

**MEETING OF THE
GREENSBORO ZONING COMMISSION
January 20, 2021**

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The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website January 20, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Raymond Trapp, Richard Bryson, Tony Collins, Michael Jones, and Vernal Alford. Present for City staff included Luke Carter, Mike Kirkman and Steve Galanti, (Planning Department), Noland Tipton (GDOT), Andrea Harrell, (City Attorney), and Alan Andrews, (Chief Deputy City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online. Chair Holston advised of the policies and procedures in place for the Zoning Commission and how the meeting would be conducted using the online format.

Attorney Harrell advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested each item be identified for comments to be made on and submit the comments to Planning staff.

Chair Holston performed a roll call of the Commissioners present. Chair Holston advised Commissioners Engle and Rosa had previously advised they would not be present at this meeting. Ms. O'Connor moved to approve the absences of both Commissioners, seconded by Mr. Bryson. The Commission voted 6-0. (Chair Holston, O'Connor, Alford, Jones, Bryson, and Collins. Nays: 0).

APPROVAL OF THE DECEMBER 21, 2020 REGULAR MEETING MINUTES: (Approved)

Mr. Alford requested verification of the end time which was incorrect in the minutes. A conditional motion was made by Ms. O'Connor to have the closing time adjusted in the December minutes; seconded by Mr. Bryson. The Commission voted 6-0. (Chair Holston, O'Connor, Alford, Jones, Bryson, and Collins. Nays: 0).

WITHDRAWALS OR CONTINUANCE

No withdrawals or continuances.

PUBLIC HEARINGS

OLD BUSINESS:

PL(P) 20-26 & Z-20-11-006: The City of Greensboro is proposing a change to the Airport Overlay District to establish a Zone 1 (AOD-1) and a Zone 2 (AOD-2) in accordance with the proposed new Airport Overlay District map. (Recommended Approval)

Text Amendments:

- a. Zoning Planning and Development Text Amendment: Amending Sections 30-4-1.4 (Mailed Notice), 30-4-8.7 (District Boundaries), 30-7-8.2 (District Standards), and 30-13-9.2 (Owner's Associations) of the Land Development Ordinance related to the Airport Overlay District.

Mr. Kirkman advised that Mr. Steve Galanti of Greensboro Planning would present most of the information and stated there were two different actions that need to be taken. The first was changes to the boundary of the airport overlay zoning district via a map amendment. The second was to change the text in the Land Development Ordinance regarding the regulations tied to the Airport Overlay District. Mr. Galanti stated city planners have

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two tools used to regulate development in the City of Greensboro. First is the based Zoning District. If zoned C-M in the eastern part of town, the setbacks and building height limits are the same as if zoned C-M in the western part of town. Overlay districts are additional standards that go above and beyond the base Zoning District. The discussion will be regarding the zoning map amendment and the text amendment for the overlay district related to the Airport Overlay. Slides were shown depicting the current Airport Overlay district purpose to limit residential land uses in order to be compatible with the airport, minimize the impacts of aircraft noise, and prohibit large structures that would interfere with the airport operations. Current regulations require written documentation from the airport for structures exceeding 50 feet and prohibits residential uses, except single family residential uses on lots of at least 40,000 square feet. The current boundary of the Airport Overlay is based on the 60 dnl line from the county adopted airport area plan of 2001 and is the day/night average for noise within the airport overlay, also referred to as the noise cone. Since the map was adopted in 2002, the airport, as part of its required Part 150 study, amended that map and changed the boundaries of their noise cone.

Mr. Galanti noted these items were continued at the Zoning Commission two months ago and there have been several meetings with stakeholders who have expressed concerns during that time. As a result of those discussions the text amendment in the Commissioners package was revised and the revised text amendment was sent to the members and dated January 20, 2021. He noted that two changes were made regarding the noise level reduction and a provision to allow other measures in addition to construction and materials to perform noise level reduction. An amendment was also made to the notification requirement for the airport that went back to the current wording in the ordinance requiring written documentation from the airport for structures over 50 feet in height.

Mr. Galanti stated then reminded the Commission that they would consider an amendment to the zoning map and the Land Development Ordinance. The proposal is to divide the current airport overlay district into two sub-districts, District 1 and District 2. District 1 will be the boundary of the 60 dnl noise cone from the airport's more recent Part 150 study done in 2007. Within the proposed Airport Overlay District 1 is a continuation to prohibit residential uses, except for single family detached dwellings on lots greater than 40,000 square feet. The new District 2 will be the area between the District 1 line and the current boundary of the Airport Overlay District. Within District 2 there will be three provisions, one currently in the ordinance and two that are being added. The first one is public notification, requiring a disclosure statement whenever property is sold, adding a required note on the final plat whenever a lot is created, and a statement in the owner's association document depicted on the screen. The second provision is noise level reduction. In District 2, the ordinance will require that building materials or construction methods are used to reduce the outside noise heard inside the dwelling by at least 30 decibels. The builder will be required to hire a certified acoustical professional to certify the noise reduction is achieved. The third provision continues the split parcel provision. If a parcel is split by the overlay district boundary, it could be shifted out of the boundary with two caveats. It cannot be shifted more than 600 feet and cannot encroach into District 1.

Mr. Galanti stated when this effort began there were several public information sessions and information was made available to the public. A media release was done and covered by several of the local news channels. There were meetings with the airport, land owners in the area, and the Greensboro Chamber of Commerce. A web site was created with all of the information. The web site had an interactive map that would allow land owners to type in their address and show them whether they are inside Districts 1 or 2, or outside the overlay district. Two public information sessions were also held via Zoom. Notices were mailed to the affected property owners. When the item is heard by City Council, a notice in the local newspaper will also be published. Mr. Galanti reiterated this is a public hearing for both the map amendment and the text amendment, and asked the Zoning Commission to hear

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public comments and make a recommendation as both items for City Council, which is tentatively set to hear both items at their February 16, 2021. Mr. Galanti advised he would answer any questions.

Chair Holston stated if there were no additional comments from the City, if anyone who wished to speak on the application would raise their hand, state their name, address, and state their case. A total of 15 minutes combined will be applied to each side for speakers. Chair Holston requested those in favor to speak first.

Attorney Tom Terrell, Fox Rothschild, 230 North Elm Street, representing the Piedmont Triad Airport Authority. Mr. Terrell stated this request is critical to the airport. There have been a number of meetings with staff and there suggested several changes. Mr. Terrell introduced General Council to the airport, Bill Cooke who would introduce those changes.

Attorney Bill Cooke, 3 Stone Creek Court, Greensboro. Mr. Cooke reiterated the airport believes maintenance of the overlay districts is crucial. The airport does support the proposals outlined by the Planning Department and passed a resolution that stated so, with one exception which will be discussed later. Mr. Cooke referenced a slide depicting the two overlay districts and the Zone 1 boundary (AOD1), the proposed AOD 2 boundary is Zone 2. Overlaid on them are the arrival paths to the runways at the airport. Mr. Cooke stated as aircraft cross over Hwy 220 the planes are on their final approach and there is a concentration of flights going down the middle of the overlay districts. Of particular concern are the approach to Runway 23L located on the right of the slide. It is the most used arrival tract at the airport and is 53% of the arrivals during the day. Flights can arrive between 10:00 p.m. and 1:00 in the morning. The arrival tracts are the same as presented in December and will only increase in the future. Currently Fed Ex has 10 aircraft and plans to have up to 63. The airport is set up to accommodate all of those Fed Ex Flights. If Fed Ex does not develop to 63, the airport would be ideally situated for other cargo development. Internet business is booming and the airport is perfectly situated geographically and can accommodate cargo flights. Talks have been had to locate a focus city or a mini-hub to increase the flight tracts.

Mr. Cooke advised the airport anticipates other airport development and is actively working to develop the airport. Part of the mission is to help bring more aviation development to the airport which would bring in jobs. Currently the combined work force of people working at the airport for the authority and airport tenants is over 8,000 with an average salary of \$60,000 to \$65,000. These are good paying jobs to help make up for the jobs lost in this community and to contribute to the economic development of the community. As the airport develops there will be more air traffic and more arrivals on this arrival path. It is crucial that housing within the arrival path is prepared to accommodate not only the current flights but those anticipated in the future. If housing is not prepared to accommodate arrivals it will stand in the way of further development at the airport that benefits the community.

Mr. Cooke noted the two conditions in Zone 2 are farsighted and well thought out. Notification is very important to anybody who might buy a new house within the airport district to know they would be in a flight path and a lot of that flight traffic would be at night. Houses will be shown by relators during the day and potential buyers need to be aware of what happens at night. Second condition was use whatever methods the developers are able to use to address noise insulation and reduce the noise levels that would penetrate into the home from outside. There would be a modest cost for the insulation which will increase the value of the homes. The airport authority feels these two conditions make good sense. The only exception to the proposal made by the Planning Department that made good sense in to have the same standards in Zone 1. Currently Zone 1 only has the 40,000-foot density restriction. The airport has proposed that the 30db requirements apply in both zones. A recent Part 150 study has

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been completed and has a very limited time on the horizon. It is only a 5-year plan which would be 2025. In the current Part 150 study, there are only 15 FedEx flights, less than a fourth of the total number that the FedEx hub is planned for. The contours coming out of the current study are referred to as the Low Tide. As the airport develops and expands, the tide will go back out, and planning needs to be done for the high tide. Once housing is built in an approach, it is there to stay and they need to look decades into the future and plan beyond the current 150 study. There will be many more 150 studies over those decades as the airport develops and many years to regret if this plan is not right. The airport authority strongly requested a favorable consideration and recommendation for the proposal made by the Planning Department, with the exception to have further discussion with the Planning Department regarding including the Zone 2 conditions into Zone 1.

Chair Holston inquired if there were additional questions for Attorneys Cooke or Terrell. Ms. O'Connor asked if the purple line represented what is a current noise zone and now would be designated as Zone 2. Mr. Cooke responded Ms. O'Connor was correct. Ms. O'Connor asked if northwest of the red runway line, was there housing between the purple boundary and the red line. Mr. Cooke responded Mr. Galanti mentioned the 600-foot offset exemption and there has been some housing built within the current overlay district but not beyond that 600-foot line. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of this request. Hearing none, Chair Holston inquired if there was anyone in opposition to this request.

Janet Mazzurco, 5443 Winters Way, former Vice Chair of Zoning Commission, Chair of PTI Citizens Advisory Committee. (Due to issues with the speaker's connection, portions of Ms. Mazzurco's comments were muted or had to be repeated.) Ms. Mazzurco stated in view of the definition of the airport overlay, the LDO, and her leadership with the Citizens Advisory Committee regarding the Part 150 study over the past year and a half, she opposed the current draft amendment as proposed. The current Part 150 study suggests a smaller overlay as appropriate from the previous proposal. The proposed creation of the two zones of the airport overlay acknowledges the appropriate smaller zone but creates problems for citizens of Greensboro and could be summarized as controlled by regulation. There is a lack of accountability between the airport and the citizens. It is vital the airport acts a good neighbor. FAA regulations suggest that the airport should be able to be a good neighbor within the 65 dnl corridors. Greensboro has been using the 60 dnl contour around the airport allowing for growth but there is a partial disregard for the community by airport officials regarding noise. Currently the airport cites High Point regulations as a standard. The local airport executives have had a strong hand in formulating those regulations. Ms. Mazzurco requested regulations not be created allowing airport authorities to dismiss citizens' complaints regarding noise. In the Part 150 study, it clearly indicates where the airport ignored chances to mitigate noise impacts to surrounding communities. The federal government has created the Part 150 studies to provide scientific information to communities to determine zoning and make wise land use decisions. Airport executives have considerable hope the mega site will revitalize the regional economy.

Ms. Mazzurco requested the Zoning Commission to include a resolution to have a citizens advisory committee that would have the power to report to local government and influence the appointees to the PTI Airport Authority. Locally, if airport executives understand there is a responsibility to the community, in balance to the communities' responsibility to the airport, real progress will be made. The text amendment ignores the science of the most recent Part 150 study which does not allow a mutual respect, restraint, and regulation by the citizen body on the noise impacts discussed. A consideration of the stakeholders was if a house was destroyed or significantly damaged, it would have to be brought up to today's standards, not the standards of when it was built. Chair

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Holston inquired if there were any questions for Ms. Mazzurco from the Commissioners. Chair Holston asked if there were any accompanying visuals relative to what was being requested compared to what was presented by the applicant for the Commission to review. Ms. Mazzurco responded the only visuals were the maps Attorney Terrell put up and referred to when working on the Part 150 study. She noted it was expanded and the Citizen's Group was not sure why. Chair Holston asked if in general the opposition was due to the expansion from the purple line to the green line. Ms. Mazzurco responded that was correct. Chair Holston asked if there were additional questions for Ms. Mazzurco from other Commissioners. Hearing none, Chair Holston requested Ms. Fentress to speak in opposition.

