

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

Old County Courthouse – Carolyn Q. Coleman Conference Room
301 W. Market Street, Greensboro, NC 27401

June 11, 2025

6:00 PM

Call to Order

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

I. Roll Call

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

James Donnelly, Chair; David Craft, Vice Chair; Jason Little; Dr. Nho Thi Bui; Cara Buchanan; Rev. Gregory Drumwright; and Sam Stalder

The following members were absent from this meeting:

Ryan Alston and Guy Gullick;

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

J. Leslie Bell, Planning & Development Director; Oliver Bass, Planning and Zoning Manager; Avery Tew, Senior Planner; Troy Moss, Planning Technician; Robert Carmon, Fire Marshal; and Matthew Mason, Chief Deputy County Attorney

II. Agenda Amendments

None

III. Approval of Minutes: April 23, 2025, and May 14, 2025

Chair Donnelly stated that there are two (2) sets of meeting minutes, one from the Special Meeting on April 23rd, specifically addressing the Guilford County Comprehensive Plan and the second was the regularly scheduled meeting on May 14, 2025. He forwarded his comments and corrections to Mr. Bass.

Mr. Stalder moved to approve the April 23, 2025, and May 14, 2025 Minutes, as amended, seconded by Ms. Buchanan. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Alston. Nays: None.)

IV. Rules and Procedure

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

V. Continuance Requests

None

VI. Old Business

None

VII. New Business**Non-Legislative Hearing Item(s)****A. Adopt Order to Approve Special Use Permit Case #24-09-PLBD-00094: 4327 S. Elm Eugene Street, Special Events Center (APPROVED)**

Oliver Bass stated that this is the order for the Special Use Permit that was approved back in November of 2024. It was a case that involved property located at 4327 S. Elm-Eugene Street.

Chair Donnelly stated that this is a change since some of the members have come on the Board. Initially, just the Chair signed a SUP order, but now, all members have the opportunity to sign the adopted Order. He reported that a revision version was placed at everyone's seat. He asked if there were any questions from the members.

Mr. Craft moved to adopt the Order, seconded by Ms. Buchanan. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Drumwright, Little. Nays: None.)

Chair Donnelly stated that Mr. Bass would circulate a copy of that Order so that the members can identify that they have approved it and sign it.

B. Comprehensive Plan Recommendation

Leslie Bell, Planning Director, stated that on April 23, 2025, the Comprehensive Plan was presented to the Board. The plan was developed by the Steering Committee, with Mr. Donnelly and Mr. Gullick representing the Planning Board. The process started with this plan in Spring of 2023 and has culminated into the plan and presentation the Board members received April 23rd. There are three (3) changes to the plan since it was presented on April 23rd. The first one is an update to Future Land Use Map

and Southeast Future Land Use Map land use designations for eight (8) parcels around Southeast School Road and changed from Rural Living to Residential. The second change is a change in color on the Future Land Use Maps where Natural Area/Preserved place type is depicted with a dark green and will be changed to a lighter green. There is an email before the members confirming that the change in progress and was not completed because it includes seven (7) maps. The other change made was some change in language as recommended by the County Attorney's Office. Those changes includes changing some verbiage, such as instead of using "equitable service", they will use "accessible service". It does not materially or substantively change the recommendations for what is included in the Plan, however, it does comply with federal guidelines. He asked if anyone had any questions for him before entertaining a motion to move the plan forward to the Board of Commissioners.

Reverend Drumwright noted that many of the changes were in tandem with exclusion of diversity, equity, and inclusion. He asked if the changes altered the nature of the plan. Mr. Bell stated that it did not change the nature of the plan.

Chair Donnelly asked if someone would make a motion to accept the Comprehensive Plan as submitted.

