



GUILFORD COUNTY
Planning and Development Department

MEMORANDUM

TO: Citizens' Academy Participants
FROM: Les Eger, Planner
DATE: October 29, 2012
SUBJECT: Land Use Scenario for Citizens' Academy

Regulating land development and planning for growth are complex issues framed by law and compelling, albeit sometimes divergent, private and public interests. One well-known aspect of land use regulation and planning is the zoning map amendment, otherwise referred to as a "Rezoning" of property.

The Planning and Development Department is responsible for all facets of a rezoning. The Department is charged with providing information to the applicant and other property owners about the process, ensuring all local and state legal requirements are satisfied, reviewing development plans for consistency with the County's Development Ordinance and adopted Comprehensive Plan, and advising the appointed and elected bodies on relevant issues.

One way to demonstrate the intricacies that can be associated with a rezoning is to perform an exercise that has citizens play the roles of the various parties often involved in a rezoning case. These parties can include the Governing Board, applicant, affected property owners, business and industry advocate, and environmentalist.

Attached to this memorandum is a detailed scenario that I believe captures the positions and interests frequently represented during public hearings for rezonings. The scenario, along with the parties portrayed, is developed from an actual case appealed to the Guilford County Board of Commissioners.

Citizens' Academy Land Use Scenario

THE REQUEST:

A request to rezone approximately 570 acres in rural Guilford County from Agricultural Zoning to Planned Unit Development Residential Zoning to allow up to 740 homes. Over half of the 570 acres (300 acres) is proposed to remain undeveloped as open space.

THE PROPERTY:

An assemblage of six primarily undeveloped parcels that are generally wooded; portions have been used for agricultural production. Several streams cross the property and flow to an environmentally impaired river; areas prone to flooding also are present. The property abuts a fledgling state park and the property is in the center of the state park's planning area.

Access to the property currently is provided via a two-lane major thoroughfare and two two-lane local residential streets. Land uses adjoining the property can be described as low-density residential, agricultural, and undeveloped.

THE ISSUES TO CONSIDER:

1. This is the largest residential development request received for this portion of Guilford County in many years. If approved, the request will potentially add 3000 residents to this rural portion of the County.
2. Three new schools have recently been completed in the area as a result of rapid residential development. Two of the schools already are at capacity.
3. Approval of the request is predicted to more than double the traffic presently traveling the area's street network once the project is completed.
4. The Guilford County Comprehensive Plan is generally supportive of residential development in this area. However, the Plan is over twenty years old and is in the process of being updated.
5. The State of North Carolina has been and remains interested in purchasing the property for inclusion in the State Park, a Park that was authorized after a grassroots lobbying effort by County citizens. The State, however, has been slow to act due to the legalities associated with acquisition.
6. There is some evidence that artifacts of archaeological significance may be present on the property.
7. An adjacent jurisdiction has agreed to supply public water to

the development. Wastewater will be treated by a private treatment facility.

8. The property is owned by citizens whose families have lived in Guilford County for many generations. The application to rezone the property has been filed by the property owners; the landowners have signed an offer to purchase with a large land development company from out-of-state that will be executed if the rezoning is approved. The development company acts as the applicant on the request.

THE PLAYERS:

1. Board of County Commissioners (assign 3 participants)

The Board's task is to listen to proponents and opponents of the project, along with details provided by staff, and ultimately decide if the proposal offers a reasonable or unreasonable use of the property and if the proposal is in the public's interest. The Board may ask questions of the staff, applicant, and anybody else speaking during the hearing.

2. The Property Owners (assign 1 participant)

The property owners are no longer interested in keeping and farming the land and are eager to sell the property. The property owners have been good stewards of the land and are interested in seeing the property developed in an environmentally sensitive manner. They believe the development proposal to be environmentally friendly.

3. The Development Company (assign 1 participant)

The Development Company has spent several thousand dollars preparing environmental assessments, traffic studies, archeological surveys and civil engineering plans to present to the Board of Commissioners and community for approval. The Company believes it has satisfactorily addressed all the issues that have been raised. The Company has done similar developments across the Country and says it has a good track record in terms of environmental compliance and successful communities.

4. Supportive Adjacent Property Owner (assign 1 participant)

A property owner whose land adjoins the area requested for rezoning is supportive of the proposal and believes it is well thought out.

5. Building Industry Advocate (assign 1 participant)

The Director of the local builders' association is eager to see

the request approved. The building and real estate sectors have been especially hard hit during the recession and the project really could stimulate these important industries.

6. Opposing Adjacent Property Owner (assign 1 participant)

A property owner whose land adjoins the area requested for rezoning is not supportive of the request. He believes the development will generate too much traffic and threatens the safety of his children who often times play out on the rural roads.

7. Proponent for the State Park (assign 1 participant)

A citizen instrumental in lobbying the General Assembly to authorize the State Park is interested in denial of the request. She believes that if the land becomes part of the State Park, the economic and recreational benefits will do far more good for Guilford County than will a residential development.