Melodi Fentress, 3630 Lewiston Road. (Due to issues with the speaker's connection, portions of Ms. Fentress's comments were muted or had to be repeated.) Ms. Fentress indicated on the current overlay where the airport wants to split into two districts. Currently in the entire area, subdivisions, apartment complexes, or townhouses are not permitted. With the change, it will allow for massive residential development in an area that is already overpopulated. Ms. Fentress asked if anyone has done any type of impact studies on what it will do to the area when the population is increased. Ms. Fentress stated her concerns are population density. There will be residential developments increasing the population density in an area already experiencing low access to food. There are larger planning issues that need to be addressed and are not supported by the GSO2040 Plan. Ms. Fentress asked how would this area be used regarding economic impacts, social capital, and public health issues. The noise issue is the only thing being addressed and is a very small part of a much larger change. No one within this area wants more residential, especially apartment complexes, townhomes, and subdivisions. There are no traffic impact studies. City services need to be in place. This is a complete change to an overlay map.

Ms. Fentress asked if decisions will be made like this one based upon lining the pockets of a few property owners over considering the good of the people who live in this area. Chair Holston stated relative to the comment regarding the area where currently there is no building allowed but if it was allowed, those services would be resolved by demand and supply. Ms. Fentress responded there are people living on those properties. Ms. Fentress felt maybe the supply and demand would even out, but is not evened out now. The current supply and demand are a problem now. Ms. Fentress stated she had to drive to multiple grocery stores for items. The supply chain has not recovered from Covid and this does not appear to be the time to increase population density. Mr. Kirkman advised the Commission the overlay does not dictate what the base zoning is among individual properties and those properties would have to be rezoned even if this change is made to allow new multi-family and that could be part of that conversation on the individual basis. Ms. Fentress stated she will oppose every single rezoning to build apartment complexes in these neighborhoods. This is not for the good of the people and is not being made to help the people that live there. If it were, the communication about what this really means would have been clearer. Ms. Fentress stated she had to ask via emails with city planning staff, to please answer yes or no to her question because no one would answer the question. Chair Holston inquired if there were no questions for Ms. Fentress, if there was anyone else to speak in opposition to this request.

Christine Peeler, 3702 O'Bryant Place, advised she lived on the other side of Brush Creek and was in sympathy with Ms. Fentress. These are heavily established populated neighborhoods with single family dwellings and she could not imagine why the Zoning Commission is even involved in wanting to have office and apartment buildings or whatever as it would ruin the neighborhood. Ms. Peeler asked if the upscaling of the noise protection only applied to new buildings or if it was retro-active to all of the homes still there, and/or is the airport planning to buy more homes. Chair Holston stated city staff to respond to the question regarding the noise abatement

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applied strictly to new homes or existing homes. Mr. Galanti responded under the non-conforming section of the code, if the dwelling was destroyed by more than 50% of its assessed value, they would need to rebuild it and meet the new standards. Ms. Peeler asked if it was sound and still standing, would it be left alone. Mr. Galanti responded that was request. Chair Holston inquired if there were any additional questions for Ms. Peeler. Seeing none, Chair Holston allowed Ms. Mazzurco to speak again.

Janet Mazzurco stated her biggest issue were nonconforming structures and an evaluation needed to be done for more information. With the cost of building materials currently, construction may not be feasible. A developer or builder building inside of a noise cone must meet all building code standards and it would cost a lot more money to build within a noise cone. This issue needs more consideration. Mr. Kirkman advised the time for opposition speakers was up. Chair Holston advised there would be a 5-minute rebuttal period for each side. Those in opposition would have a total of 5 minutes after the applicant speaks.

Attorney Cook stated he understood Ms. Fentress' concerns but felt Mr. Kirkman had the correct answer. With an airport overlay, the sole concern is noise. The other questions raised by Ms. Fentress were a question of underlying zoning to be worked out as development takes place. In Zone 2, the density limitations that used to exist will be changed and a developer could develop as much housing in those areas as allowed. The Zone 2 boundary is not being used to determine how much housing there could be, if it compatible. This airport has been carefully protected over the years by the city and the development that would occur would have reasonable conditions. Mr. Galanti has provided the conditions that would be appropriate for this zone 2 area because it is still a major approach to the airport. The airport needs to be concerned about noise, be a good neighbor and that is exactly the reason why they are supporting the continuation of the Airport Overlay District within these boundaries. It enables the airport to be a good neighbor to whoever comes to live in that area as a result of the new housing and to make sure it is developed in such a way that would be good for those who will live there, and will accommodate the growth of the airport. Attorney Cook stated Ms. Mazzurco's service on the Part 150 Committee was very much appreciated.

Kevin Baker, 1008 Ted Johnson Parkway, stated recently the Triad's Business Journal's Book of Lists noted in combining all of the companies that are at the airport, the employment is equal to the 5th largest employer in the entire Triad. The jobs have salaries significantly above average household incomes within a 35-mile radius of the airport. The AOD issues absolutely will have an impact on their ability to continue growing in the future. The airport has two concerns. To protect the airport's future as driving around the airport there is development that has been done to prepare for what could be a Boeing plant, an Airbus plant, a Lockheed Martin plant. Somebody who could be employing thousands of people within the community. The future of the airport has to be protected to have the ability to continue to bring those types of employers in. When companies are added, it is highly likely the airport noise will grow and the airport needs to protect their ability to grow. At the same time, the airport wants to ensure buyers of homes in the areas. Mr. Baker stated neither he nor any member of the Airport Authority or their staff had any financial stake in this matter. Their position is 100% focused on the interest of the community, growing jobs for the community, and the important aerospace business. The city has been protecting the airport in an outstanding way for a long time and the airport understands there are competing interests that must be considered from time to time. The Airport believes that the City Planning Department has found a good balance, subject to the additional two components they would like to see in phase 1. It is a good solution for both the airport and the community for the future.

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Chair Holston inquired if there were questions for Mr. Baker or Mr. Cooke from the Commissioners. Chair Holston inquired if there was anyone else to speak in favor of the request in rebuttal. Hearing and seeing none, Chair Holston inquired if there was anyone to speak in opposition to this request in rebuttal. Ms. O'Connor advised Ms. Fentress a lot of what she had said previously was lost to poor connection and suggested a solution to address that issue. Chair Holston requested Ms. Fentress to speak.

Melodi Fentress stated this is not a continuation of the noise cone. The changing of the noise cone into the two different districts are big change in development. No research has been done on the impacts from traffic, health and safety, and population density on the schools. No plans are in place to account for the changes that will occur if this request is approved. Protection was talked about but she did not hear how are the citizens being protected that already live there. There is an interest in building apartments and other dwellings where they are currently not allowed which would be changing what is allowed in this area. The neighborhood does not want any more residential development. They want to take some time to look at all the residential development already planned and happening to see what that does to the population density. Currently schools are overcrowded, the supply chains are not secure and no one has looked into any of that. Ms. Fentress stated the amendment is a complete change to the overlay and more than an amendment. People are not at this meeting because they don't understand or know what is happening. Ms. Fentress stated the Part 150 study has not been approved and the change would be made based on a study that has not been approved by the FAA which is a problem and there are two zoning Commissioners missing on this vote. Chair Holston advised the Commission is not making a final determination at the meeting, it would be a recommendation to City Council. Ms. Fentress replied there are two less people to convince to recommend against it. If they were present, maybe they would side with her and be recommendations against it. Ms. Fentress stated it was an unfair calculation of recommendations. Chair Holston inquired if there was anyone else to speak in opposition to the request.

Janet Mazzurco, stated it has to be remembered that the Part 150 study has not been approved by the FAA to date. The study was expedited by approximately 6 weeks from the time it was supposed to be finalized until the time the public hearing was noticed. That hearing was via Zoom and with very little participation from the public. Ms. Mazzurco stated she did not feel Part 150 was adequately or publicly advertised. Chair Holston thanked everyone who spoke both in favor and opposition and closed the public hearing. Chair Holston requested to hear from city staff for recommendation before the Zoning Commissioners discuss the issue.

Mr. Kirkman stated the Commissioners are being asked to approve or not approve the changes to the airport overlay boundary. As far as the text amendment the Commissioners needed to approve the amendment as presented, approve with changes, or to deny the amendment. Staff is recommending the map changes as presented and the text amendment with the adjustments from the January 20 version.

DISCUSSION:

Chair Holston inquired if there were questions or discussion. Mr. Collins stated currently any house inside the City of Greensboro that is damaged beyond 50% has to be built back to current standards. It is not just in the airport overlay. Mr. Galanti stated it is city wide but the question was asked in relationship to the Airport Overlay District and the noise level reduction standards. Mr. Collins felt Ms. Fentress was thinking that the zoning is being changed and it is not. The Zoning Commission's recommendation goes on to City Council regardless of what the Zoning Commission may do. Mr. Collins stated he would support the amendment going forward and felt there

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would be enough time for further discussion with those that have concerns. Chair Holston stated he heard three things in particular; noise issues, nonconforming issues, and density issues. It would cost builders more to actually build in that area. Those persons who are looking to build and live there would be on notice upfront of the noise cone that could be an issue. Mr. Collins stated the nonconformity issue is something that applies to the entire City of Greensboro in all of the zoning precincts. It would cost slightly more due to the noise abatement but is applied city wide. Density concerning supply and demand and services whether it is a grocery store or whatever it may be, the Zoning Commission does not deal with. Traffic would be dealt with on a plot by plot and plat by plat basis. Commissioner Collins stated the airport notification asked to be placed in the amendment has to happen, because it makes realtors do their job when showing houses and the buyers have to understand the impacts. Mr. Bryson stated he heard passion from both sides for and against this request, but what was missing on the against side was factual information and data to support their side. Mr. Bryson stated as a real estate appraiser, numbers and trends are looked at. Mr. Bryson asked if the density was one unit per 20,000 square feet. Mr. Galanti responded in the Airport Overlay District 1, residential is prohibited except for single family residential on lots greater than 40,000 square feet, which is around one unit per acre. Mr. Bryson felt right now is a time with the pandemic all schools are overcrowded currently in Guilford County. Mr. Bryson advised he is in favor of the proposal and hoped and prayed both sides would come together and be transparent with each other with all of the facts on the table. Chair Holston inquired if there were any further comments from the Commissioners. Ms. O'Connor stated she was prepared to make a motion.

Ms. O'Connor made a motion to recommend approval of the Text Amendment presented at this meeting; seconded by Mr. Bryson. The Commission voted 6-0. (Ayes: Chair Holston, Collins, Jones, Bryson, Alford, and O'Connor. Nays: 0). Chair Holston advised the motion passed, constituted a favorable recommendation and was subject to a public hearing at the February 16, 2021 City Council meeting. Ms. O'Connor then made a motion to recommend approval of the Overlay Map as proposed. The Commission voted 6-0. (Ayes: Chair Holston, Collins, Jones, Bryson, Alford, and O'Connor. Nays: 0). Chair Holston advised the motion passed, constituted a favorable recommendation and was subject to a public hearing at the February 16, 2021 City Council meeting.

Z-20-12-007: A rezoning from CD-C-M (Conditional District – Commercial – Medium) to PUD (Planned Unit Development) and approval of an associated Unified Development Plan, with conditions, for the property identified as 4310 Big Tree Way, generally described as northeast of Big Tree Way and northwest of West Wendover Avenue, (2.47 Acres). (Recommended Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions related to the request. Chair Holston asked if there were any questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to provide their name and address, and state their case.

Tony Miller, 715 North Church Street, Charlotte, NC, stated he is the architect for the owner who did not see a future for a buffet restaurant and was looking for uses compatible with what surrounds this property currently. There are four hotels nearby and townhomes in the rear. The applicant would like to take advantage of the infrastructure and place mixed use development at this location. The roads are used at different times and mixed-use development is probably the most logical usage for the site.

Chair Holston inquired if there were questions from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone in opposition to the request. Seeing none, Chair Holston closed the public hearing and requested to hear from city staff.

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Mr. Kirkman stated the Greensboro 2040 Comprehensive Plan designates the site currently as Urban General and also being within a regional scale activity center on the Future Built Form Map and as Commercial on the Future Land Use Map. Staff concluded this request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent roadway and can accommodate a satisfactory transition to the existing scale and intensity of existing adjacent uses. The proposed PUD zoning classification is conditioned to allow a mix of commercial uses and residential uses appropriate for the surrounding area. Staff recommended approval of the rezoning request.

