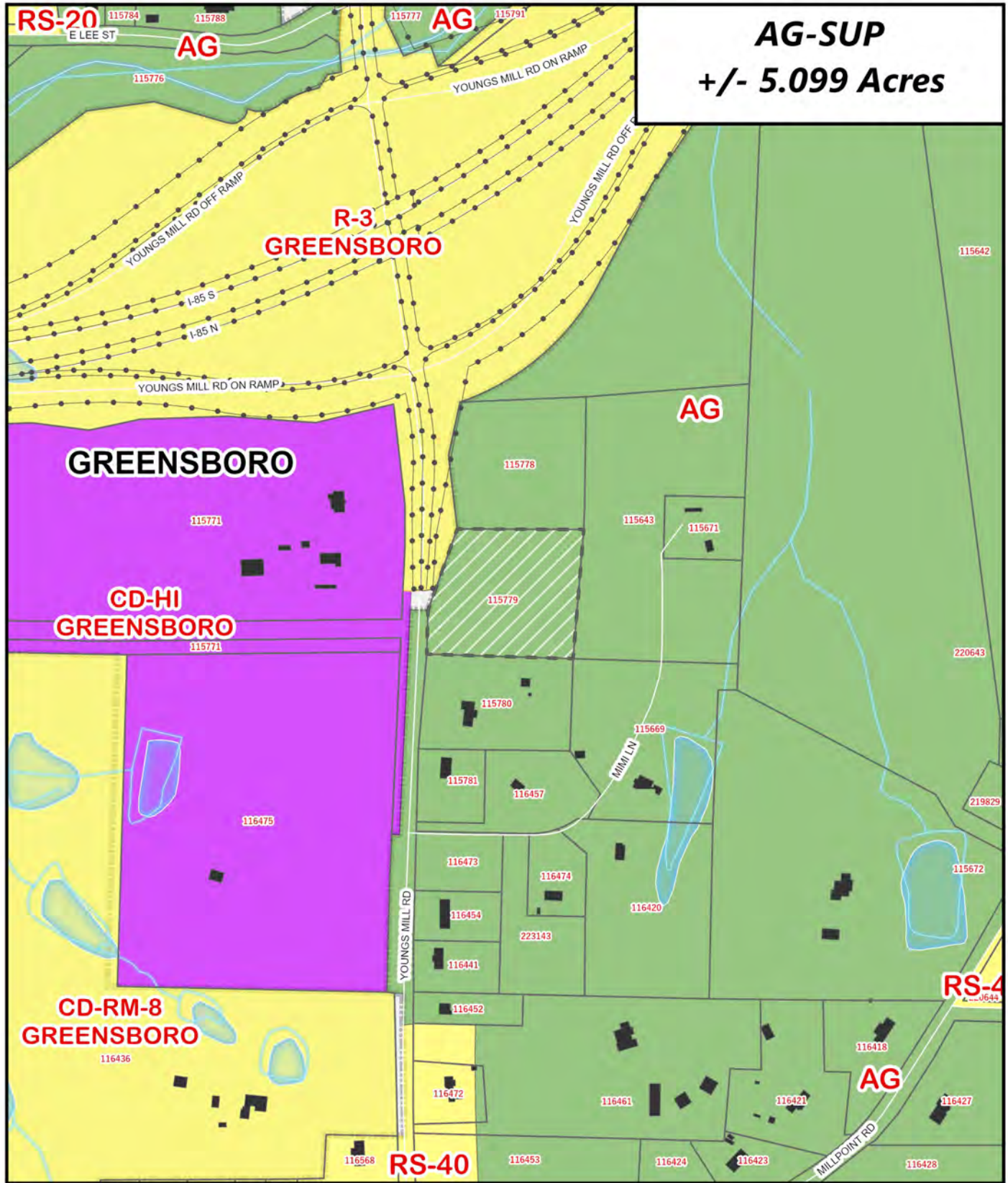
Jurisdiction:  
GUILFORD COUNTY

Case Number:  
Special Use Permit  
23-07-PLBD-00057

Case Area:  
Parcel - 115779  
1813 Youngs Mill Rd



Scale: 1" = 300'