Mr. Craft moved that pursuant to Chapter 160(d)-501 of the North Carolina General Statutes, local governments are required to adopt and maintain a Comprehensive Plan to have zoning regulations. The Comprehensive Plan respectful of our past, optimistic for our future for the unincorporated areas of Guilford County was adopted by the Board of Commissioners on September 21st, 2006 and effective October 1st, 2006, and updates to the Alamance Creek Northeast, Northern Lakes, Northwest, Rock Creek, Southern and Southwest Area Plans updated and readopted on September 1st, 2016. The Heart of the Triad Plan was adopted on October 21st, 2010 and the Airport Area Plan was adopted on May 15th, 2008. The Guilford County Planning Board, following review and comments, wishes to recommend to the Board of Commissioners the adoption of the new Comprehensive Plan titled, "Guiding in Guilford Moving Forward Together Comprehensive Plan" herein, "The Plan" that will replace the aforementioned documents and Area Plans to help guide growth, conservation, economic development, future land use, and other related elements within the County. The Plan initiated in Spring of 2023 was developed with extensive opportunities for public input and engagement for the citizens of Guilford County. That input was used to guide the development of the Plan, robust and public engagement efforts included, but not limited to more than 45,000 social media posts and impressions, more than 1,400 survey responses, 7 workshops and open house events, 8 stakeholder interviews and focus group meetings, 44 days of print

advertisement and pop-up station events, a project website with a link for public input and public outreach assistance, from the Guilford County Communications Department, also assisted with the community engagement, the Guilford County Planning Board and Steering Committee, comprised of residents and subject matter experts from the County with the assistance of stakeholder focus groups and Planning staff provided feedback and guidance throughout the Plan development, which addresses topics set forth by NCGS 160(d)-501(b). Additionally, the initial draft Plan was released and the project team extended the review period from the Summer of 2024 until the end of the calendar year 2024. The extended review period resulted in the following Plan revisions, updated Future Land Use Map series to reflect Summerfield de-annexation because of House Bill 909, added summary of Phase IV engagement, Plan review to the process chapter, clarified approach to rural character preservation and the land use framework and the economic planning theme, created and added a stand-alone Planning theme summary document to the Plan's Executive Summary to highlight goals and near-term actions, addressed and updated minor texts, grammar and formatting changes. On April 23rd, 2025, the Guilford County Planning Board held a Special Meeting to present the Plan and schedule a Public Comment period on its agenda for any citizen to ask questions and provide feedback and/or concerns about any aspect of the Plan. The Plan, as recommended by the Board tonight incorporates changes from the previous version, as follows: Update Future Land Use Map and Southeast Future Land Use Map designations for eight (8) parcels, numbers: #121428, 121090, 121471, 121092, 121093, 121094, 120920, and 120922, along and around Southeast School Road, State Road 3330 from Rural Living to Residential, change color on the Future Land Use Maps where Natural Area Preserved place is depicted with a dark green to a lighter green, which is in progress, and change some language recommended by the County Attorney's Office. Having stated the foregoing, Mr. Craft moved that pursuant to Chapter 160(d)-604 of the North Carolina General Statutes, the Guiding Guilford Moving Forward Together Comprehensive Plan be recommended to the Board of Commissioners for review, legislative hearing and adoption, seconded by Dr. Bui. The Board voted unanimously in favor of the motion. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Drumwright. Nays: None.)

Chair Donnelly stated that the draft plan will now go to the Board of Commissioners for review and adoption.

Legislative Hearing Item(s)

- A. RESOLUTION TO CLOSE A PUBLIC ROAD CASE #25-02-PLBD-00110: AT&T DRIVE (APPROVED)**

This is a request to adopt a resolution to close and remove from dedication AT&T Drive which fronts Guilford County Tax Parcels #84848, #84849, #84845 in Morehead/Gilmer Township and #116800 in Jefferson Township and runs south from Millstream Road approximately 0.59 miles, terminating at Mt. Hope Church Road right-of-way.

Oliver Bass, Planning and Zoning Manager for Guilford County, stated that this request is to close and remove from dedication AT&T Drive which fronts Guilford County Tax Parcels #84848, #84849, #84845 in Morehead/Gilmer Township and #116800 in Jefferson Township and runs south from Millstream Road approximately 0.59 miles, terminating at Mt. Hope Church Road right-of-way. The road was abandoned by NC DOT on April 16, 2025. At last month's meeting the Board adopted a Resolution of Intent that set the date of today for the road closing. A draft copy of the Resolution was included in the Board members' packages.