Chair Holston inquired if there were any questions for Mr. Kirkman. Seeing none, Chair Holston inquired if there was conversation, discussion, or a motion. Ms. O'Connor made a motion in regards to agenda item Z-20-12-007, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 4310 Big Tree Way from CD-C-M (Conditional District – Commercial – Medium) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use map. The property proposed for rezoning can accommodate a satisfactory transition to the existing scale and intensity of existing, adjacent uses. The PUD, as conditioned, would permit uses that are complimentary to those existing in the surrounding area. The request is reasonable due to the size, physical conditions and other attributes of the area, and will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 6-0. (Ayes: Chair Holston, Collins, Jones, Alford, Bryson, and O'Connor. Nays: 0). Chair Holston stated this constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the February 16, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Mr. Kirkman advised the separate action the Commission needed to address was to approve the Unified Development Plan to which Mr. Carter will address. Mr. Carter shared the Unified Development Plan submitted and distributed to the Zoning Commissioners earlier. The Unified Development Plan went before the Technical Review Committee and was approved with a specific condition to change the watershed regulation to say that it is not in a watershed and specify which creek it drained to, even though it is not in a specific watershed. That was TRC's only condition but they had a question regarding the traffic impact study and whether that was required. The traffic impact study was not required for this request. The applicant broke it down into Zone A, Zone B, Zone C, and provided those standards. Staff believed the standards in place now would allow them to work with the applicant to clear up or can enforce them. Ms. O'Connor inquired if a motion to approve the three zones. Mr. Carter responded a motion was needed to approve the Unified Development Plan with the proposed changes. Ms. O'Connor made a motion to approve the Unified Development Plan with the three changes. Seconded by Mr. Bryson. The Commission voted 6-0. (Chair Holston, Collins, Jones, Bryson, Alford, and O'Connor. Nays: 0). Chair Holston stated this constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the February 16, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

NEW BUSINESS:

Z-21-01-001: A rezoning request from CD-O (Conditional District - Office) to CD-O (Conditional District – Office, with conditions, for the property identified as 625 Franklin Boulevard and north of Afton Drive, (0.38 Acres). (Approved)

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Mr. Kirkman reviewed the zoning map for Z-20-01-001 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions associated with this request. Chair Holston inquired if there were any questions for Mr. Kirkman. Ms. O'Connor asked if the detached building counted in the total building square feet for the proposed condition. Mr. Kirkman responded the current condition speaks to preserving the existing building footprint. The new condition covers two items. One is a small addition to the principal building which started the conversation about the rezoning. In that conversation it was discovered the applicants would also like to use an accessory building on the site for office uses and needed to add that in. The total square footage that is being asked for covers both the principal building with the small expansion and the accessory structure. Ms. O'Connor asked if the accessory structure would have to have all the same accommodation as the main structure such as heating, air conditioning, plumbing and asked if it was all the same or just an extra room. Mr. Kirkman responded he did not have all the details. Mr. Carter or the applicant may be able to speak to that. Mr. Carter advised the applicant would speak in more depth regarding any upgrades to the structure that have taken place. If the structure does not meet current building code, it would have to be upgraded to the applicable building code. As far as zoning is concerned, it has been taken into consideration the use itself and whether or not it is appropriate for the site and then building inspections would take it from there. The applicant is aware that it would have to be upgraded to any kind of commercial building code requirements that are relevant. Ms. O'Connor advised she was troubled in justifying her professional experience regarding detached spaces with what is being requested now. It was a hard hurdle for her to get over. Chair Holston requested the applicant to state their name, address, and present their case.

Adreanna Wideman, 5591 Bishop Glenn Drive, Brown Summit, stated she was the school counselor and coordinator for this particular program held in this facility that helps children experiencing challenges academically, emotional, social, or whatever the case may be. Currently they are working with members that are ages 5 to 16 and serve about 10 to 13 members. There are approximately 8 or 9 members on the waiting list due to limited space and they were asking to add on approximately a 16 x 16 space to accommodate more children. The team consists of a licensed substance abuse counselor, herself as the licensed school counselor, and a paralegal that works with them. Most of the children are in the neighborhood and either walk to the facility or parents drop them off and pick them up. The addition outside has a unisex bathroom, central air and heating, window, appropriate lighting and flooring, and paved parking spaces on the side of the building. Ms. Wideman stated their goal is to use that space as an assembly space so when they are done working with their children in the primary building, they could walk outside to the assembly building for them to be picked up by their parents. Ms. Wideman requested the Commission to work with them to make this happen for the children.

Chair Holston inquired if there were questions from the Commissioners for Ms. Wideman. Chair Holston asked Ms. O'Connor if that addressed her questions. Ms. O'Connor responded it did address her questions. Chair Holston inquired if any other Commissioners had questions for Ms. Wideman. Mr. Bryson asked if they have made any contact with their neighbors and how it may impact the neighbors. Ms. Wideman responded they sent out mail and fliers. There have been no responses. Chair Holston inquired if there were additional questions for the applicant. Not seeing or hearing any, Chair Holston inquired if there was anyone else to speak in favor of the request.

Valarie Farrington, 208 Heritage Creek Way, stated she is the paralegal for the Academy. Her son is served by the academy and enjoys the program and helps him in his academics, his social skills. The academy does a great job. Ms. Farrington stated she has been with the academy since the beginning and provides assistance to Ms. Wideman and the parents. Ms. Farrington conducts training in the facility with those children that are interested in the legal field and parents who have questions. This request was not unreasonable as they need more space for breakout

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rooms for the children to allow Ms. Wideman and the other substance counselor to work with the children and their parents. Parents are encouraged to speak out regarding what they would like the academy to do to serve the children and can work together in the community and become more involved in the immediate community. Ms. Farrington stated the academy does a great job in the community with the neighbors. There is a church on the corner the academy works with. Ms. Farrington stated this would be a great thing for the Commission to approve.

Chair Holston inquired if there were any questions from the Commissioners for Ms. Farrington. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Hearing none, Chair Holston inquired if there was anyone to speak in opposition to the request. Hearing none, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map and Mixed Use Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the uses requested are of compatible scale intensity or off-site impact as existing nearby uses and the request accommodates a satisfactory transition to the existing scale and intensity of those neighbor uses. The proposed CD-O request does include conditions to limit negative impacts on the surrounding area and would allow the expansion of an existing office use that fits within the surrounding neighborhood context. Staff recommended approval of the request.

Chair Holston inquired if the Commissioners had any comments, questions, thoughts, discussion or a motion. Mr. Bryson stated in regard to agenda item Z-21-01-001, the Greensboro Zoning Commission believes that its action to recommend approval for the rezoning request of the property described as 625 Franklin Boulevard from CD-O (Conditional District – Office) to CD-O (Conditional District – Office) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map. The proposed CD-O request, as conditioned, limits uses to only office uses without drive-through facilities, which fits the context of the surrounding area. The request is reasonable due to the size, physical conditions and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Commissioner Alford. The Commission voted 6-0. (Ayes: Chair Holston, Collins, Alford, Jones, Bryson, and O’Connor. Nays: 0). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the February 16, 2021 City Council meeting. All adjoining property owners shall be notified of any such appeal.

A 10-minute break was taken at 7:25 p.m. and the meeting resumed at 7:35 p.m.

Z-21-01-002: A rezoning from R-3 (Residential Single-family-3) to R-5 (Residential Single-Family-5) for the property identified as 1300 Covered Wagon Road, generally described as west of Covered Wagon Road, and north of Chandler Oaks Lane, (9.79 acres). (Recommended Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised there were no conditions related to this request. Chair Holston inquired if there were any questions from the Commissioners for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to come forward, state their name, address and their case for the record.

Ian Phillips, Crown Companies, 121 North Crutchfield Street, Dobson, NC, stated Crown Companies submitted the application for 1300 Covered Wagon Road to take the property from its current R-3 residential to R-5 zoning. Mr. Phillips referred to the Future Land Use Map and the Future Built Form Map. The Future Land Use map for

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this area indicates the area is already residential, to include both single-family and multi-family dwellings. The request for the R-5 is a single-family residential zoning with no multifamily and is in line with what the Future Land Use Map calls for there. The Future Built Form Map designates this area as Urban General with more detail and outlines some characteristics of that area. In general, the area is described and envisioned as areas conducive to single-family home ownership and a more traditional neighborhood setting. There are three characteristics of the Urban General Guidelines that stood out to Crown Companies in making this case for the rezoning. That urban general area envisions residential styled buildings consistent with the neighborhoods surrounding it. The neighborhoods surrounding this property are R-5. Crown Companies believes they can match the scale and density of the adjoining subdivision. The second consideration was the desire for urban general areas to have new housing to help increase the range of choice and supply of housing in the immediate area. The greater Greensboro area scores behind in housing inventory, especially on the eastern side of the county. This project would provide much needed housing inventory at prices consistent with the surrounding neighborhood. The third consideration was the urban general designation area and the desire to have transitions between neighborhoods and provide connectivity to existing city roads and sidewalks. By developing the property, the interconnectivity can be accomplished and is the safe thing to do for EMS and fire trucks. Once the property is developed there would not be a need for fire trucks or EMS vehicles to make an abrupt turn around at the end of Roshni Terrace and would be a better option. The density would match with the density of the adjacent neighborhood and meet the desire of the urban general area to have new housing in a form consistent with the surrounding neighborhoods and connectivity of safe streets and sidewalks. City staff sent out letters to everyone within 600 feet of the site. In addition, Mr. Phillips walked the neighborhood and talked with some land owners. He noted that he did not speak to everyone within the 600-foot radius but he did make efforts to talk to each land owner willing to speak. In looking at the Roshni Terrace side of the development, the feedback was those residents have to drive through just about the entire subdivision to reach their home on the western portion of Roshni Terrace. Several of those residents stated they would be glad at the end of the construction to have a connection to Covered Wagon Road.

Mr. Phillips noted there were concerns expressed regarding traffic concerns and possible trespassing at the end of Covered Wagon Road. Robert Bynum, resident at 1315 Covered Wagon Road, took it upon himself to run people off when they were parked and trespassing. Toni Brown, with the Chandler Oaks Homeowners Association called to express her concern that the Chandler Oak subdivision would not have amenities like a club house or playgrounds or a pool. Crown Companies is an adjacent development and are required to have their own ownership association for several reasons. Crown Companies development will have their own storm water pond and mail box units. For that reason, it will be a separate ownership association which will not be shared with the Chandler Oaks subdivision. Mr. Phillips stated in discussions with Councilwoman Sharon Hightower, it was brought to his attention there are people in the Chandler Oaks subdivision that have voiced concern regarding storm water runoff. Mr. Phillips stated Crown Companies are required to build their own storm water management device which will control all storm water runoff from their site so that it will not contribute to any of the problems in the Chandler Oak subdivision. Mr. Phillips stated they are looking to replicate the R-5 subdivision next door which was set up to envision that connectivity. The need for new housing is envisioned in the Urban General Designation on the Future Built Form Map. Those things stick out to Crown Companies as reasons to match that zoning designation.

Chair Holston inquired if there were additional questions for Mr. Phillips. Chair Holston asked Mr. Phillips if Roshni Terrace was going to run through to Covered Wagon. Mr. Phillips responded that was correct. Chair Holston asked if Covered Wagon would still have a dead end or would it be looped around. Mr. Phillips responded Crown Companies will be required to create a DOT standard turn around at the end of Covered Wagon Road. The connection will go to the end of Covered Wagon Road and connect over to Roshni Terrace. The

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thought was with houses in that area and neighbors with watchful eyes, some of the concerns regarding loitering would be minimized. It is the plan to connect Roshni Terrace to Covered Wagon. Chair Holston asked as far as the illustrative plans if the neighborhoods looked similar. Mr. Phillips responded they would. Chair Holston stated it was mentioned that one of the neighbors asked about a club house. Mr. Phillips responded Ms. Brown did ask about a club house. Chair Holston asked if Mr. Phillips was saying that there was a plan for a club house or there was no plan for a club house. Mr. Phillips responded this development would not have a clubhouse. Chair Holston asked if they will have an HOA. Mr. Phillips responded that was correct, to manage the storm water pond, maintenance, and varied common areas and that sort of thing. Chair Holston asked as far as access or egress and ingress to McConnell, would it be through Covered Wagon. Mr. Phillips responded that was correct. Mr. Phillips asked if Chair Holston meant Mt. Hope Church Road. Chair Holston apologized and stated it was Mount Hope Church Road. Mr. Phillips stated they do not control land that connects to Mount Hope Church Road, there is no frontage there. Chair Holston asked if Mr. Phillips communicated with the community via the mail and then walked to meet neighbors. Mr. Phillips responded that was correct. Chair Holston asked approximately how many of the neighbors were Mr. Phillips able to address. Mr. Phillips responded it was approximately 15 to 20 range. Chair Holston asked how the conversations went with those neighbors. Mr. Phillips responded on Roshni Terrace concerns were expressed regarding construction traffic and the dust of construction, typical things of construction. At the end of the day it was more palatable because they would have easier access to their home. On Covered Wagon, concerns were additional traffic coming out of their development and were coupled with the understanding that this is a dead-end.