8. Director of State Parks (assign 1 participant)

The Director strongly believes that approval of the request will adversely affect current and future operations of the new State Park. The State has always been interested in the property but has been unable to perform the appraisal work required prior to negotiating with the landowners due to a complex acquisition process. Pending an appraisal, the State has the funding to acquire the property.

9. Environmentalist (assign 1 participant)

The Director of a local non-profit organization formed to improve water quality of area rivers and streams is concerned that the project will negatively affect surrounding water bodies. She believes that the additional stormwater runoff created by the project will make already polluted streams even worse.

10. Board Secretary

Planning and Development Staff will serve as the Board's Secretary and present a staff report, recommendation, and be available for any questions.

Nature of the Request

This request is to rezone approximately 569 acres from AG to PD-R to begin the process for an approval of a Planned Residential Unit Development.

District Descriptions:

The AG, Agricultural District, is primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land. It is not intended for major residential subdivisions.

The PD-R, Planned Development Residential District, is intended to accommodate a variety of housing types developed on large tracts in accordance with a Unified Development Plan. The PD-R District also accommodates neighborhood business and office uses which primarily serve nearby residents.

Property Specifics

Applicant/property owner: Thaxton Richardson, Jr., etal.

Property location: Located at the terminus of Oak Arbor Road (SR 2501) east of Church Street (SR 1001) north of the Guilford/Rockingham County Line in Monroe and Center Grove Townships.

Legal description: Being Guilford County Tax Map 10-646, Block 580, Part of Parcel 8; Block 583E, Part of Parcel 1; Block 646E, Parcels 2, 3, and 4; and, Tax Map 1-20, Block 646, Parcel 2, approximately 569.2 acres.

Zoning History of Denied Cases: None

Character of the Area

The area is currently experiencing an increase in residential development, which is expected to continue and increase due to the recent construction of the Guilford County Northern Middle/High Schools and proposed Northern Elementary School.

Existing Land Use(s) on the Property: Vacant/Limited
Agricultural

Surrounding Uses:

North: Vacant

South: Major Residential Subdivision, Green Houses and
Proposed Elementary School

East: Low Density Residential

West: Vacant

Historic Properties: There are no inventoried properties located on this property. No cemeteries are shown on this property but efforts should be made to rule out the potential of unknown gravesites.

Infrastructure and Community Facilities

Public School Facilities: Monticello/Brown Summit Elementary; Northeast Middle; Northeast High

<u>School Name</u>	<u>Capacity</u>	<u>Capacity w/Mobiles</u>	<u>Proj. Students 2007-20th Day</u>	<u>Mobile Classrooms</u>	<u>Impact in students</u>
Northern ES	700	700	690	0	205-208
Northern MS	878	878	698	0	105-106
Northern HS	1200	1200	394	0	131-133

Remarks: This development adds to the growing development of the Northern portion of the county. The new E.P. Pearce Elementary School is scheduled to open in fall 2007/08; the new Northern Elementary School is scheduled to open mid-year 2007/08; the new Northern Middle School opened mid-year 2006/07; and the new Northern High School is scheduled to open mid-year 2007/08.

Emergency Response:

Fire Protection District: Northeast
Miles from Fire Station: Approximately 0.8 mile

Water and Sewer Service:

Provider: Private Septic Systems and Wells
Within Service Area: No
Feasibility Study or Service Commitment: N/A

Transportation:

Existing Conditions: 5300, nearest ADT south of NC 150.

Proposed Improvements: widening, turn lanes and access points to be approved by NCDOT

Projected Traffic Generation: 6,731 two-way trips in a 24-hour period.

Environmental Assessment

Topography: Gently rolling to severe slopes. Soil types include: Cecil sandy loam, 2 to 15 percent slopes (CcB, CcC, CcD); Cecil sandy loam, 2 to 10 percent slopes, eroded (CeB2, CeC2); Chewacla sandy loam (Ch); Coronaca clay loam, 2 to 6 percent slopes (CrB); Madison sandy loam, 6 to 15 percent slopes (MaC, MaD); Madison clay loam, 6 to 25 percent slopes, eroded (McC2, McE2); Wilkes sandy loam, 15 to 45 percent slopes (WkE).

Regulated Floodplain/Wetlands: The property is located in zones "AE", area of 1% annual chance flood, "X shade", area of 0.2% annual chance flood, and "X", area determined to be outside the 0.2% annual chance floodplain, according to FIRMS 7960, 7961, 7970 and 7971.

Streams and Watershed: The property is not located within a water supply watershed. The property is crossed by several intermittent and perennial streams, mainly on the eastern portion, flowing into the Haw River.

Land Use Analysis

Land Use Plan: Guilford County Comprehensive Plan (1986) County is currently working with a citizen group to develop a new plan for this area.