Mr. Bass stated that the notice was posted pursuant to NC General Statutes and special legislation.

Chair Donnelly opened the Public Hearing and asked if there was anyone wishing to speak in favor of this item.

Nick Blackwood, 804 Green Valley Road, attorney representing the applicant, stated that Mr. Bass' explanation covered everything that he was going to mention during his presentation. He added that NC DOT has already abandoned its maintenance obligations with respect to that road and they have the written consent of all the adjacent property owners and no one will be affected by this proposed closing. He will be happy to answer any questions.

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

Discussion

Mr. Craft asked what if the Planning Board does not approve the road closing and DOT has abandoned it. Mr. Bell stated that and the final decision lands on the Planning Board. Leslie Bell stated that prior to DOT abandoning the road, the Board of County Commissioners took action that they are in concurrence with the application and submitted it to DOT to abandon the road.

Ms. Buchanan moved that in Road Closing Case #25-02-PLBD-00110, the Resolution to close AT&T be approved as AT&T Drive, as presented by staff, seconded by Mr. Little. The Board voted unanimously in favor of the motion.

(Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Drumwright. Nays: None.)

B. REZONING CASE #25-05-PLBD-00121: AG, AGRICULTURAL TO RS-30, RESIDENTIAL: 8415 FAIRGROVE CHURCH ROAD (APPROVED)

The subject property is located at 8415 Fairgrove Church Road (Guilford County Tax Parcel #128430 in Monroe Township), approximately 1,800 feet southwest of the intersection of Brooks Lake Road and Fairgrove Church Road, and comprises approximately 1.7 acres.

Avery Tew presented the staff report for this case. He stated that the request was to rezone the subject property from AG, Agricultural, to RS-30, Residential. The proposed rezoning is consistent with the Northern Lakes Area Plan recommendation of AG Rural Residential. Therefore, if the request is approved, no land use plan amendment will be required.

Mr. Tew explained that the current AG zoning district is intended to provide locations for agricultural operations, farm residences and farm tenant housing on large tracts of land. The district is further intended to reduce conflicts between residential and agricultural uses and preserve the viability of agricultural operations. The minimum lot size for the AG district is 40,000 square feet. The proposed RS-30 zoning district is primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer services, and the minimum lot size is 30,000 square feet. Mr. Tew characterized the vicinity of the subject property as predominantly agricultural and residential. The only existing use on the property is a single-family detached dwelling. To the north of the subject property are agricultural and rural residential uses and to the south, east and west of the subject property are residential uses. There are no inventoried historic resources or cemeteries shown to be located on or adjacent to the subject property. Given the small size of the property, there is no anticipated impact on public school facilities. The property is located within the Northeast Fire Protection Safety District and is about 2.4 miles from the nearest fire station. The property is served by private septic systems and wells and is not known to be within any public utility service area. Fairgrove Church Road provides frontage to the property and is classified as a collector street in the Greensboro Urban Area Metropolitan Planning Organization's Comprehensive Transportation Plan. The annual average daily traffic for Fairgrove Church Road is 800 vehicles per the 2022 NCDOT traffic count. There are currently no proposed road improvements in the area. Any new development on the property would be subject to an NCDOT driveway permit. The parcel's topography ranges from gently sloping to strongly sloping. There is no regulated flood plain, regulated wetlands or mapped streams on the property. The property lies within the

National Pollutant Discharge Elimination System (NPDES) non-water supply watershed area.