Chair Holston welcomed Mr. Trapp to the meeting in progress. Mr. Carter noted for the record Mr. Trapp joined the meeting at 7:53 p.m. Chair Holston inquired if other Commissioners had questions for Mr. Phillips. Seeing and hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone in opposition to this request.

Toni Brown, 5208 Woodhollow Terrace, McLeansville, Vice President of Chandler Oaks Association. Ms. Brown was opposed to the development because several of the homes in Chandler Oaks have experienced low water pressure. The water quality is not good. The hydrants on Roshni Terrace have been flushed out more than normal. The roads in the area coming into the neighborhood are narrow and did not accommodate the current residents. There would be increased traffic with 40 to 50 additional homes. Ms. Brown was concerned about property values going down because who was to say that management companies would not purchase those homes and make them rental homes and driving property values down. Ms. Brown advised she became aware of the meeting a few days before the Zoning meeting, but did obtain 64 signatures on her petition out of 157 home owners. The biggest concern is the impact of traffic. There are enough children in the neighborhood and more than enough going on in their small community. With an additional 40 to 50 houses, it would not be a benefit to Chandler Oaks. Ms. Brown asked if the Builder was Eastwood Homes because Eastwood built Chandler Oaks. Roads were not paved as was told to Chandler Oaks they would be and they also failed to complete the sidewalks. Sidewalks were completed by an outside company who also failed to clean up the four retention ponds in the neighborhood. Ms. Brown did not see how Chandler Oaks would be able to accommodate an additional 40 to 50 homes as there is already low water pressure in the neighborhood. Chair Holston inquired if there were any questions for Ms. Brown from the Commissioners. Hearing none, Chair Holston requested Mr. Panter to provide his name, address, and state his case.

James Panter, 5251 Chandler Oaks Lane, stated his first concern are the amount of homes being built and asked going from R-3 to R-5, was it 5 homes per acre that was allowed. Chair Holston responded in general that was correct. Mr. Panter was concerned that 5 homes on one acre would crush the value of homes in his neighborhood.

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Chair Holston advised the information he received indicated the homes on Roshni, Chandler Oak, Sedona, and Covered Wagon are already in the R-5 category. Mr. Kirkman stated that was correct. Mr. Panter stated it may be classified that way but the lots are basically 3 homes to an acre lot. It was mentioned that a storm pond would be maintained by this new development. Chandler Oaks already manages the storm pond and there was no need for anyone else to take care of that. The width of Covered Wagon is very narrow with more traffic. There has been no discussion regarding widening that road. Mr. Phillips stated he talked to 15 to 20 people on Roshni Road. There are 157 homes in this neighborhood and the site was not a large portion. Those on Roshni do not have to drive all the way through his neighborhood to get to their road. Mr. Panter stated he is the President of the HOA and no one has ever brought that topic up at any of the meetings and never heard of it being a complaint until this meeting. Mr. Panter stated this is a good neighborhood with nice homes and decent lots. Putting in another neighborhood with 40 to 50 homes and half or less of the size homes currently would affect home values and what people have worked and built for. Mr. Panter stated he never received anything regarding the building of homes. Mr. Panter requested to have Mr. Phillips address the question of the size of the average homes and prices the homes would start at. Mr. Kirkman reminded the Commission that the minimum size and price of a house is not a consideration for the Commission. Chair Holston advised Mr. Panter the Zoning Commission deals with land use and does not go into those other details.

Chair Holston inquired if there were questions for Mr. Panter or Ms. Brown regarding their comments or statements. Chair Holston stated going back to Ms. Brown regarding the water pressure, water quality, and the adequacy of the roadways, asked city staff if that was something to be addressed in TRC or outside of this decision by the Zoning Commission. Mr. Kirkman responded the discussion regarding the capacity for serving the new development both in terms of roads and water and sewer would be addressed a part of the technical review from the city departments. New roadways have to meet city standards. Mr. Tipton could speak further on that. Mr. Tipton stated Roshni Terrace is currently at city standard. It would have to be widened along the frontage of Chandler Oaks to city standard. Chair Holston asked if it would only be the portion. Mr. Tipton stated only the portion along their frontage. Chair Holston asked if that was the same for Covered Wagon. Mr. Tipton apologized as it was not Chandler Oaks, it was Covered Wagon. Chair Holston, it was alluded to short notices and asked if the notices went out in a timely manner. Mr. Kirkman stated all the notices go out for all cases in their normal timeframe for meetings and met the requirements in place for zoning. Chair Holston asked if the lack of sidewalks, the need of or storm water retention drainage, and traffic would be addressed by TRC. Mr. Kirkman responded they were site design issues that would be addressed as part of the subdivision process.

Toni Brown stated when the sign was placed, it was placed so far back on Covered Wagon where no one would have seen the sign. Ms. Brown saw the sign because one of the neighbors that received a letter, contacted Ms. Brown and she drove to where the sign was placed. No one would have seen that sign except those that live in the last two homes on Covered Wagon. Chair Holston stated the signage was one method of communication, the other was by mail and confined to the 600-foot buffer area. Chair Holston asked if Ms. Brown knew if those she had spoken with lived within the 600 feet buffer. Ms. Brown responded they did. Ms. Brown spoke with home owners on Chandler Oaks and some of their signatures are on the petition provided to staff. Ms. Brown spoke with a couple of home owners that were on Roshni Terrace and their signatures are on the petition also. Chair Holston asked if it was mentioned that they had received the letter notifying them. Ms. Brown responded a couple of people stated they had not received a letter and some said that Mr. Phillips came by but they were not receptive to what was being said and were not in favor of it. Chair Holston inquired if there was anyone else to speak in opposition to this request.

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Denise Ruff, 5341 Chandler Oaks Lane, stated she was a member of the Chandler Oaks Board. Ms. Ruff's concern was to ensure that the Planning and Zoning Department considered the safety of the residents, specifically children. There was a speed limit installed in 2019 due to concerns with speeding down Chandler Oaks Lane. In late 2019, a family member's car was parked in front of her home and was totaled by an individual driving down the road and hit the car. No one was hurt. Ms. Ruff challenged the group to consider the safety of the residents but mainly the children. The road cannot accommodate the additional traffic. Chair Holston inquired if there were any questions for Ms. Ruff from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to this request.

Tanya Beatty, 5305 Chandler Oaks Lane, stated one of the biggest concerns she had as a homeowner in the area was the safety. Ms. Beatty felt there was no consideration regarding how slow mail has been since Covid. She received the letter a week ago but it was dated and stamped 12/31. Ms. Beatty was one of the ones who signed the petition regarding consideration of the water pressure and the safety aspects. Ms. Beatty stated she did not know the value of the homes that will be built. The safety component is specifically for the children. Chair Holston asked when saying safety, did she mean traffic safety or safety mentioned earlier regarding the loitering on Covered Wagon or something else. Ms. Beatty responded her concerns were more of the safety of the children, specifically as already stated about traffic coming into the area. Covered Wagon is a narrow road and it may not be something for the Board to be concerned about. Safety in general, but specifically the safety of the children and people who are walking. Chair Holston inquired if there were any questions for Ms. Beatty from the other Commissioners. Hearing none, Chair Holston inquired if there was anyone else to speak in opposition to the request.

Pamela Galbreth, 5343 Chandler Oaks Lane, stated her biggest concern is safety. During rush hour times, the corner of Covered Wagon and Chandler Oaks becomes bottlenecked. A third parking pad was added to her driveway due to safety concerns on the corner. Covered Wagon currently cannot support 40 to 50 additional homes for traffic purposes. Ms. Galbreth asked if there would there be a traffic study or procedure to ensure that Covered Wagon can support the ongoing traffic from the additional homes. Chair Holston stated if the Zoning Commission approves this request, it will go through City Council. It would be a consideration; the question is how much of a consideration. Mr. Kirkman stated this did not trigger a traffic impact study but requested Mr. Tipton to speak further to that. Mr. Tipton stated this did not require a traffic impact study with only 40 to 50 units. Currently Covered Wagon can take two-way traffic which is the only thing being looked at right now. Chair Holston asked if this project is approved, would the intersection of Covered Wagon and Chandler Oaks have any further consideration. Mr. Tipton responded it would not, but adding a connection at Roshni would alleviate some of the traffic coming out of Chandler Oaks by providing an additional outlet out of the neighborhood on to Covered Wagon. Chair Holston advised Ms. Galbreth it may not be the answer she was looking for but hopefully answered her question. Ms. Galbreth responded it confirmed her original concern. Covered Wagon is narrow and dark due to restrictions what was wanted when first coming into the area. Since then, another 100 plus homes are there and adding another 40-50 homes will have the situation deteriorate on Covered Wagon.

Nadia Suddreth, 5338 Chandler Oaks Lane, stated her concern is safety of the residents regarding traffic. The road is narrow and dark with a lot of traffic. Ms. Suddreth stated she has never seen "riff raff" on Covered Wagon. Ms. Suddreth expressed her concern regarding the value of homes going down with so many homes being added at the end of Covered Wagon. Ms. Suddreth was interested in knowing what the neighbors have to say that live further down on Covered Wagon and have less traffic. Chair Holston asked if there were questions for Ms. Suddreth. Hearing none, Chair Holston requested the next speaker to come forward.

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Candi Price, 1426 Sedona Lane, secretary of the Board for Chandler Oaks. Ms. Price stated she has never seen any type of “rift raff” at the end of Covered Wagon. Her and her spouse walk their dog almost every night and have never seen cars, trash, or loitering in that area. Not once and she has lived in this area for 3 years. Ms. Price expressed her concern regarding no lights on Covered Wagon and the safety of all of the residents and children regarding cars speeding down that road. There are no sidewalks on Covered Wagon. Covered Wagon cannot contain more homes, traffic, and congestion in the area. Chair Holston inquired if there were questions for Mr. Price. Chair Holston advised time had run out for those speaking in opposition but there would be a 5-minute rebuttal period beginning with the applicant, Mr. Phillips.

Ian Phillips, advised Crown Companies will have their own pond handled by a different HOA. The pond would be responsible for handling all of the runoff contained on their site. The Chandler Oaks pond will not be used. Crown Companies will do what is required by traffic engineers for the City of Greensboro. Road dimensions, turn arounds, lighting, widening will be determined by the traffic engineers. The same with connectivity and safety. It was mentioned Roshni Lane was envisioned to connect with Covered Wagon and is what is planned. That should alleviate some of the traffic and allow access for first responders. Chair Holston asked Mr. Tipton related to the end of Covered Wagon, the tail end that will probably join Roshni Terrace, was it a situation where lighting would be considered. Mr. Tipton advised it would be looked at the site plan stage, but did think if there was widening along Covered Wagon, it would be an opportunity to install street lights. Chair Holston asked Mr. Phillips if when speaking with the neighbors or met with them, where any illustrative drawings depicting how this may look shown to them. Mr. Phillips responded they did not.

Mr. Phillips stated Diane Durham and Robert Bynum, 1315 and directly across from 1315, were the two individuals who voiced concerns and had several issues with people parking there and trespassing. Chair Holston inquired if there were any questions for Mr. Phillips from the Commissioners. Seeing none, Chair Holston advised those in opposition had a combined 5-minute rebuttal period.

Toni Brown, stated Mr. Phillips keeps saying that it will alleviate the traffic. It will not alleviate the traffic coming into Chandler Oaks. It will increase the traffic on Covered Wagon. Regarding Crown Companies developing their own pond, she asked how on 9.79 acres that would be addressed for 40 to 50 homes. Chair Holston advised if there is approval or not and goes through the process, it would be worked out. There would be additional opportunities through the TRC process to determine how that was being done and the effects. TRC has an interest with all the parties, not only with those that are building anew. Chair Holston inquired if there were any additional opposition rebuttal.

James Panter, stated there are 157 homes in Chandler Oaks, adding 40 to 50 homes that could have approximately 100 to 150 cars coming down that road. It did not make sense to him and another reason why he was opposed.

Denise Ruff, challenged Mr. Phillips to do his due diligence and work with the traffic engineer. The traffic engineers identified a speed issue within their neighborhoods, specifically on Chandler Oaks and turning from Covered Wagon onto Chandler Oaks.