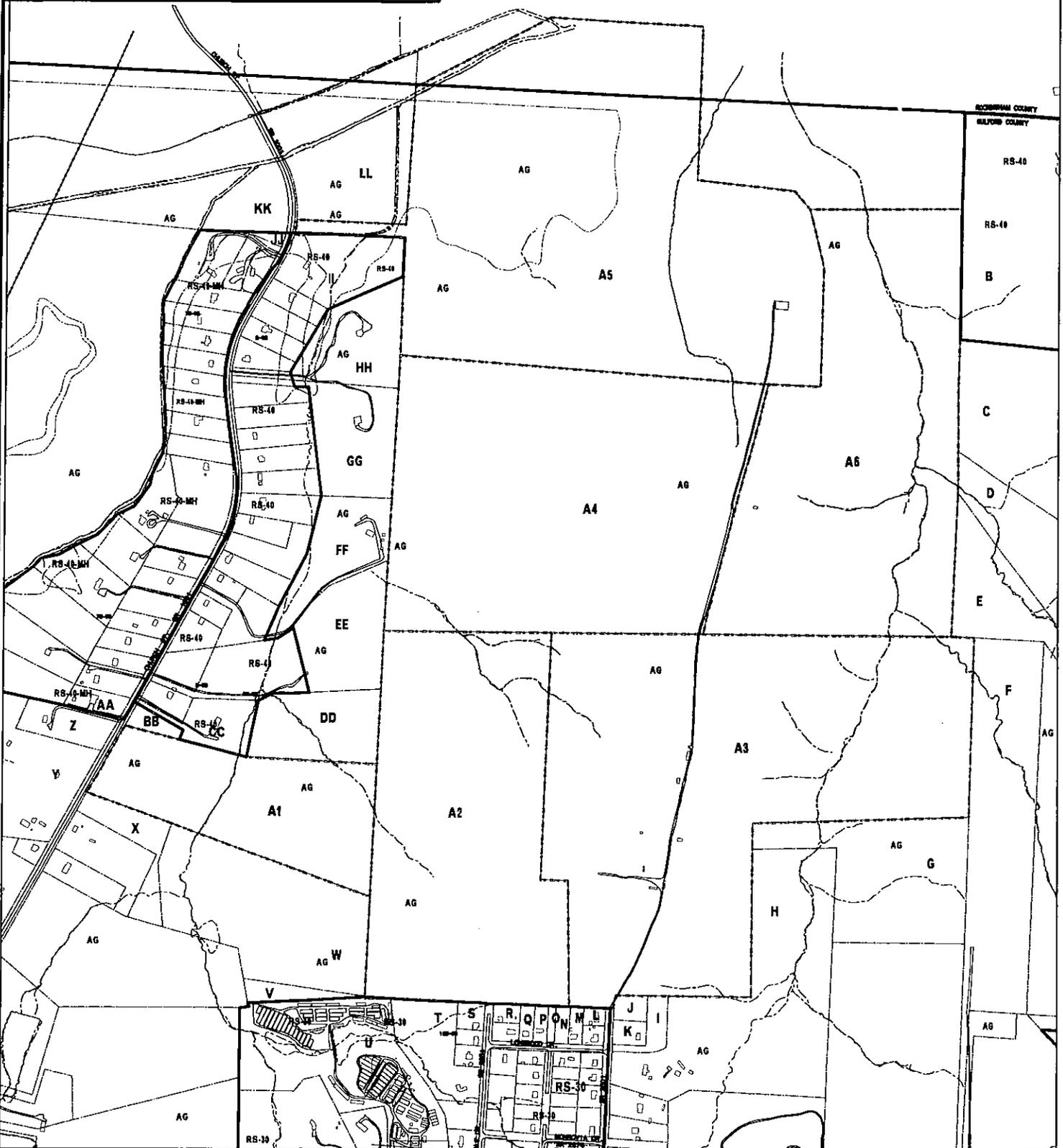
Plan Recommendation: Low density residential.

Consistency: This request is for a residential density of 1.3 units per acre which is equivalent to RS-30 standards; is consistent with the 1986 Plan; and, is compatible with the surrounding low-density residential uses.

Staff Recommendation

Staff recommends approval. Design standard maintaining densities to 1.3 units per acre; reduction of traffic impact to adjoining residential subdivision; buffers created through open spaces and the proposed golf course location; and, dedication of drainageways and road improvements will help to integrate this project into the area and minimize impacts to the existing residential areas and proposed Haw River State Park.

AG TO PD-R
 +/-569.2 Acres



Jurisdiction:
Guilford County
 Guilford County
 Planning & Development
 Department

Rezoning Case:
 07-07-GCPL-04974
 Township Center Grove
 Scale: 1" = 1000'