This property is covered by the Northern Lakes Area Plan, which contains a recommendation of AG Rural Residential for the subject property. The AG Rural Residential designation is intended to accommodate agricultural uses, large lot residential development and low-density residential subdivisions not connected to public water and sewer, with densities not to exceed 2 units per acre. Anticipated land uses are those permitted in the Agricultural, RS-40, RS-30, Planned Unit Development-Residential and Rural Preservation zoning districts. The requested rezoning is consistent with the Northern Lakes Area Plan recommendation of AG Rural Residential. The requested rezoning is also consistent with following policies of the Future Land Use Element of the Guilford County Comprehensive Plan: Policy 1.1.1, 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"; and Policy 1.4.3, which states, "Reference adopted Land Use Plans and recommended uses and densities/intensities, when applicable, in conjunction with rezoning staff reports presented to the Planning Board. Staff considers the request to rezone the subject property from AG to RS-30 reasonable because there are large tracts of land zoned RS-30 just across Fairgrove Church Road from the subject property. The proposed RS-30 zoning district is also recognized as consistent with the future land use recommendation of AG Rural Residential within the Northern Lakes Area Plan. Therefore, staff recommends approval.. Because the proposed RS-30 zoning is consistent with the Northern Lakes Area Plan recommendation of AG Rural Residential, if the proposed rezoning is approved, no plan amendment is required.

Chair Donnelly opened the Public Hearing and asked if there was anyone wishing to speak in favor of this item.

Tammy Roberts, 7500 Longhorn Drive, stated that she is one of the owners of the property located at 8415 Fairgrove Church Road. They recently purchased the property with the intent to improve the quality of the property and the purpose of the rezoning is to make it consistent with similar housing across the street. She is a general contractor and has been building for over 20 years and designing houses for over 30 years. She is also a licensed realtor and she knows there is a shortage of housing in the area.

Discussion

Mr. Craft asked if the proposed improvements to the property included repairs to the existing house on the property? Ms. Roberts responded that the house was built in the 1930s and is in poor condition and has not been kept up. It does not meet current building code requirements and they will probably tear it down and start over.

Chair Donnelly asked if she had talked with any of the neighbors to explain their intentions for the property? Ms. Roberts said she had talked briefly with one of the neighbors that adjoin this property and it was indicated that they would like for the existing house to be torn down.

There being no one else to come forward to speak on this request, the public hearing was closed by acclamation.

Ms. Buchanan stated that she viewed the property and thought the house was an eyesore that did not fit with the current character of other residences on the road.

Mr. Stalder said he felt that RS-30 was reasonable because they could only subdivide the property into two lots, which would not cause too much density in the area.

Ms. Buchanan moved to approve the request as presented in rezoning case #25-05-PLBD-00121, for the subject property located at 8415 Fairgrove Church Road (Guilford County Tax Parcel #128430 in Monroe Township), approximately 1,800 feet southwest of the intersection of Brooks Lake Road and Fairgrove Church Road, and comprising approximately 1.7 acres, because the amendment is consistent with the recommendation of AG Rural Residential within the Northern Lakes Area Plan, as well as Policies 1.1.1 and 1.4.3 of the Future Land Use Element of the Guilford County Comprehensive Plan, and the amendment is reasonable because the surrounding area is largely residential under the RS-30 zoning designation. The RS-30 designation would fit well within the area and would provide much-needed housing in this area of the county. The motion was seconded by Mr. Stalder. The Board voted unanimously in favor of the motion to approve. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Drumwright. Nays: None.)

Evidentiary Hearing Item(s)

A. SPECIAL USE PERMIT CASE #24-09-PLBD-00099: LANDSCAPE AND HORTICULTURAL SERVICES, 2650 JANE EDWARDS ROAD, ZONED AG, AGRICULTURAL (CONDITIONALLY GRANTED)

Chair Donnelly swore in everyone who wished to speak, including staff and members of the community. Everyone was sworn in and affirmed to tell the truth.

Mr. Tew presented the staff report for this case. He said the subject property was located at 2650 Jane Edwards Road (Guilford County Tax Parcel #143728 in Sumner Township), approximately 1,100 feet east of the

intersection of Drake Road and Jane Edwards Road, and comprises approximately 22.3 acres. The subject property is zoned AG, Agricultural.

Mr. Tew stated that this is a request to consider granting a Special Use Permit for Landscape and Horticultural Services subject to the submitted Sketch Plan along with the following proposed condition: 1) The Landscape and Horticultural Services Business will only operate between 7:00 AM and 7:00 PM.