Nadia Suddreth, asked if the home owners at the entrance of Covered Wagon were spoken to regarding the potential disturbance of their property to put in sidewalks. Chair Holston did not have an answer but presumed it would be handled through TRC and whatever the standard processes are for sidewalks. Mr. Tipton stated sidewalks on Covered Wagon would only be required along the frontage of the project and would not be in front of existing homes. Seeing no one else to speak, Chair Holston closed the public hearing and requested to hear from city staff.

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Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a district scaled activity center on the Future Built Form Map and Commercial and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan to expand Greensboro's city-wide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and also meeting the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-5 zoning district is intended to accommodate lower density single-family detached residential development up to the 5 dwelling units per acre. The uses in the proposed zoning are consistent with surrounding uses, noting the zoning both of the CD-R-5 and R-3 nearby. Staff recommended approval of the request.

Chair Holston asked Mr. Trapp if he intended to vote on this item and if he had reviewed the record before hand and felt that he had enough information to participate in the vote. Mr. Trapp responded he felt he had more than enough information to vote on the issue.

Chair Holston inquired if the Commissions had questions for staff. Seeing none, Chair Holston asked if the Commissioners had any comments, questions, thoughts, discussion or a motion. Mr. Bryson stated he would be voting against the request and felt Mr. Phillips needed to reach out to the community, become more involved with the community and let the community know what was happening in that neighborhood. Mr. Bryson quoted "it would benefit the property owner and surrounding community and approval is in the public interest." Ms. Brown made it well known with 64 people out of 157 stating they did not want this in their neighborhood indicating Mr. Phillips did not explain or show ideas properly regarding the vision his company has for that area. Chair Holston inquired if other Commissioners had comments. Mr. Collins stated the notification process was addressed at their last meeting. Commission and staff are operating under state statute to handle that. Mail and sequencing are what has to be done. A mention was made of signage and thought that occurred because the signage has to go on the property that is being rezoned. There are no directional signs and also by statute. Signs are put out by the Zoning staff. Letters are sent within a 600-foot radius to contact neighbors. Mr. Collins understood what Mr. Bryson and the Chandler Oaks people were saying, but had a hard time denying this application as it is exactly the same zoning beside Chandler Oaks, which was anticipated both would connect. Mr. Collins understood the safety issues and traffic but this is land use and the rest will be sorted at the TRC level. Mr. Collins asked how do you turn down an adjacent zoning asking for the exact same thing and advised he would vote in favor of the request.

Mr. Trapp stated he was in the same mindset as Mr. Collins. Mr. Trapp understood the community and everyone who attended the meeting. Mr. Trapp stated he had voted against previous rezonings because of the applicant not doing their due diligence, but this is one where some of the things brought up will be addressed through this development. Traffic will be taken care of by this addition and made better. Water issues addressed will also be made better by the development. Mr. Trapp stated once this is all worked out, it will work in their favor. The process and notification could be better, but staff and the Commission are dealing with state statutes. Mr. Trapp stated he will be voting in favor. Ms. O'Connor agreed with Mr. Trapp and Mr. Collins. She was sympathetic to the neighbors and took seriously the concerns expressed. Ms. O'Connor believed this project will be a success of the land and was appropriate for what is there. Chair Holston agreed with what Mr. Collins, Mr. Trapp, and Ms. O'Connor have stated. Chair Holston was not discounting comments regarding safety, water, traffic, the notice, lighting and all the like. Those are usually and normally worked out during the TRC process after approval from Zoning and City Council. It would go through more vetting and helps to protect the concerns and objections expressed. Not everyone will be satisfied or agreeable but most times it works out well. Chair Holston stated it was exciting to see neighbors engaged and involved and know there is a process that the community can contribute to and helping to make things better. Chair Holston was voting in favor of the application.

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Ms. O'Connor stated in regard to agenda item Z-21-01-002, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1300 Covered Wagon Road from R-3 (Residential Single-Family-3) to R-5 (Residential Single-Family-5) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. The proposed R-5 zoning district fits the context of the surrounding residential areas. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 5-2. (Ayes: Chair Holston, Collins, Trapp, Alford and O'Connor. Nays: Bryson and Jones). Chair Holston stated this approval constitutes a favorable recommendation and is subject to a public hearing at the February 16, 2021 City Council meeting. Chair Holston again thanked everyone for their participation and encouraged those in opposition to attend the City Council meeting.

PL(P) 21-01 & Z-21-01-003: An annexation and original zoning from County RS-20 (Residential Single-Family) to City R-3 (Residential Single-Family-3) for the property identified as a portion of 3214 Groometown Road, generally described as west of Groometown Road and north of Broadacres Drive, (0.39 Acres).

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised there were no conditions related to the request. Mr. Kirkman clarified the zoning request was for 0.39 acres. Chair Holston inquired the Commissioners if there were any questions for Mr. Kirkman. Chair Holston requested the applicant to state their name, address, and case.

Bo Rodenbough, Attorney with Brooks Pierce, Suite 2000 Renaissance, 230 N. Elm Street, spoke on behalf of the applicant Secure, Inc., subsidiary of the State Employees Credit Union. As part of its mission Secure, Inc. attempts to rehab properties that have been foreclosed or deed in lieu of foreclosure and make them available for attractive and affordable housing for underserved communities that may not otherwise have opportunities for home ownership. The 3214 Groometown Road property was acquired by Secure, Inc. in 2014 and is a vacant lot currently. It was determined that the property was located about 55% in the City of Greensboro with a zoning of R-3. The back 45% of the property is still in the county and zoned RS-20. In order to obtain the building permit, Secure, Inc. made application for the annexation of the rear portion of the lot into the City of Greensboro and be zoned consistently with the existing R-3 zoning on the front portion of the lot. The annexation and original zoning will be consistent with the existing housing in the neighborhood, an addition to the housing stock in the neighborhood and consistent with the existing GSO 2040 plan.

Chair Holston inquired if there were questions for Mr. Rodenbough from the Commissioners. Seeing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Hearing none, Chair Holston asked if there was anyone in opposition to the request. Hearing none, Chair Holston closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the uses requested exist on adjacent tracts and are of a similar scale, intensity, or off-site impact as existing nearby uses. The proposed R-3 zoning district is intended to accommodate low density residential development. The proposed original zoning request allows uses similar to existing uses in the surrounding area. Staff recommended approval of the request.

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Chair Holston inquired if any of the Commissioners had questions, discussion, comments, or a motion. Ms. O'Connor made a motion to approve the annexation. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Jones, Bryson, Trapp, Alford and O'Connor. Nays: 0). Chair Holston stated the vote passed 7-0 on annexation. This was a favorable recommendation and goes to City Council on February 16, 2021.

Ms. O'Connor stated in regard to agenda item Z-21-01-003, a portion of 3214 Groometown Road, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 3214 Groometown Road from County RS-20 (Residential Single-Family) to City R-3 (Residential Single-family-3) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. The proposed R-3 zoning district permits uses which fits the context of the surrounding area. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Trapp. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Jones, Bryson, Trapp, Alford and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation and subject to a public hearing at the February 16, 2021, City Council meeting.

Z-21-01-004: A rezoning from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-family-8) for the property identified as 606-618 Whitfield Drive, generally described as north of Whitfield Drive and west of Bell Orchard Drive, (6.78 Acres).

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the condition related to the request. Chair Holston inquired the Commissioners if there were any questions for Mr. Kirkman. Chair Holston requested the applicant to come forward and state their name, address, and case.

Judy Stalder, 115 Southwest Gate Drive. Ms. Stalder introduced the developers, Jeff Jackson with Investor Land Services and Jeff Garnier from True Homes. Both regularly build homes in Greensboro. Ms. Stalder referred to a slide depicting the proposed site, which is the last vacant property. The property is situated between RM-12 and R-3 with significant topographic challenges and environmentally sensitive areas. New construction in the area has been a mixture of apartments and townhomes not mentioned in the staff report. There is a precedent for multi-family development in this area. Given the challenges on this property, it is practical to develop it as attached housing. The homes need to be built close to retail centers and restaurants and still be sensitive to the existing single-family homes. This would be a moderate zoning district of RM-8, restricted to residential uses only and the proposed homes would be 15-20 feet lower in elevation. There would be a requirement to maintain Type C planting along the boundaries of the property adjacent to the single-family homes. For every 100 linear feet, two canopy trees, 3 understory trees, and 7 shrubs are required. The buffer would have an average width of 15 feet. The developers want to preserve existing vegetation and supplement the Type C buffer requirements. A slide depicting the townhomes proposed was shown. The townhomes will be for individual sales at 2,000 to 2,400 square feet. The price range was projected to be \$180,000 to \$240,000. With 45 homes, this site would be well below the threshold required for a traffic impact study. Whitfield Drive would be widened and an appropriate gutter and sidewalk placed along the Whitfield Drive frontage. Other needs may be identified by TRC. The creek will be protected in the associated environmentally sensitive areas. An HOA will be established to maintain and protect open space, common area parking, roof quality devices, and the exterior maintenance of the buildings and grounds. The requirements of utilities will be met and comply with local, state, and federal standards for storm

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water devices. The developers reached out to the neighbors on all sides, both single-family and multi-family and submitted a detailed report. There were 207 letters sent out explaining the proposed development and included the site plan. Neighbors were invited to a Zoom meeting and provided contact information for those who could not attend that meeting. Five calls were received, emails were received and they also met with neighbors on Zoom. The most frequent questions and concerns centered on the size, price, and the timing of the development. If approved, the development should start in the fall and construction in early 2022. Concerns were expressed regarding improvements on Whitfield Road and traffic on Bell Orchard Drive. Of the 207 letters mailed, 18 neighbors responded. Of those 18 neighbors, only 5 had positive comments. One neighbor wanted to know if he could purchase one of the townhomes. Individual calls or emails were sent to those neighbors adjacent to the Whitfield Right of Way letting them know that they would coordinate with them in staking the existing right of way and how could they can best work together to protect their property during construction. Ms. Stalder stated any infill development is unique. Consideration was done to decide the best type of housing suited for the area and the site which narrowed it down to townhomes. The developer wanted to find an appropriate transition between adjacent uses between RM-12 and R-3 which became RM-8.

Chair Holston asked Ms. Stalder if the road improvements to Whitfield would be done because it is a part of the property and also extend all the way to Bell Orchard. Ms. Stalder responded that was correct. Chair Holston asked if that would be the only access to the development and no access off of Kenneth or Bell Orchard, or any other place. Ms. Stalder responded that was correct. Chair Holston inquired if the Commissioners had any questions for Ms. Stalder. Seeing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone to speak in opposition to the request. Chair Holston advised they would have a combined 15 minutes for speaking.

Jeremy Lee, Darla Lee, and Teresa Lee, 611 Kenneth Road. Darla Lee stated the development would butt against the back yard of their home that they have lived in since 1958. Ms. Lee expressed concerns of disturbing wildlife roaming in the area, and the safety of children playing up and down the streets and in the woods. The developer would be taking away a lot of natural play areas. Ms. Lee expressed concerned regarding a bottle neck situation that could occur. When their property was annexed into the city in the '80s, Kenneth Road and Bell Orchard were to have been widened and never happened. Ms. Lee stated this development is too small to have that many people. Traffic is already heavy with the recently opened Urban Loop. Ms. Lee advised it is becoming very difficult to get out of the neighborhood and if the mail truck goes by, you have to wait your turn to go by. Chair Holston referred to other cases and similar issues and advised if the Zoning Commission approves and if City Council approves the request, there will be additional steps to go through. The Technical Review Committee, (TRC) would address issues such as was the access road sufficient for traffic on Kenneth Road and would address the widening issues and those types of things relative to this new project would be reviewed at that point. Currently Zoning is only looking at the land use. Infill is a target that the City of Greensboro has been trying to utilize as much space as possible. Not everyone would be satisfied as to how it ends up but there is a great deal of sources within the city. Not only the Zoning Commission and City Council, but also working within the city to protect as many of the rights and needs of both those coming in and those already there. Ms. Lee stated the apartments that were built do not come off Bell Orchard, it is directly off Elm Street. There is a gated area and a sidewalk behind the apartments and that is it. Mr. Lee stated the apartments have no access to the sidewalk built to the apartment complex. Chair Holston thanked Ms. Lee. Chair Holston inquired if there were questions for the Lees. Hearing none, Chair Holston inquired if there was anyone else to speak in opposition to this request.