Map:
 10-20-646-2
 10-646-646-E-2, 3, & 4
 10-646-580-8 & 583-E-1





ROCKSBURGH COUNTY
MULTI-PURPOSE ZONING

582W

583E

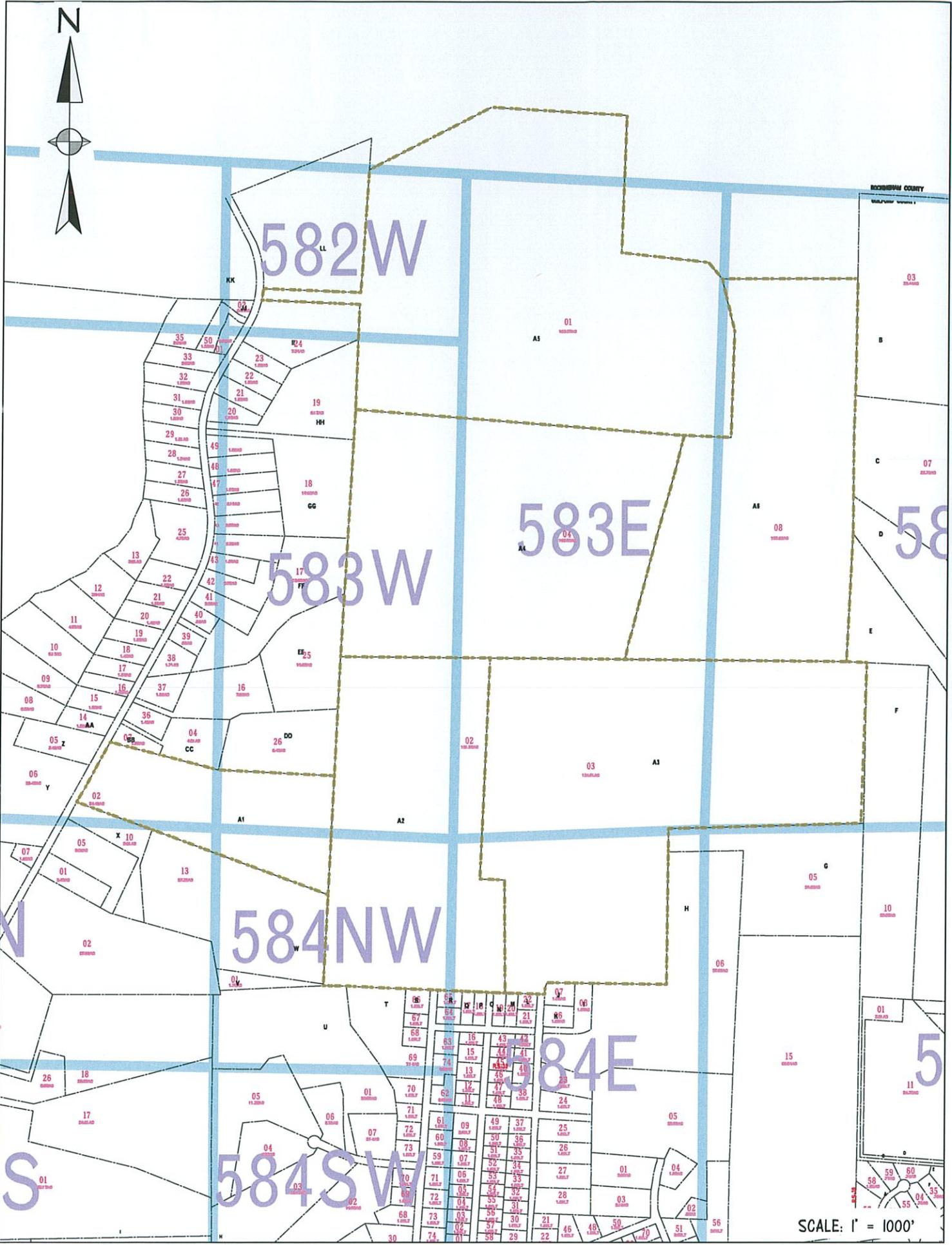
583W

584NW

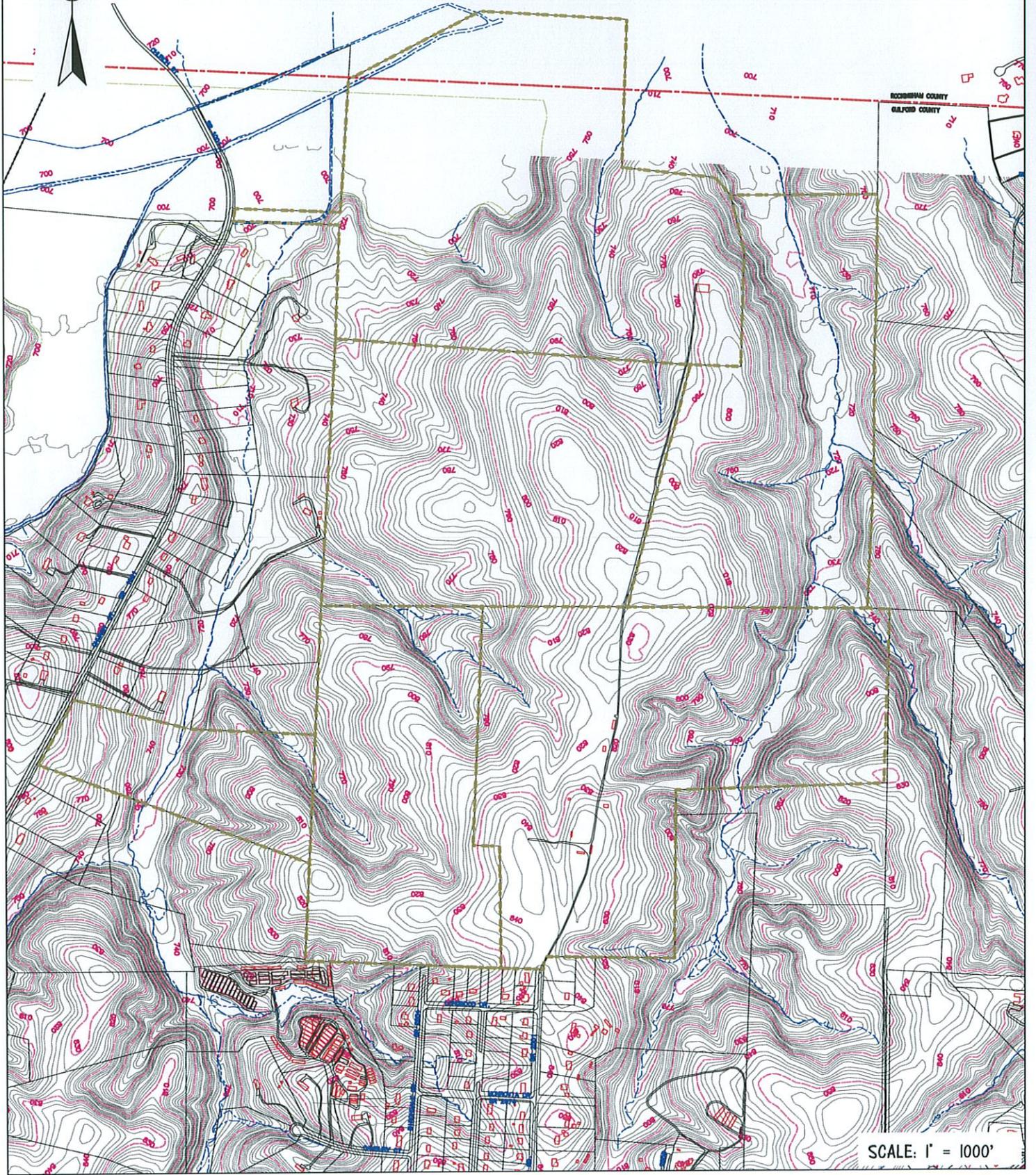
584E

584SW

SCALE: 1" = 1000'



N



ROCKINGHAM COUNTY
RALPHOY COUNTY

SCALE: 1" = 1000'