The Technical Review Committee comments for the submitted sketch plan were included in the Board members' packet. Photographs were shown on the screen for review. Mr. Tew said the vicinity of the subject property is primarily rural residential and undeveloped land. There is a residential subdivision consisting of approximately half-acre lots immediately northeast of the subject property. The existing land uses on the property are a single-family detached dwelling and two storage buildings. The surrounding uses to the north are rural residential, a residential subdivision and undeveloped land. To the south, east and west it is predominantly rural residential and undeveloped land. There are no inventoried historic resources or cemeteries shown to be located on or adjacent to the subject property. There is no anticipated impact to public school facilities. The subject property is located within the Pinecroft/Sedgefield Fire District and is approximately 2.5 miles from the nearest fire station. The subject property is served by private well and septic and is not known to be within the service area of any public utility providers. Jane Edwards Road, which provides access to the property, is a private road and is not classified under the Guilford County Thoroughfare and Collector Street Plan, Drake Road, which provides the only inlet to Jane Edwards Road, is classified as a Minor Thoroughfare. NCDOT does not provide a traffic count for Jane Edward Road. The 2023 annual average daily traffic count for Drake Road is 1,900. There are currently no proposed road improvements in the area. Projected traffic generation for the proposed use is not available. The topography for the proposed site is gently, moderately and steeply sloping in different areas. No regulated flood zones exist on the property. Wetlands do exist on the property per the National Wetlands Inventory. A mapped stream does exist on the property. The subject property is located within the Lower Randleman Lake WS-IV General Watershed Area. The subject property is covered under the Southern Area Plan and the plan recommendation in that plan is Agricultural for the southwestern portion of the property and Rural Residential for the northeast portion. The use, Landscape and Horticultural Services, is permitted in the AG zoning district with an approved SUP, pursuant to the Ordinance Section 3.5(q).

Mr. Tew read each of the review factors that the applicant needs to demonstrate have been adequately addressed. (information included in the Board members' packets).

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 sketch plan associated with this application, access will be from Jane Edwards Road. Because Jane Edwards Road is a private road not maintained by NCDOT, a Commercial Driveway Permit will not be required.
2. Parking and Loading: Location of off-street parking and loading areas. Parking for Landscape and Horticultural Services is subject to UDO Table 6-1-1: Parking Requirements; Landscape and Horticultural Services would be classified as "Other" under the Business, Professional & Personal Services use category, requiring one parking space per 600 square feet of gross floor area.
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 during the site plan review process per UDO Section 6.1. An NCDOT Commercial Driveway Permit is required as part of the site plan review process.
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, if required, will be reviewed during the site plan review process in accordance with UDO Section 6.3.
5. Utilities: Location and availability of utilities (public or private). The Guilford County Environmental Health Department will regulate septic evaluation upon site plan review by TRC or appropriate staff; TRC or appropriate staff will also review utility easements.
6. Open Spaces: Location of required street yards and other open spaces and preservation of existing trees and other natural features (where applicable). TRC or appropriate staff will review landscape requirements during the site plan review process per UDO Section 6.2.
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 at a TRC meeting or by appropriate staff to meet all environmental regulations per Article 9 of the Guilford County UDO.
8. Landscaping, Buffering & Screening: Installation of landscaping, fencing or berming for the purpose of buffering and screening where necessary to provide visual screening where appropriate. Per UDO Table 6-2-2: A Type B planting yard (min. width 25', avg. width 30', max. width 50') is required between the subject property and any adjacent properties containing a single-family or two-family dwelling; A Type D planting yard (min. width 5', avg. width 5', max. width 10') is required between the subject property and any adjacent vacant properties.

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 TRC or by appropriate staff per UDO Section 6.3.
10. Compatibility: The general compatibility with nearby properties, including but not limited to the scale, design, and use in relationship to other properties. Adjacent properties are predominantly rural residential. Per UDO Table 6-2-2: A Type B planting yard (min. width 25', avg. width 30', max. width 50') is required between the subject property and any adjacent properties containing a single-family or two-family dwelling; A Type D planting yard (min. width 5', avg. width 5', max. width 10') is required between the subject property and any adjacent vacant properties.