David Rominger, 4207 Bell Orchard Drive, stated the neighborhood was built in the late 50s or early 60s in what was the county back then. When incorporated into the city, it was the believed the city would come in to widen

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the streets and improve the curves, lights. None of that occurred. When this neighborhood was built, Elm Street did not extend to where it is now, there was no intersection and only one way in via Bell Orchard. Kenneth Road connects into Elm Street currently. Mr. Rominger stated his concerns with cut through traffic that loops around to avoid the light. With 840 right there by Kenneth Road, traffic has increased every more. There is a lot of pedestrian traffic on Bell Orchard. The street in front of his home measures 19 feet wide and it is very challenging for two cars to pass. The posted 25 MPH speed limit is often ignored by those who do not live in the neighborhood. The biggest concern with the request is going from 3 homes per acre to 8 homes per acre, and 45 units doubles the amount of homes in the neighborhood. The image presented is much like the current townhome properties at the end of Kenneth and on Bell Orchard that all have garages and a single driveway with usually two cars per home forcing parking into the public streets. Mr. Rominger is concerned with parking and traffic issues on Whitfield, a private drive 10 feet wide and would need to be widened to reach Bell Orchard. The biggest concern is traffic. The neighborhood would prefer the zoning stay at R-3 to stay within the footprint of this community. The site plan does not appear to be user friendly for first responders. Chair Holston stated that would be a consideration that would come out through the TRC process. The applicant has suggested in regard to widening Whitfield which would probably help with that, assuming the request is approved and goes through that process. Chair Holston asked Mr. Tipton if a traffic study was triggered with the new loop that is also in that area. Mr. Tipton responded it did not. Mr. Rominger asked if a traffic study should be done when building a new community that would double the traffic into a neighborhood. Mr. Tipton stated when it comes to multi-family, there would need to be approximately 140 to 150 units before studies are required. Mr. Rominger asked would GDOT take into consideration the amount of traffic cutting through the neighborhood. Mr. Tipton responded that would be addressed differently for concerns. Mr. Rominger is concerned that Bell Orchard Drive cannot support the volume of traffic there is. Chair Holston requested Brandon Roberts to speak.

Brandon Roberts, 4201 Bell Orchard Drive, stated he lives at the corner of Kenneth and Whitfield and in front of the property in question. Mr. Roberts echoed the concerns regarding traffic and was dismayed there has not been and will not be a traffic study due to the cut through of traffic experienced by him. Most of the streets are narrow except the road behind the apartment complex that was widened. Mr. Roberts stated the proposed plans will in no way match the community and was concerned with the pricing of the townhomes if they do not sell. Mr. Roberts was concerned regarding a sidewalk coming out to Bell Orchard off of Whitfield and was confused on what would be done. Chair Holston advised there would be more from the developer in the rebuttal period. Mr. Roberts stated he would be concerned with foot traffic close to his property and so many vehicles coming past his home as his small children play in the yard. Mr. Roberts expressed concerns with the widening the road and utility lines and his property being compromised. The developer has met with him and his neighbor regarding the 40-foot easement. Traffic is the biggest concern. Mr. Roberts would like to be assured that there will be a proper barrier from the proposed neighborhood to the neighborhoods that back up to that property. Mr. Roberts stated it is a safety concern regarding how Bell Orchard and Kenneth Drive would be able to support additional traffic on those roads. Chair Holston inquired if there were questions for Mr. Roberts. Hearing none, Chair Holston inquired if there was anyone else to speak in opposition. Hearing none, Chair Holston requested to hear rebuttal from the applicant and advised rebuttal was 5 minute maximum for both sides.

Judy Stalder stated the proposed new residents may choose to travel down to Bell Orchard, turn right on Kenneth Drive to go to Elm Street to avoid a left turn onto Pisgah Church, but would not go left on Kenneth unless visiting in that area. Ms. Stalder stated this is infill development and an area that is walkable to commercial which is the type of thing the Greensboro Comprehensive Plan encourages and is within areas where there could be more density. Ms. Stalder stated it is the expectation of the developer that if the residents need additional parking, they would park within the neighborhood and not on Bell Orchard. Baylor is not an option for a connection as there are

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sensitive areas located there. The developer has no concerns being able to sell the townhomes. The apartments in the area filled up quickly, the townhomes in this area sold quickly for higher prices than will be asked by this developer. Chair Holston asked if there would be sidewalks on Whitfield and what was the plan. Ms. Stalder responded sidewalks will be built along their frontage of Whitfield. The developer is not required to build them up to Bell Orchard. The developer will be consulting one on one with the two owners adjacent to Whitfield regarding what could be there in the right of way. Buffers will be adjacent to the single family and an average of 15 feet wide and every 100 feet two canopy trees, 3 understory trees, and 17 shrubs will be planted. The buffer would be undisturbed as much as possible, significant trees would be saved if possible, and would supplement wherever necessary to meet the minimums for a Type C buffer requirement. Chair Holston inquired if there were additional questions for Ms. Stalder. Hearing none, Chair Holston inquired if anyone was responding in opposition for up to 5 minutes of rebuttal.

Brandon Roberts, stated Kenneth is not a dead-end street and has run-off traffic going in and out of the neighborhood off Nandina, part of the townhome development off of Baylor and have a rear access onto Kenneth and an addition to traffic issues the neighborhood faces on Kenneth and Bell Orchard. Mr. Roberts believes in walkability but was concerned with sidewalks and a wide enough street to support that.

David Rominger, stated the drive on Whitfield is misleading, it is only approximately 100 yards long and he stated the zoning sign was off the roadway and not visible. The narrow street and traffic are the major concern. On page 5 of the information sent out referencing becoming car optional, it was encouraged for new development compatible with the intended use of the adjacent roadway. The adjacent roadway is Bell Orchard and does not support any additional traffic. If this is approved by the Zoning Commission, a traffic study should be done and requested the developers to consider a privacy fence in addition to the natural vegetation already in place along Whitfield, Bell Orchard, and Kenneth.

Darla Lee, stated the only notice received from the city was a 2-page letter. It is difficult to cross the street at Pisgah Church and Elm because there are no pedestrian signs or signals, no walkway. Car accidents have occurred there also. The walkability has been mentioned and is it difficult to walk around in the neighborhood. Teresa Lee stated Whitfield Drive was originally only a private driveway for a single-family home. The developer is attempting to build in her back yard, literally. Chair Holston inquired if there were any questions for the Lees. Hearing none, Chair Holston closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the uses requested exist on adjacent tracts and are of a similar scale, intensity, or off-site impact as existing nearby uses. The proposed CD-RM-8 zoning district permits residential uses only and is compatible with uses present in the surrounding area and would increase the range of choice and supply of housing. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential on adjacent properties. Staff recommended approval of the request.

Chair Holston inquired if there were questions for staff. Hearing none, Chair Holston requested thoughts, questions, comments, or a motion. Mr. Alford stated he went to the site and his problem is being adjacent to the R-3 housing. RM-12 zoning is nearby but not really in same community. Mr. Alford stated he would be voting against this request because of the density compatibility. Mr. Bryson stated in regard to agenda item Z-21-01-004 the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties identified as 606-618 Whitfield Drive from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District Residential Multi-family-8) to be consistent with the adopted GSO 2040 Comprehensive

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Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. The proposed CD-RM-8 zoning district fits the context of the surrounding residential areas and limits negative impacts on adjacent properties. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Trapp. The Commission voted 6-1. (Ayes: Chair Holston, Collins, Jones, Bryson, Trapp, and O'Connor. Nays: Alford). Chair Holston stated this approval constituted final approval that is subject to a public hearing by City Council if appealed within 10 days. Chair Holston advised all of the participants that perhaps a conversation regarding some of the issues that were stated. Chair Holston stated if those in opposition believed separate from the application that a traffic review was needed based upon conditions that have changed could reach out to the city for an opportunity for a separate review of the traffic issue.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Kirkman advised this meeting was Mr. Trapp's last as a Commissioner for the Zoning Commission. Mr. Trapp has an opportunity to advance his career in Raleigh, North Carolina. Mr. Kirkman appreciated Mr. Trapp's passion for Greensboro and zoning. On behalf of staff, appreciation was expressed for Mr. Trapp's time and effort both with this current time with the Commission and the previous times also. Staff wished Mr. Trapp well with his future endeavors. Mr. Trapp thanked everyone and advised it had been an honor serving during the second stint. Chair Holston advised Mr. Trapp will be missed and congratulated him. Ms. O'Connor congratulated Mr. Trapp and stated all of her experiences with him was always he left the wood pile higher than he found it. Ms. Connor stated Mr. Trapp has made many great contributions in Greensboro and wished him well in the new venture.

ITEMS FROM THE ZONING COMMISSION MEMBERS:

Mr. Carter advised currently there were 8 cases expected to be heard at the next meeting, plus a text amendment. Mr. Bryson stated there has to be a way to expedite the meetings. It is not fair to the Commissioners or the citizens and needs to be a better way. Mr. Bryson understood what the citizens are talking about regarding the mailings and notifications. There is an issue and the pink elephant in the room is the postal service currently is in shams and there are no guarantee citizens are receiving the information in a timely fashion. There needs to be a better way and these two things need to be worked on. Chair Holston responded he understood both issues. Chair Holston stated he was not defending the system but was very sensitive to when there is a case and 8 people want to speak and questions that come up. There are times when, in the past, it was said, okay, let's just cut everything down to 5 minutes or 2 minutes and keep things moving. His personal perspective is that when that is done, discussion is cut off, debate is cut off, along with information and opportunities to fact finding primarily on the opposition side. The opposition a lot of times may have gotten the mail late and not have a lot of time to review and then Zoning cuts the time from them. Chair Holston was sensitive to ensure Zoning hears from everyone who wants a say. This is done on a regular basis. There are notes and assistance from city staff. A lot of times it is the speakers first time ever coming and speaking in this type of environment. Chair Holston stated he does tend to err on the side of taking extra time to ensure speakers have their opportunity for their say. Chair Holston stated it is frustrating when it ends at 10:00 o'clock, 8 cases or 12 cases and midnight. State statute says by mailings, it is by the postmark date. Before it was discussed regarding pushing everything out a month. For example, if filed in January it would not be heard until March. Others would then be waiting and their project needs to move forward and now delayed them a full month and then if appealed or request is denied and have to come to City Council.

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Chair Holston stated he was not arguing with Mr. Bryson but saying it is frustrating and was not sure how to fix it and still give those persons needing the most opportunity to speak. If there are 8 cases and they are all hot and heavy, it will be a long night. Mr. Bryson stated this could be talked about off-line but there is a way to do it. Chair Holston inquired if there was other feedback from Commissioners. There was no further feedback.

ACKNOWLEDGEMENT OF ABSENCES:

Chair Holston advised the absences of Mr. Rosa and Mr. Engle were excused.

ADJOURNMENT:

There being no further business for the Commission, the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Hugh Holston, Chairperson

HH/cgs

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The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site on February 15, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Zac Engle, Tony Collins, James Rosa, Richard Bryson, and Vernal Alford. Present for City staff included Luke Carter, Mike Kirkman, Steve Galanti, (Planning Department), Noland Tipton (GDOT), Andrea Harrell, (City Attorney), and Alan Andrews, (Chief Deputy City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online and if there were any issues to contact Luke Carter with City staff. Chair Holston advised of the policies and procedures in place for the Zoning Commission and how the meeting would be conducted using the online format.

Attorney Harrell advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina General Assembly, anyone may submit written comments between now and 24 hours after the public hearing closes for any item on the agenda. Those comments can be submitted to Planning staff. If comments are sent, please identify which item on the agenda is being commented on.

Chair Holston performed a roll call of the Commissioners present. Chair Holston advised Mr. Jones was not present. Ms. O'Connor made a motion to approve the absence of Mr. Jones; seconded by Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. and. Nays: 0).

APPROVAL OF THE JANUARY 20, 2021 REGULAR MEETING MINUTES: (Approved)

Mr. Engle abstained as he was not present at the meeting.

A motion was made by Ms. O'Connor to approve the January 20, 2021 minutes; seconded by Mr. Bryson. The Commission voted 6-0-1. (Ayes: Chair Holston, Collins, Bryson, Rosa, Alford, and, O'Connor. Abstention: 0).

WITHDRAWALS OR CONTINUANCE

No withdrawals or continuances. However a request was made to alter the order of the agenda slightly. The attorney representing the applicant for Z-21-02-002 for property on Osborne Road and Simmons Court asked to go first since he was double booked for another public hearing that evening. Mr. Engle made a motion to adjust the agenda to move item 2 up to item 1; seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and, O'Connor. Nays: 0).

PUBLIC HEARINGS

Z-21-02-002: A rezoning request from R-3 (Residential Single-family-3) to CD-C-M (Conditional District - Commercial-Medium) for the properties identified as 3831, 3833, and 3901 Osborne Road and 3901-YY Simmons Court, generally described as east of Osborne Road and east of Jobe Court), 1.21 acres).
(Approved)

Mr. Kirkman reviewed the zoning map for Z-20-02-002 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to provide their name, address, and state their case.