Rezoning Case Summary

October 29th, 2012

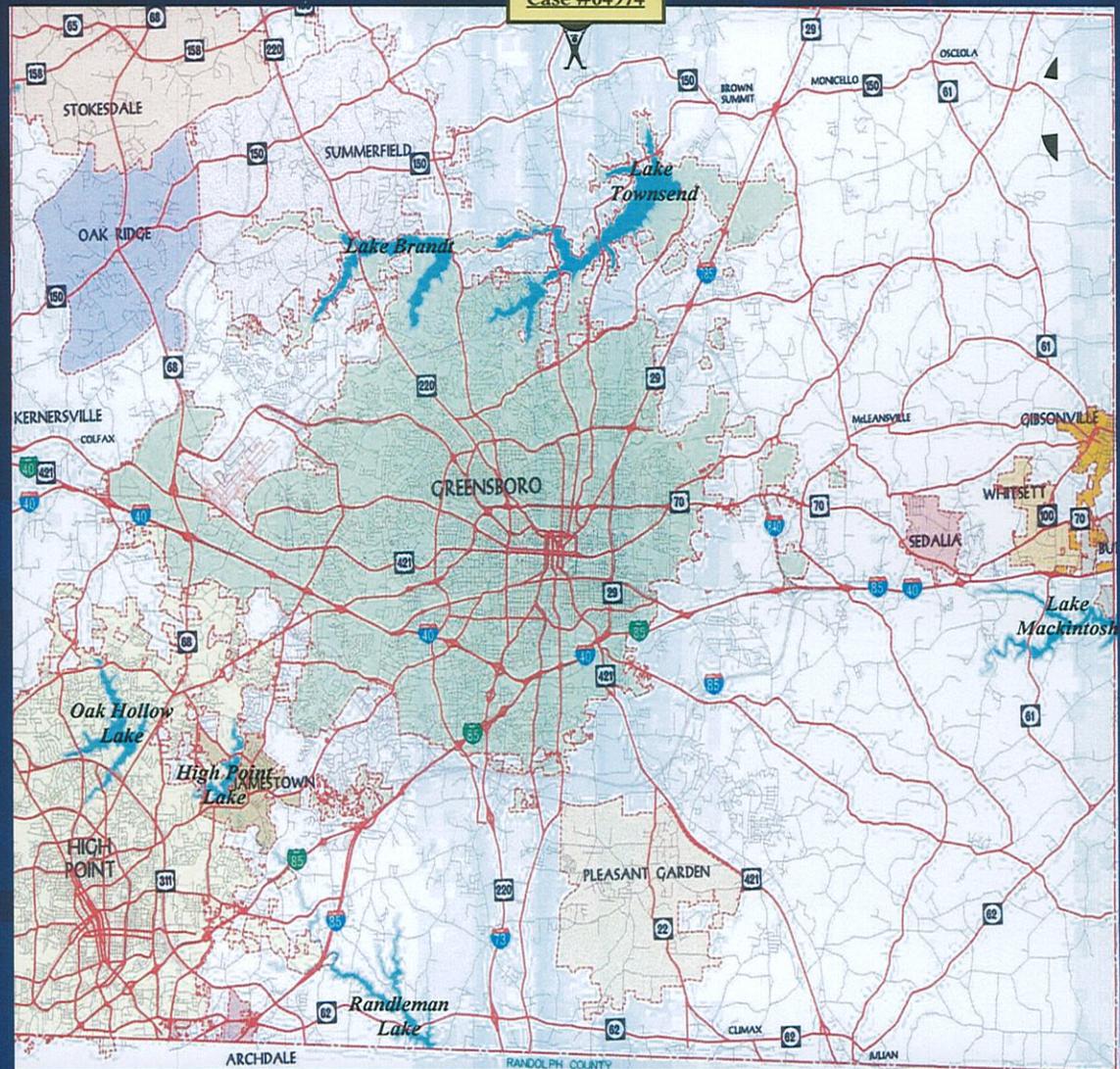
Case #07-07-GCPL-04974

AG to PD-R

Located at the terminus of Oak Arbor Road (SR 2501) east of Church Street (SR 1001) north of the Guilford/Rockingham County Line in Monroe and Center Grove Townships. Approximately 569.2 acres.

Guilford County Commissioners

(Map is not to Scale)



Procedures

➤ For public hearing items:

- *The applicant and proponents will have a total of 20 minutes to present their case.*
- *Then, the opposition will have a total of 20 minutes to present any concerns.*
- *A 5 minute rebuttal for the applicant may be granted by the Chair.*

Voting and Appeals

➤ Approvals require a 5/7's majority vote.

➤ A tie vote on any motion constitutes denial of the request.