During consideration of a Special Use Permit, the Planning Board must determine that the following Findings of Fact have been satisfied, based on competent, material and substantial evidence presented during the hearing:

1. A written application was submitted and is complete in all respects;
2. The use will not materially endanger public health or safety if located where proposed and developed according to the plan submitted;
3. The use, Landscape and Horticultural Services, subject to the submitted sketch plan along with the proposed conditions presented are agreed to by the applicant, for which the SUP is sought, is in conformance with all special requirements applicable to this use. The use meets all required conditions and specifications;
4. The location and character of the use, if developed according to the plan submitted, will be in harmony with the area in which it is to be located and is in general conformity with the plan of development of the jurisdiction and its environs; and
5. 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 offered 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. A copy of the TRC comments for the sketch plan is enclosed.

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 Planning Director after comments from 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 the SUP are violated, the permit shall be revoked, and the use will no longer be allowed. Only by reapplying to the Planning Board for another SUP and receiving its approval can the use be again permitted.

Chair Donnelly opened the evidentiary hearing and asked the applicant to come forward and present their case.

Leigh Prince, Attorney with Fox Rothschild representing property owner Randy McKinnon, stated that she originally submitted this application in September 2024 on behalf of Carolina Green Lawn Care to allow a landscape business with a Special Use Permit. This is a large, 22.3 acre property, and the existing residence and storage building for the landscape services are located on less than 2 acres of the property. Access to the property is through Jane Edwards Road and, while a traffic study was not done, it is estimated that there will be about 22 trips per day associated with company trucks and employees coming to and from the site. There will be adequate parking on the site for the use of any customer. They are happy to adhere to the hours of operation included as a condition. They understand they will need to meet any buffer or landscaping requirements as part of the site plan review process. There should not be much impact on nearby residences. The storage building is approximately 4,000 square feet in total, fully enclosed and they are not planning any outdoor lighting. The building meets or exceeds the setback requirements. They will retain the rural character of the property. This has been in use for some time without much complaint.

Counsel Mason stated that it would be helpful and advisable for the site plan and presentation by Ms. Prince to be part of the record. Ms. Prince stated that she would be glad to send a copy to staff.

Mr. Craft asked to see the sketch plan submitted as part of the application. He said it looked like more than two acres had been cleared on the property.

Ms. Prince said she was not aware of additional actual or proposed development on the property.

Mr. Craft asked for clarification that a 30-50' landscape buffer would be required between the subject property and any adjacent residential properties, and a 5-10' buffer between the subject property and any adjacent vacant properties? Mr. Tew confirmed that these were the landscape buffer requirements in the Ordinance.

Mr. Craft expressed concerns that the development could exceed the scope of what was shown on the sketch plan. Mr. Tew explained that the sketch plan was binding and that development would need to occur in accordance with the plan submitted as part of the application.

Mr. Stalder asked how long the current use has been in existence? Ms. Prince responded that it has been in business since January 2023. They are not aware of any negative impact on neighboring property values or sales in the area.

Randy McKinnon, owner of the subject property, was sworn in and stated that he had not had an official meeting with the neighbors.

Counsel Mason cautioned the Board members that, as they are finding whether the elements for a SUP have been met or not, the issue of conversations with neighbors is not germane to whether those elements have been met or not.

Mr. Little asked if the goal of the Special Use Permit was to allow construction of a building? Ms. Prince explained that they need the SUP to validate the existing use of the property. Mr. McKinnon added that they do landscaping and lawn maintenance. The building is used to store their equipment.

Mr. Little asked if the condition limiting the hours of operation was sufficient, as during the summer, daylight hours extend into the evening. Mr. McKinnon said the business usually ceased operations by 5:30-6:30 p.m.

Mr. Craft asked if a tree service would be included under this application. Mr. Bass stated that a tree service could be considered under this Special Use Permit if the activity was consistent with the Landscape and Horticultural Services use. If it expands in any way, they would need an amendment to the SUP.