Attorney Tom Terrell, with Fox Rothschild, 230 N. Elm Street, introduced Mr. Russell, city designer for the applicant. Attorney Terrell presented slides depicting the location of Emerald Pointe and the orange dot in the

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middle represented one of the four properties being requested for rezoning. Attorney Terrell stated none of these properties has good access or site visibility since they cannot access the nearby highway. Slides were also shown of nearby uses along the highway including the OYO Hotel, an auto repair business, Clayton homes, and a large trailer park. Attorney Terrell noted the Investment Group of North Carolina is a local home group company that is continuing to grow and to hire. In order to expand, they need the rezoning. Photographs were shown depicting the OYO Hotel from the rear and the property to the left. Mr. Terrell stated the property shown in the yellow was the property needing to be expanded. Mr. Russell sent a letter to all of the neighbors within the 600 feet, explaining what the zoning would be and provided information as to how reach them. No one came to the meeting or called to ask any questions. Mr. Engle stated it appeared the property is somewhat buffering between the single-family homes and the current use and there is a parking lot on the land going up to the tip of the homes. Mr. Engle asked what was the plan on buffering and what was required. Mr. Engle asked if the parking lot was going to be ripped out to put in tree plantings. Attorney Terrell responded no that there is an existing large opaque fence, plus some evergreen trees. What is shown as parking now will only be parking with this change. Mr. Kirkman advised the Ordinance required any kind of storage area for auto related uses had to be screened from adjacent residential uses. Because there is commercial against residential, a Type B, average 25-foot width landscape buffer would be required. Mr. Engle asked where there are painted parking spaces, would it become dirt and a Type C planting buffer would be installed. Mr. Kirkman responded that new landscaping is required in areas where there are changes. If the existing asphalt is not altered, it would probably be screened with the fencing. Mr. Kirkman stated they do not make people rip up improvements, unless there will be a change of use. The church parking area for commercial would not be significant enough to trigger that requirement. . Attorney Terrell requested the Commission favorably consider the application.

Chair Holston inquired if there were any questions from the Commissioners for Mr. Terrell. Mr. Bryson asked if the church would be moved. Attorney Terrell responded the church is already owned by the Investment Group and they have used it only as an office. Attorney Terrell stated he was not aware of any efforts currently to tear down or move it, but the building was not being used as a church. Mr. Bryson was concerned if there were graveyards that they would be disturbed. Attorney Terrell advised there were no graveyards. Chair Holston asked if the church is torn down, would that trigger Mr. Engle's buffers. Mr. Kirkman responded if there is new construction, discussions would be held regarding landscape buffers. Chair Holston inquired if there were additional questions for Mr. Terrell from the Commissioners. Seeing none, Chair Holston inquired of Mr. Terrell is there was anyone else from his team that wished to speak in favor of the request. Mr. Terrell responded he was unaware if anyone would be speaking. Chair Holston inquired if there was anyone else wishing to speak in favor of this request. Hearing none, Chair Holston inquired if there was anyone who wished to speak in opposition to this request. Seeing none, Chair Holston closed the public hearing and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map and Residential on the Future Land Use Map of the GSO 2040 Comprehensive Plan. If the request is approved, the Future Land Use Map will be considered to be amended to the Commercial designation. Staff has concluded the request is consistent with the Comprehensive Plan because the uses requested are of a compatible scale, intensity or off-site impact as existing nearby uses. The request accommodates a satisfactory transition to the existing scale and intensity of nearby uses. The uses permitted in the proposed CD-C-M zoning district are consistent with surrounding uses that include both City Commercial Medium and County Light Industrial zoning. Staff noted care should be given to orienting development towards Osborne Road and limiting potential negative impacts from noise or light trespass on adjacent residential uses. Staff recommended approval of this request.

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Chair Holston inquired if the Commissioners had any comments, questions, thoughts, discussion or a motion. Mr. Engle stated in regard to agenda item Z-21-02-002, the Greensboro Zoning Commission believes that its action to recommend approval for the zoning request for the properties described as 3831, 3833, 3901 Osborne Road and 3901-YY Simmons Court, from R-3 (Residential – Single-Family-3) to CD-C-M (Conditional District – Commercial Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map. (2) The property proposed for rezoning can accommodate a satisfactory transition to the existing scale and intensity of existing, adjacent uses. (3) The CD-C-M, as conditioned, would permit uses that are complimentary to those existing in the surrounding area. (4) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval is in the public interest. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O’Connor. Nays: 0). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal.

Z-21-02-001: A rezoning from R-3 (Residential Single-family-3) to CD-O (Conditional District-Office) for the property identified as 5908 Ballinger Road, generally described as north of Ballinger Road, west of Fleming Road, and northwest of New Garden Road, (3.65 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions related to the request. Mr. Kirkman stated there were two conditions originally associated with the request and the applicant has asked to make multiple changes, which include amending the first condition and then adding several new conditions. Mr. Kirkman read the revised conditions into the record as followed:

1. Uses shall be limited to those found in Section 30-8-6.7 Medical Facilities, excluding hospitals and specialty hospitals. Section 30-8-8.2, Office Uses and Section 30-8.-8.5, Personal and professional services of the Land Development Ordinance. Except the following uses shall not be permitted. Communications and broadcasting office, except for dispatch purposes. Conference Center, residential office conversion, bank branch with drive through, barber shop, beauty shop, massage therapist as principle use, tanning salon, local mailing service, dry cleaning pickup and drop off station, funeral home, mortuary, crematoria, kennel, laundromat, pet grooming, shoe repair and shoe shine shop, tailor, milliner, upholsterer, veterinary service and animal hospital, courier service, satellite office, music production and recording, photocopying, blue print, and duplicating service, quick sign service and taxi dispatch center.
2. Building height shall be limited to up to 48 feet, excluding architectural design features, roof top equipment, HVAC equipment and the like and other non-structural components.
3. All activities associated with principal uses shall be conducted fully indoors, except mobile medical facilities, vehicles, equipment shall be permitted to remain on the subject property for a period of 60 days at one time.
4. Plantings with required Type B buffer along the western property line shall be of Evergreen material. Any new vegetation to supplement existing vegetation shall be a minimum of 3 feet in height at time of planting.
5. Building materials shall consist of no less than 75% glass, brick, stone, stucco, or comparable material.
6. Free standing signs shall be monument style. Any electric message board must use a minimum hold time message of 6 hours.

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Mr. Kirkman requested the Zoning Commission to accept the amended and new conditions. Mr. Engle moved to accept the amended conditions; second by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised the applicant and the opposition will each have up to 15 minutes to present their statements. There may be another 5-minute rebuttal period thereafter. Chair Holston requested the applicant to provide their name, address, and state their case.

Marc Isaacson, 804 Green Valley Road, attorney representing Blue Ridge Company who own and manage their own properties. The proposal on the 3.65-acre parcel is to build a professional two-story medical office. An illustrative site plan was shown depicting a building away from the intersection and two access drives on Ballinger Road. Attorney Isaacson noted the site plan was redesigned to move the building back and away from New Garden Road and maintain the view of the corridor. Drawings were shown depicting how the building, parking, buffers and access points would be laid out. The proposed two-story medical office building will have a covered drop off, circular drive, and a drive through to allow drop-offs of patients. Aerial photographs were shown depicting a mix of medical and institutional uses in close proximity, along with office buildings, fire station, assisted facilities for older adults, and the campus of Guilford College. A copy of the letter that was sent to everyone listed on the city's notification list within 600 feet radius was depicted. Forty-three letters were mailed. The same materials shown to the Zoning Commission were also shown to the neighbors via Zoom. Questions were answered, notes taken and they followed up with several of the stakeholders in the area. Attorney Isaacson stated this will be going to City Council for a final decision next month. Mr. Isaacson presented some of the factors the plan takes into account and showed why this project is supported by those factors. There are no significant obstacles posing any issues for the development. The proposal fits the property size and development potential. The proposed medical office building will only allow access from Ballinger Road and will have onsite parking and vehicular stacking. The existing traffic signal at the intersection of Fleming Road and New Garden Road will assist in the management of any increased volume during peak hours of the day. Davenport Engineering completed the traffic analysis. This proposed development would be limited to two in and out access points from Ballinger Road. The medical office would not be sub-divided into multiple parcels that would require additional points of access and would have minimum impact on the use and enjoyment of neighboring properties. Primary use of the property will be limited to the standard work days and hours. This development will not produce a foreseeable increase in outdoor storage, noise, vibration, odor, or other emissions that may impact neighbors. The proposed development will align with the character of neighboring and nearby properties. A church borders the property to the north. There are various other medical and institutional uses within close proximity and two large assisted living facilities close to the property. The development of this property for use as a medical office creates a balanced growth along a portion of New Garden Road. Attorney Isaacson stated this is a good fit and in alignment with well established planning principles that the city has embraced for many years.

Chair Holston inquired if there were questions from the Commissioners for Mr. Isaacson. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request.

Rev. Jeremy Troxler, 614 Westwind Drive, is lead Pastor of Guilford College United Methodist Church. Rev. Troxler has been empowered by their church council to speak in favor and support of this rezoning. The medical office use is very compatible with their church in terms of the times when the building would be used and the times when the church is used. The applicant has worked with the church on this project and offered to share parking with the church, which has been a long-time struggle with the church. There are elements of this project that would be a great benefit to the church. The applicants have worked with the church in a number of other requests and given written commitments regarding building materials, landscape buffers, signage, trash receptacles. They were willing to move the building to accommodate the church view. Given all those things has

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provided the church confidence Blue Ridge Companies and their tenants would be good neighbors. For that reason, the church council supported and was in favor of the rezoning.

Chair Holston inquired if any Commissioner had questions for Rev. Troxler. Chair Holston then requested Richard Jordan to speak next.

Richard Jordan, 5503 Belvedere Place, served on the New Garden Strategic Plan Advisory Board and was a defacto representative of neighbors. He state they have been working with Marc Isaacson and the contractors working with the zoning conditions. The neighborhood is in favor of the proposal and the development. Mr. Jordan stated the New Garden Strategic Plan advised the neighborhood should be notified early on in the process and they were notified 39 days out. The New Garden Strategic Plan actually asks for 60 days. This was a non-contentious development that was continued to be worked on until this meeting. If it had been more contentious, a request would have been made to have the 60 days to work through the zoning. He stated zoning conditions were tightened with the developer and Mr. Isaacson very well, but city planners wanted to widen out the zoning to reduce the restrictions. Mr. Jordan read from the New Garden Strategic Plan what the city actually placed in the plan. "Amendments to the plan and rezoning to the non-residential districts occurs, the city and developers should work together to choose the zoning district or conditions that contains the narrowest list of uses necessary to accommodate the business use." That was accomplished on this date. City planners wanted to push it slightly wider to include things like a laundromat and a junk yard. In working with these developers and narrowing the conditions to what the New Garden Strategic Plan is for and not to enable the city to develop it as they see but to work with the neighbors.

Chair Holston inquired if the Commissioners had questions for Mr. Jordan. Mr. Engle stated he would encourage Mr. Jordan to also make those comments at City Council. They will have some larger "teeth" in making sure that staff is following the Plans guidance. If something comes before the Zoning Commission there was not enough time, it is something he would take into consideration in the future. Mr. Engle stated his appreciation to Mr. Jordan and the comments as they were helpful. Chair Holston inquired if there was anyone else to speak in favor of the request. Chair Holston requested Diane Guinan to speak.

Diane Guinan, 5607 Robin Ridge Road, stated the conditions came up in a different form than what the neighborhood had seen. They are in favor as long as those conditions are what was discussed and revised. Mr. Isaacson responded he believed the conditions were the same. Mr. Isaacson stated the conditions were in a slightly different format and would circulate those among the stakeholders to be absolutely certain everyone is on the same page. Ms. Guinan stated her concern was things processing through Zoning, passed and indicating the neighborhood is in support but the neighborhood was unable to see what they were supporting. It then goes to City Council but that is not the same. Ms. Guinan requested assurances that what Mr. Isaacson thought he presented, was presented and what was supported. If not, to have those changes made prior to going to City Council. Chair Holston stated that can occur. The Commission is voting as a Zoning Commission for a recommendation to City Council. There are conditions and once this public hearing goes to City Council, those conditions can be updated, amended, or corrected. Mr. Isaacson stated they may be in a different form than what may have been shown previously, but the new conditions do match up with what the intent was. If not, at the public hearing with City Council, Ms. Guinan would be able to address those concerns or see them before the City Council meeting so there would not be an issue at City Council. Mr. Engle added this does get confusing for people as conditions are brought to city staff and they have to put them in a way that the city can make them enforceable. It is not any sort of malfeasance on the part of the applicant. They do work with staff to make sure that what the intent of the conditional enforcement is, can be done by the city. Mr. Engle was hopeful it was all taken care of. Chair Holston inquired if there was anyone to speak in opposition to the request.