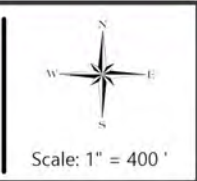
**AG-SUP**  
**+/- 5.099 Acres**

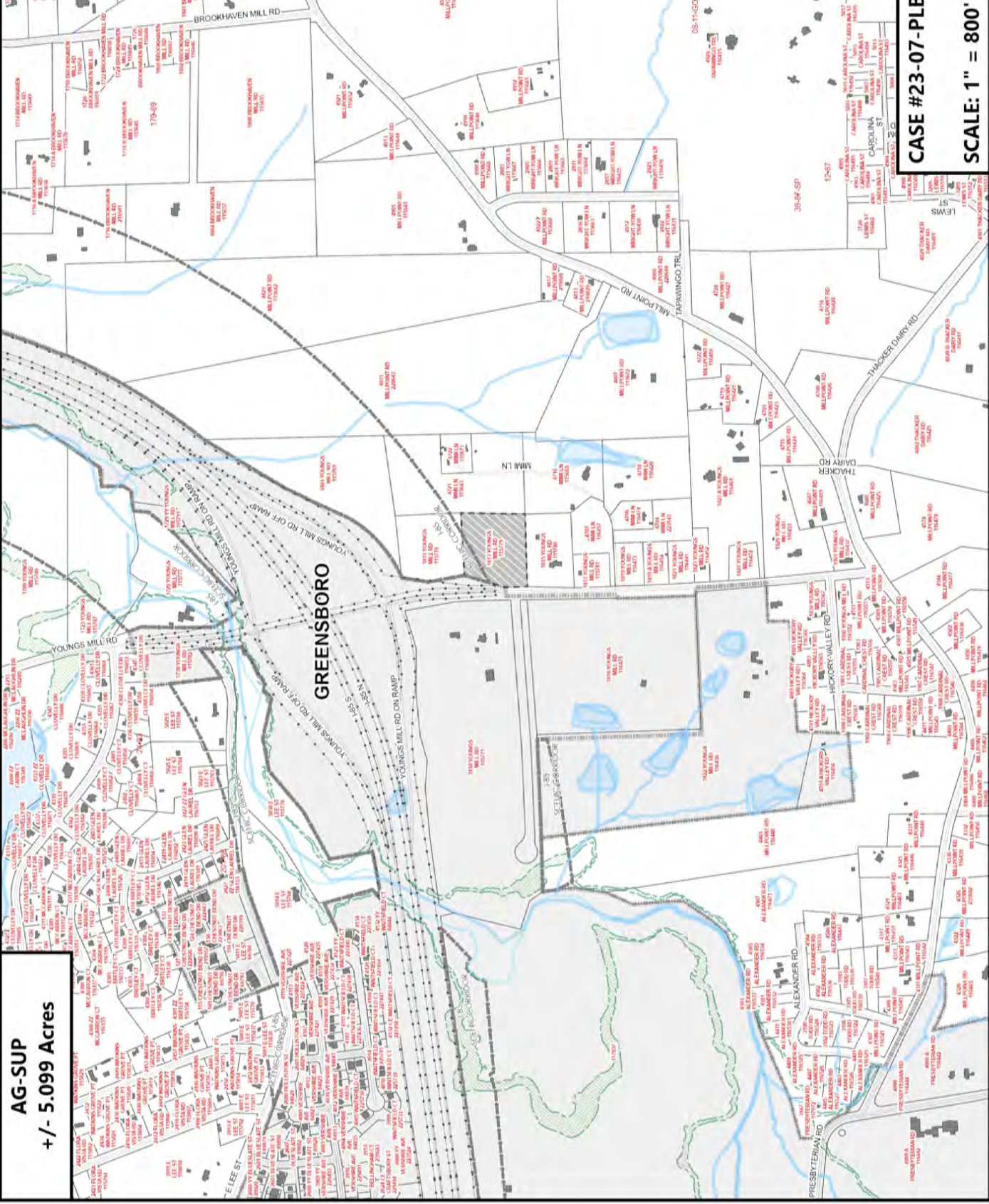


Jurisdiction:  
 GUILFORD COUNTY

Case Number:  
 Special Use Permit  
 23-07-PLBD-00057

Case Area:  
 Parcel - 115779  
 1813 Youngs Mill Rd





**AG-SUP**  
**+/- 5.099 Acres**

**CASE #23-07-PLBD-00057**  
**SCALE: 1" = 800'**



**GREENSBORO**



Planning & Development  
Department

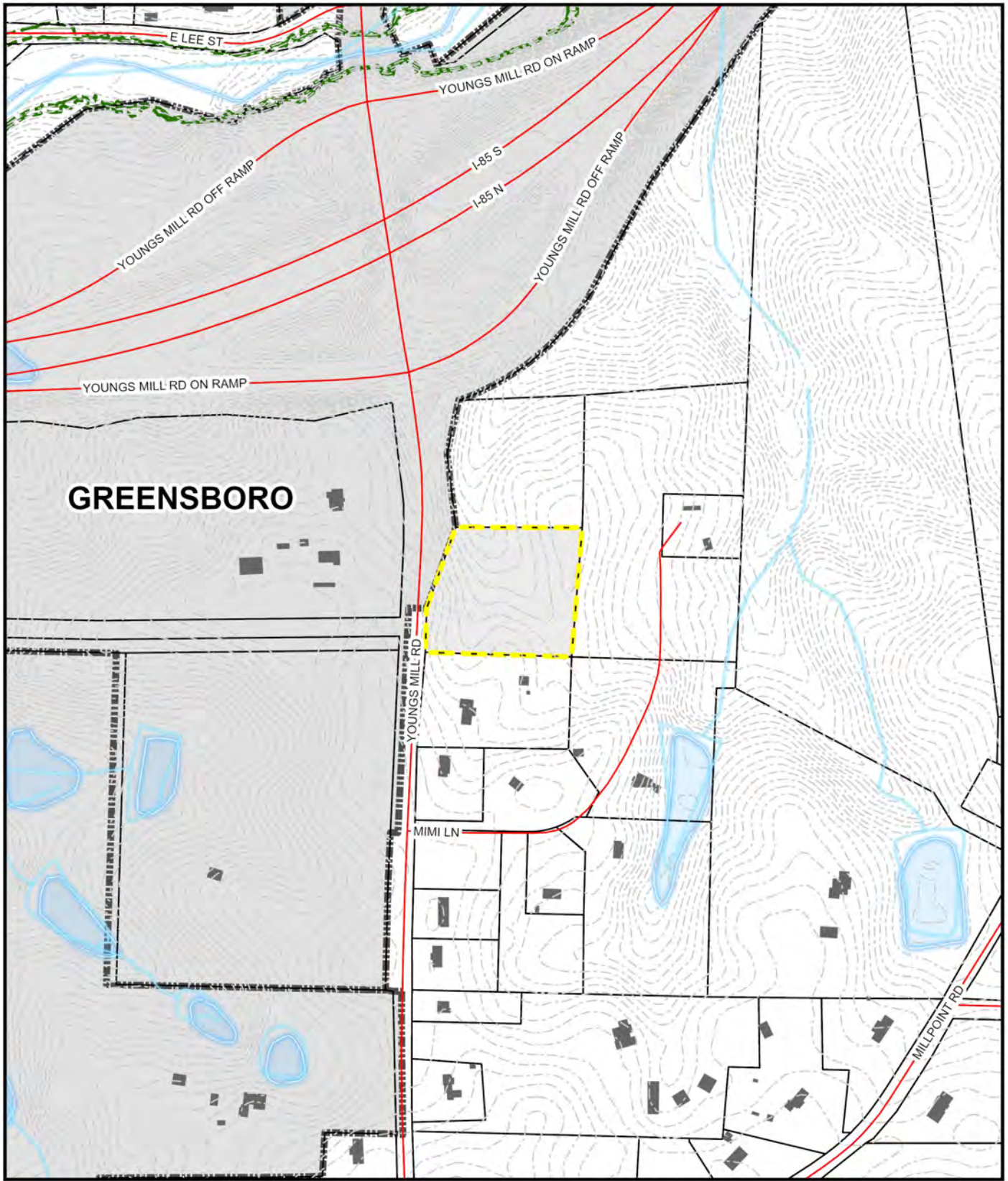
Jurisdiction:  
GUILFORD COUNTY

Case Number:  
Special Use Permit  
23-07-PLBD-00057

Case Area:  
Parcel - 115779  
1813 Youngs Mill Rd



Scale: 1" = 400'



Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
Special Use Permit  
23-07-PLBD-00057

Case Area:  
Parcel - 115779  
1813 Youngs Mill Rd



Scale: 1" = 400'

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

The Guilford County Planning Board, having held an Evidentiary Hearing on November 8, 2023, to consider a request for a Special Use Permit for a Major Utility (Energy Substation) subject to the submitted Site Plan along with the following proposed conditions: *[List approved conditions if any]*, for the property located at 1813 Youngs Mill Road (Guilford County Tax Parcel #115779 in Jefferson Township) on the east side of the Youngs Mill Road approximately 500 feet south of the Youngs Mill Road Off Ramp from Interstate 85 N and comprises approximately 5.19 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:

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- 3. The use, Major Utility (Energy Substation), 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:

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- 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:

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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:

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THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a SPECIAL USE PERMIT for Major Utility (Energy Substation) 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.