Chair Donnelly stated that, when he visited the site, it looked like there was an elevated area to the left and you cannot see across the waterway that runs across the middle of the property. The residence is on the top portion of the hill and the primary storage building is visible on the site plan and the accessory storage building is to the right of that. Parking

is available near this second building. Everything was very neat and orderly from what he saw. He noticed an outdoor storage rack of piping and related materials and possibly a propane storage unit that may also be within that buffer area. Mr. McKinnon stated that they are going to have the property surveyed again as there were no formal stakes put into the ground. They can make any changes that would be needed.

Chair Donnelly asked if the applicant had presented all of the evidence that they wished to present. Ms. Prince said the information presented at the hearing, as well as the materials included in the application, comprised their case.

Mr. Craft asked if the application showed that the development exceeded the required setbacks, as claimed by the applicant? He said the applicant could propose a condition to increase setback or buffer requirements above and beyond the minimum.

Chair Donnelly suggested an additional condition addressing the placement of the existing outdoor storage or propane tank to be moved outside the buffer area. Mr. McKinnon said there was a fence around the propane tanks. He said he was amenable to requiring landscaping around the elements Chair Donnelly mentioned.

After some discussion, the following condition was agreed upon: "Existing outdoor storage areas and propane tanks will be relocated as necessary to meet minimum landscape buffer requirements."

Mr. Donnelly moved to approve the additional condition. The motion was seconded by Ms. Buchanan. The Board voted unanimously in favor of the motion to approve. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Drumwright. Nays: None.)

Chris Brady, 2661 Jane Edwards Road, was sworn in and stated that he did not oppose the request, but he had some concerns. He said the road needed to be widened. He is the only other resident on that road and there are four houses total. The applicant is proposing to bring a business into a single lane dirt road and it is very difficult for drivers that may meet on the road to pass each other safely. He was not opposed to the business at all.

Mr. Bell stated that the road was privately maintained, and there may be a road maintenance agreement in place. The Planning Board does not have any purview other than ensuring that the private road meets the County's minimum requirements. However, the applicant may agree to widen the road. Chair Donnelly asked how that would work with ownership of the private road? Mr. Bell said it would depend on the specifics of the maintenance agreement, if one exists. Mr. Brady stated that there was a road maintenance agreement requiring that when someone purchases the property that they have to help keep up the road.

Mr. Little asked if Mr. Brady had discussed his concerns about the road with Mr. McKinnon? Mr. Brady said there had been some discussions about widening the road. The road has naturally widened a little over time as a result of continuously putting down gravel. Mr. McKinnon said that, since they have been on the property, they have maintained their area coming in from Drake Road onto their property. He said there were grass spots to pull off to the side if two cars needed to pass one another. He feels that they have done their best to maintain the road. He was open to discussion about widening the road, but said there were other owners involved in the maintenance agreement.

Mr. Brady stated that he is also concerned about several brush piles on the property located close to the underground gas lines and power lines. He feels that this is a safety concern. He would like for those brush piles to be moved to a safer place on the property. Mr. McKinnon said they do maintain that area and the brush piles can be moved. There is nothing permanent on the power or gas line easements.

There being no other speakers, the evidentiary hearing was closed by acclamation.

Discussion

Chair Donnelly stated that he did not see anything that gives him any concerns that this business cannot be operated in a manner that is respectful of the neighbors that are adjacent to it.

Ms. Buchanan said she cannot see how this property could detract from other property values, given the proposed use and distance from other properties.

Mr. Stalder said he does not have an issue with the proposed use, but he wants to be sure they go through the process correctly and present sufficient evidence.

Chair Donnelly suggested that the Board move through the required findings one by one. No one had any concerns regarding the first required finding, which requires that a written application was submitted and is complete in all respects.