➤ Decisions of the Commission are final unless appealed to Superior Court

Rezoning Case - #07-07-GCPL-04974

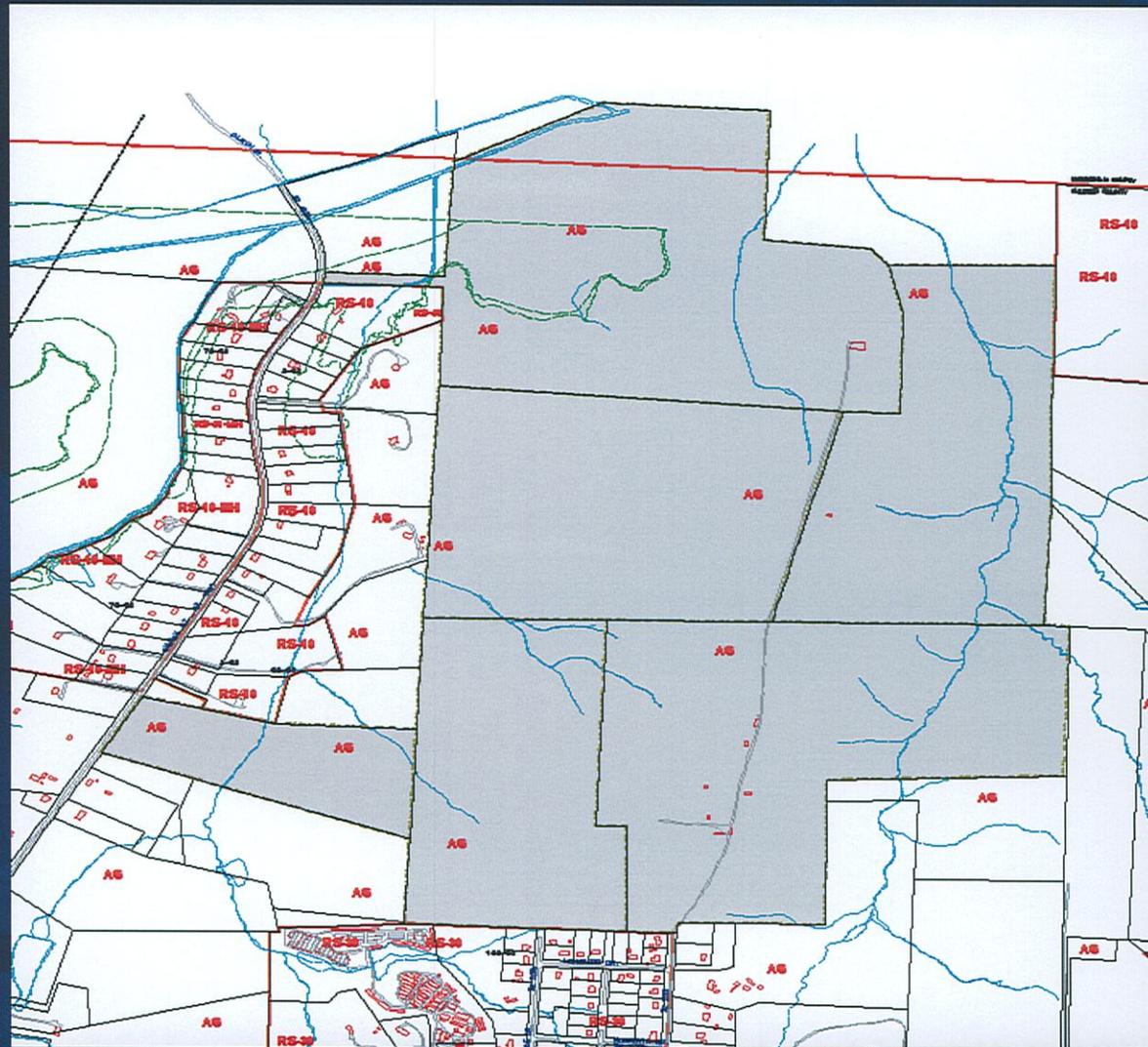
AG

To