The second required finding is that the proposed use will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted. Chair Donnelly raised a question about the fuel storage tanks and their proximity to other elements. Robert Carmon, Fire Marshal, after being sworn in, stated that the North Carolina Fire Code does have regulations on quantities and amounts of most chemicals, including gasoline, diesel and things like that. TRC and site

plan review include the Fire Marshal's office, so they would be evaluating that for code compliance.

The third required finding is that the proposed use, subject to the submitted sketch plan along with the proposed conditions presented or agreed to by the applicant, for which the special use permit is sought, is in conformance with all special requirements applicable to this use and meets all required conditions and specifications. Mr. McKinnon said the property adheres to the guidelines of their fuel company regarding fuel storage and safety.

The fourth required finding is that the location and character of the proposed 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. The Board did not express any concerns about this.

The fifth required finding is that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. Chair Donnelly clarified that the board will be looking at the criteria as stated

Mr. Craft moved to grant the Special Use Permit, stating that the Guilford County Planning Board held an evidentiary hearing on June 11, 2025, to consider Special Use Permit Case #24-09-PLBD-00099, a request for a Special Use Permit for Landscape and Horticultural Services on the subject property located at 2650 Jane Edwards Road, zoned AG, Agricultural, subject to the submitted sketch plan along with the following proposed conditions: (1) The Landscape and Horticultural Services business will only operate between 7AM and 7PM; (2) Existing outdoor storage areas and propane tanks will be relocated as necessary to meet minimum landscape buffer requirements. Having heard all of the evidence and facts presented at the evidentiary hearing, the Planning Board makes the following FINDINGS OF FACT and draw the following CONCLUSIONS:

1. It is the Board's CONCLUSION that a written application **was** submitted and **is** complete in all respects.
2. It is the Board's CONCLUSION 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 on the following FINDINGS OF FACT: The use will have limited access via Jane Edwards Road. Only about two of the parcel's approximately 22.3 total acres will be utilized for the Landscape and Horticultural Services business. Additionally, the specified conditions address questions of safety regarding storage of fuels on the property.

3. It is the Board's CONCLUSION that the use, Landscape and Horticultural Services, subject to the submitted Site Plan and conditions, for which the Special Use Permit is sought, **is** in conformance with all special requirements applicable to this use and that the use **does** meet all required conditions and specifications. This conclusion is based on the following FINDINGS OF FACT: The use will be provided adequate parking per the requirements of Unified Development Ordinance Section 6.1: Parking Standards. The submitted Sketch Plan also shows that the proposed development will exceed the minimum setback requirements.
4. It is the Board's CONCLUSION 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 conclusion is based on the following FINDINGS OF FACT: The development as shown on the submitted Sketch Plan is in harmony with the rural character of the area because it leaves most of the property undeveloped and incorporates extensive natural buffers. The specified conditions will also limit the hours of operation for the Landscape and Horticultural Services business. The Unified Development Ordinance prescribes maximum illumination levels that will prevent significant light trespass onto adjacent properties.
5. It is the Board's CONCLUSION that the use **will not** substantially injure the value of adjoining or abutting properties. This conclusion is based on the following FINDINGS OF FACT: The use will have a negligible effect on traffic patterns. The proposed development incorporates extensive buffering between the use and adjacent properties. Furthermore, the use will provide an additional service in the area.

Therefore, on the basis of all the foregoing, it is ordered that the application for a Special Use Permit for Landscape and Horticultural Services be granted subject to the following:

1. The development of the parcel shall comply with all regulations as specified in the Unified Development Ordinance.
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 TRC illustrating conditions related to the request and applicable development standards.

4. The following conditions apply:
 - a. The Landscape and Horticultural Services business will only operate between 8:00 AM and 7:00 PM.
 - b. Existing outdoor storage areas and propane tanks will be relocated as necessary to meet minimum landscape buffer requirements.
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 again be permitted.

The motion was seconded by Ms. Buchanan. The Board voted unanimously in favor of the motion to approve. (Ayes: Donnelly, Craft, Bui, Stalder, Buchanan, Little, Drumwright. Nays: None.)

VIII. Other Business

None

IX. Adjourn

There being no further business before the Board, the meeting adjourned at 8:08 p.m.