PD-R

Overview:

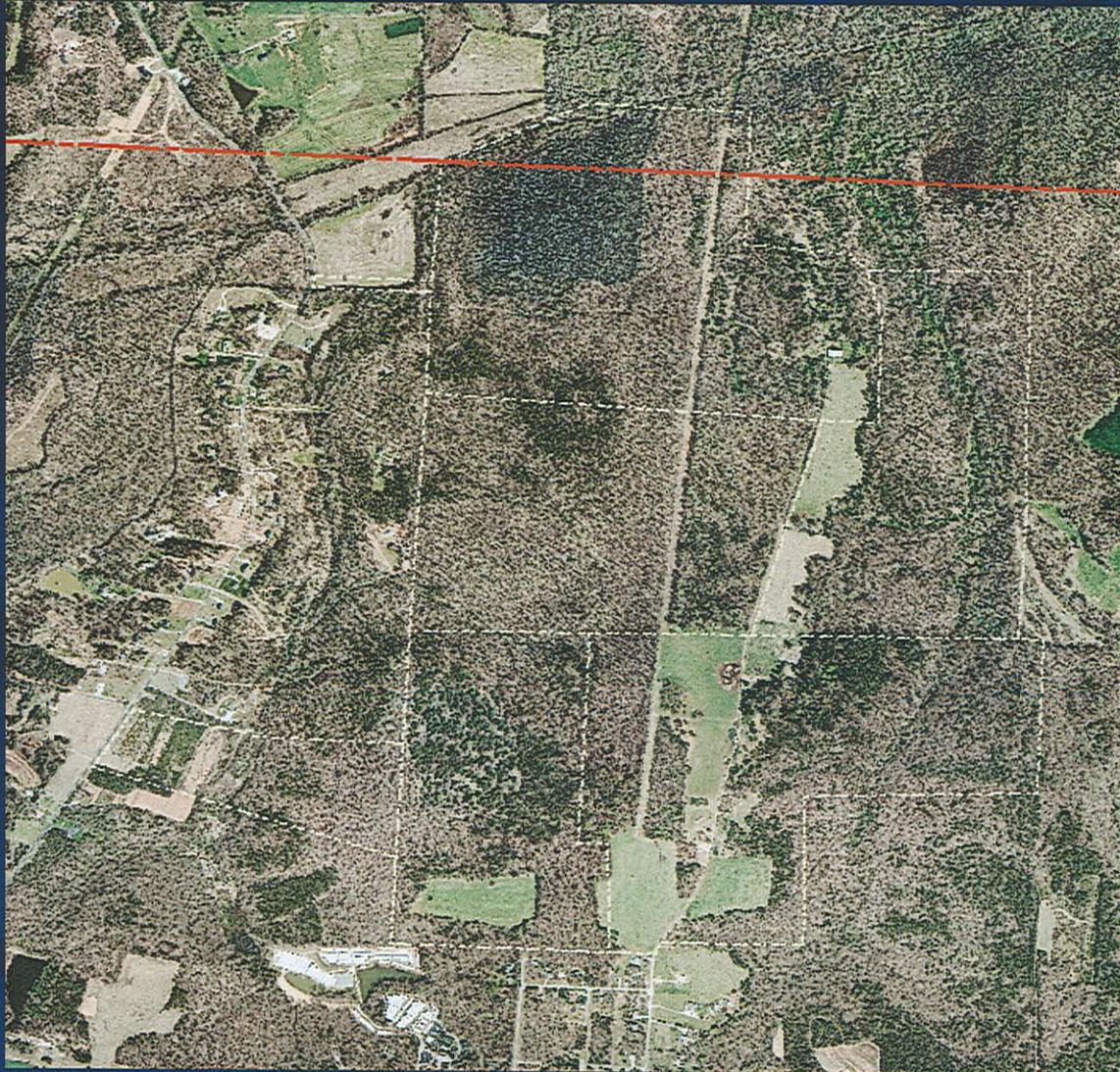
Terminus of Oak Arbor Road 569.2 Acres



Rezoning Case - (# 07-07-GCPL-04974): AG to PD-R

Aerial:

Terminus of Oak Arbor Road 569.2 Acres



Rezoning Case - (# 07-07-GCPL-04974): AG to PD-R

Photos:

*Looking North onto Property from the
Terminus of Oak Arbor Road*



*Looking North onto Property from the
Terminus of Oak Arbor Road*



Subject Property

Photos:

*Looking onto the site from
Church Street*



*Looking North from Property along
Church Street*



Subject Property

Photos:

*Looking South from Property onto
Church Street*



*Looking North towards
NC Highway 150 E*



Subject Property

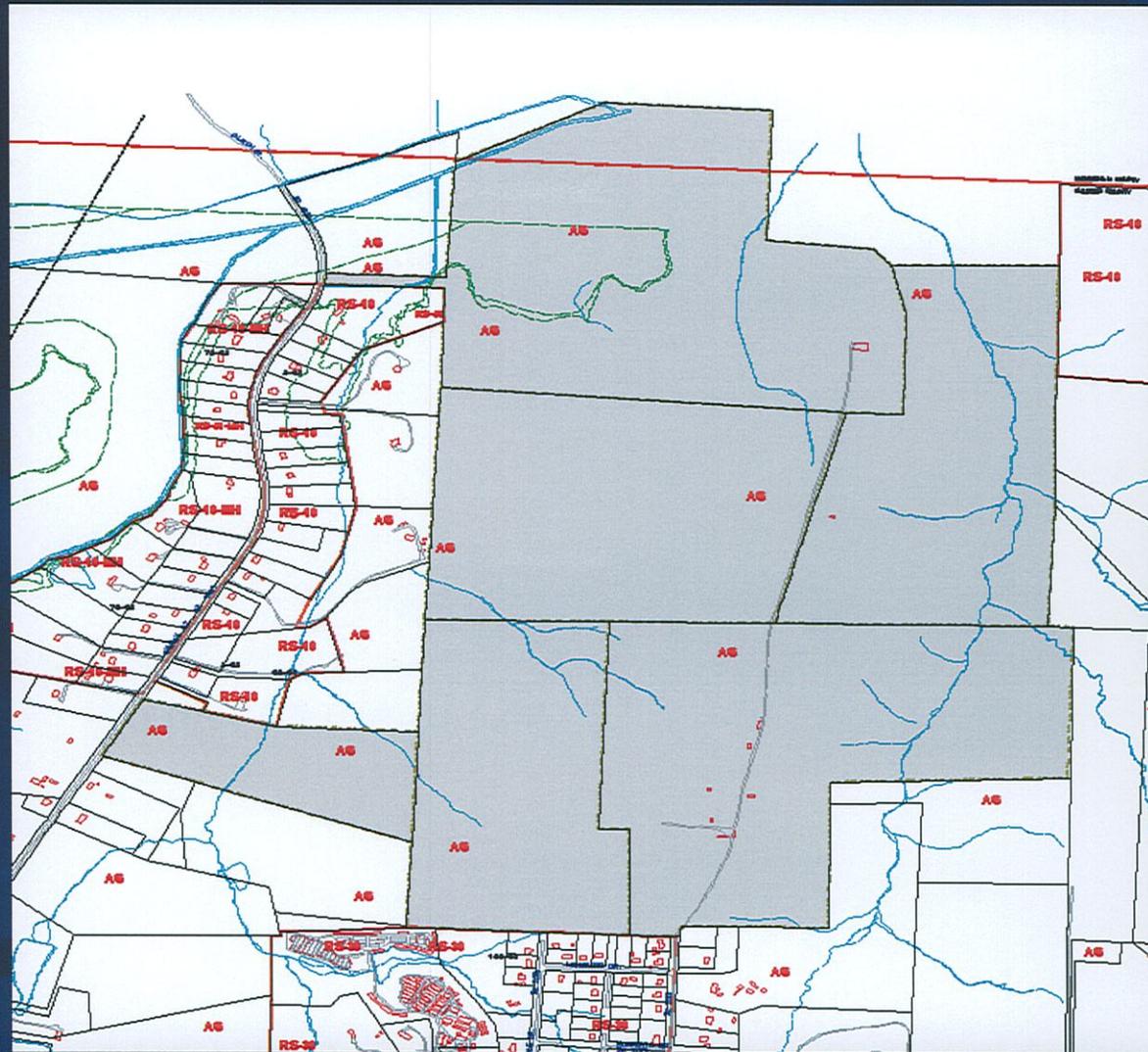
Land Use Plan Recommendation



Terminus of Oak Arbor Road 569.2 Acres

Overview:

Terminus of Oak Arbor Road 569.2 Acres



Rezoning Case - (# 07-07-GCPL-04974): AG to PD-R