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Alan Socol, 5912 Ballinger Road, stated he was concerned regarding the modified conditions and requested clarification for point number 4, to know that the existing dead growth of approximately 10 to 15 trees in the barrier site would be cleared and not incorporated into the barrier. In the same barrier area, Mr. Socol asked if there was an average width of Type B barriers that could be used to gauge the closeness to parking lots and homes. Chair Holston stated regarding the first question, Mr. Isaacson will address during rebuttal. City staff may be able to respond to the Type B buffer question. Mr. Kirkman stated any kind of dead material would not be counted towards the required vegetation within a landscape buffer. The city arborist will review the plans and be a part of the discussion regarding the planning material and landscape buffer. Type B buffers have an average width of 25 feet.

Chair Holston inquired if there were questions for Mr. Socol from the Commissioners. Seeing none, Chair Holston asked if there was anyone else to speak in opposition. Seeing none, Chair Holston closed the public hearing and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the Greensboro 2040 Comprehensive Plan designates this site as Urban General and being within the New Garden Road Strategic Plan on the Future Built Form Map designated as Low Residential on the Future Lane Use Map, If this rezoning request is approved, the future land use category for the subject site will be considered to be amended to the Mixed Use Residential classification. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and can accommodate a satisfactory transition to the existing scale and intensity of existing adjacent uses. The proposed CD-O zoning classification is conditioned to allow office uses that are appropriate for the surrounding area and would complement the broader New Garden Road corridor. Staff recommended approval of the request.

Chair Holston inquired if there were any questions for Mr. Kirkman. Seeing none, Chair Holston inquired if there was conversation, discussion, or a motion. Ms. O'Connor made a motion in regards to agenda item Z-21-02-001, the Greensboro Zoning Commission believes that its action to recommend approval of the New Garden Strategic Plan amendment and the zoning request for the property described as 5908 Ballinger Road, from R-3 (Residential Single-family-3) to CD-O (Commercial District – Office) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use map. The proposed CD-O request, as conditioned, limits those uses which fit the context of the surrounding area. The request is reasonable due to the size, physical conditions and other attributes of the area, and will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this is a favorable recommendation and is subject to a public hearing at the March 16, 2021 City Council meeting.

Z-21-02-003: A rezoning from R-3 (Residential Single-family-3) to CD-C-L (Conditional District-Commercial-Low), for the properties identified as 4123 and 4125 Lawndale Drive, generally described as west of Lawndale Drive and north of Benton Lane, (1.37 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions related to this request. Chair Holston inquired if there were any questions from the Commissioners for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to come forward, state their name, address and state their case for the record.

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Will Stevens, 3500 Camden Falls Circle, developer of this property, in partnership with Dr. Liz Duey. Dr. Duey is looking for a place for her medical practice. Ms. Duey will own the lot at 4125 Lawndale Road and Mr. Stevens will place a second medical practice at 4123 Lawndale Rd. The property was under contract in early November. Mr. Stevens reached out to the two adjoining property owners prior to submitting the zoning request to tell them what the vision was and asked them what their concerns were. The neighbors assisted in the zoning request and it was submitted. Letters were mailed to 58 neighbors within the 600-foot requirement. Twelve responses were received asking for additional information. Mr. Stevens sent them the site plan and the proposed elevations for the buildings. There was a Zoom conference call on February 7, 2021 and only 6 people attended. Some concerns were expressed and talked through. On the property currently is a dilapidated house which is an eyesore and a nuisance to the neighbors who are happy to have taken down and are looking forward to this proposal.

Chair Holston inquired if other Commissioners had questions for Mr. Stevens. Mr. Engle asked if there was a reason why they were going for Commercial Low and not Office zoning. Mr. Stevens responded Dr. Duey's office is a medical office and the other building is speculative. Mr. Stevens would like it to be a single tenant user but it could be a multi-tenant, up to three tenants. They wanted to eliminate any high traffic potential uses and were thinking of a florist or other low intensity uses that would be allowed in the commercial district but not with office. All drive throughs from restaurants to dry cleaners and any eating establishments were eliminated because they want this to be a low traffic use. Mr. Rosa asked if there were any site plans the Commissioners could see. Chair Holston stated any illustrative information to provide to the Commissioners such as a site plan and elevations. Mr. Stevens responded they were sent in with the information packet. Chair Holston advised Mr. Carter the Commission could hold off until they are located. Chair Holston inquired if there were any additional questions for Mr. Stevens while Mr. Carter was searching for the document. Chair Holston asked if access into the two buildings would be with one entrance and an exit or two. Mr. Stevens responded there would be a single entrance onto Lawndale. They have spoken with GDOT and there were questions being worked out currently. Chair Holston asked, for illustrative purposes, if the proposed egress and ingress be across from Beckham or askew. Mr. Stevens responded it would be askew. Attorney Harrell, stated while it may be illustrative, the Commissioners needed to remember that all potential uses must be considered for the property. Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Hearing and seeing none, Chair Holston moved to those wishing to speak in opposition to the request.

Aaron Terranova, 106 Tanum Place, President of the Lawndale/Lake Jeanette Neighborhood Association, was in opposition to this rezoning request because as President of the Association, they had not been informed of the rezoning. There was only signage on the streets. Mr. Terranova understood the applicant speaking to 58 neighbors within the 600-foot radius, but was asking to meet after this meeting to discuss a better plan and have all of the neighbors that he represents as President to be involved. Mr. Terranova stated this is what the neighborhood feared when the property on the corner was rezoned to Office and is exactly what they said would happen. The properties along Lawndale would be rezoned and Battleground East in a commercial corridor would be formed and here it is. It is a great concern to the neighbors who specifically moved to these neighborhoods because it is right next to a park district. This is a residential single-family home area and not an area where commercial development should be. Within a two-mile radius of the location, there are approximately 50 restaurants, 20 bars, 20 coffee shops, 10, gas stations, 5 major grocery outlets, 11 medical clinics, 13 banks, 10 pharmacies, 14 health and fitness centers, 6 pet stores, specialty stores, the Science Center, a national park, neighborhood parks, a public library, a fire house, three shopping centers with Walmart, Lowes, Target. No other amenities are needed for the residents in these neighborhoods. Once this is rezoned Commercial, it cannot go back to residential and anything could be placed there. Mr. Terranova asked the developer to withdraw the request, go back to the table and talk to

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the Neighborhood Association and find the best use of this property that will be aesthetically pleasing and developed within the residential frame of the R-3 neighborhood.

Mr. Collins stated when Mr. Terranova saw the sign, that was his notification and asked why he did not contact the Planning Department and then contact the developer prior to this meeting. Mr. Terranova responded he had been very busy. Residents are always at a disadvantage when it comes to rezoning. They do not have the time and the effort to always be available at a moment's notice. The neighborhood should not be penalized because they did not see a random sign on the sidewalk driving 50 mph down Lawndale. The neighborhood wished a better effort would have been made by the developer. They are willing to work with the developer. Mr. Collins stated it would have been a better use to call them in advance but appreciated his answer. Chair Holston inquired if there were additional questions of Mr. Terranova. Chair Holston asked Mr. Terranova if he would be showing visuals. Mr. Kirkman advised the email was not received from Mr. Terranova, but did have his presentation from the previous case in the area and asked if he would like that presented to the Commissioners. Mr. Terranova responded he may be use during the 5-minute rebuttal.

Chair Holston inquired if there was anyone else to in opposition to the request. Mr. Terranova referred to a power point presentation depicting a 2-mile corridor depicting Lawndale, Cornwallis, Elm Street and Friendly Acres. The corner of Lawndale and Lake Jeanette have been rezoned to medical office. There is 40,000 square feet available on Pisgah Church of retail available with about 100,000 square feet of space available for lease and for tenants for a variety of uses. Mr. Engle asked if the center was empty. Mr. Terranova responded driving by right now there are signs saying for lease and he drove by there before this meeting. Chair Holston asked what building was it. Mr. Terranova responded he thought it was the old AT&T call center. Chair Holston stated that was the old Dunn and Bradstreet building. There are four spots that have available tenant availability. There is good parking and right on major thoroughfares. North on Joan Avenue on the western border, there is a beauty salon that is out of business and another facility a tenant could move into. Chair Engle asked Mr. Terranova if he was against the Commercial – Low or against anything that was not residential. Chair Engle stated he has to take some direction from when that will go and asked if he would be in supportive of it if it was just a medical office like the one across the street or against it. Mr. Terranova responded he has not had a chance to talk to the entire Neighborhood Association which he represents. The last rezoning there was a lot of time and talking weeks and months to organize a meeting. It is very hard to organize a few hundred residents to come together and would like more opportunity to get together with his constituents and make sure he is saying what they want him to say. Going north to the proposed rezoning to New Garden, and where New Garden comes down, there is a BP gas station and just behind that gas station is a bakery. They approached the Neighborhood about rezoning that area and it was agreed to the rezoning because they are going to keep it looking like a house and it fits within the aesthetics of the neighborhood. There will not be a lot of commercial traffic and would have walk up service. The neighborhood is not entirely against any sort of commercial. Not knowing what will be placed there and anything can be placed there was one of the contentions in the past. The neighborhood is worried this will have a domino effect where more and more properties going up to the new bypass will be all commercial. Mr. Terranova reiterated how much he would like to meet with the developer and really ask if it could stay residential. Everyone would win in that situation. Mr. Terranova stated right across the street is the PUD which is the Devonshire, a multi-family homes and works because of the aesthetics of the homes and fits within the neighborhood and are fine with that development. Chair Holston inquired if there were any additional questions for Mr. Terranova. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Hearing and seeing none, Chair Holston moved to the rebuttal period and requested Mr. Stevens to speak.

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Will Stevens apologized to Mr. Terranova as he did not have his number and should have and would like to reach out to him and talk about the project. The project is low impact. The primary difference between their project and all the retail that was shown, is Dr. Liz Duey would own this project. She is a single-family practice practitioner that would like own her business. The others are for lease and not for sale. Mr. Stevens stated they originally tried to place her practice right beside the Fleet building but it did not physically work. They have been working on this project for a long time and is hard for them to deny somebody wanting to own their own business. All of the neighbors were very excited to have an actual owner occupant who will show up every day and will make sure that trash is picked up and landscaping is maintained. That is the difference and the reason why they are there. Given the size and the cost of the land, he did not see residential being able to be developed there. A site plan was depicted for the Commissioners indicating the single entrance. The building north at the top of the screen was the building that Dr. Liz Duey is going to take and will own that land and the building. Due to technical issues, the audio of Mr. Stevens was lost. Mr. Stevens asked if there were any questions regarding the site plan. Chair Holston responded none for him. Due to technical issues, the audio of Mr. Stevens was again lost. Mr. Engle asked if there was anything else in this packet that could be looked at.

Mr. Rosa asked if there was a possibility for the two parties to sit down, talk and come back before the Commission for further discussion. Mr. Stevens responded he will meet with Mr. Terranova and if they cannot agree on a solution, then he could appeal it and have it before City Council. Based on the timeline, Mr. Stevens preferred to proceed. They have been attempting to find an amenable solution. Mr. Rosa stated that was fine and was just suggesting to get to the table before City Council to come up with some type of decision. Chair Holston stated whether the vote is 7-0 for or against, the appeal factor is there and either party could appeal and take it to City Council within 10 days. Chair Holston inquired if there were additional questions for Mr. Stevens. Hearing none, Chair Holston advised those in opposition had 5 minutes for rebuttal.

Aaron Terranova stated he appreciated Mr. Stevens candor. The southern property would probably be the main sticking point because the developer is not sure what will go. It is the southern property that will be potentially rezoned commercial with anything that can go there. Mr. Stevens has an idea but that is what the Neighborhood Association will want to talk about. Mr. Terranova suggested reaching out virtually or somehow. Mr. Terranova stated the Neighborhood Associations would love to see the southern property remain residential if at all possible. Chair Holston inquired if there were any questions for Mr. Terranova from the Commissioners. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map. The Comprehensive Plan also designates this site as Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan's Growing Economic Competitiveness goal to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The requested CD-C-L allows limited commercial, office, and service uses along a major thoroughfare, while including provisions to limit impacts on adjacent residential uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential uses on adjacent properties. Staff recommended approval of the request.

Mr. Engle stated when he saw this address, he knew the Lake Jeanette and Lawndale Neighborhood Association would have an interest. Mr. Engle asked if there was a reason why the Commission does not recommend and have that in the staff report or advise the applicant to reach out to the Neighborhood Associations. Mr. Kirkman responded it was mentioned to the applicant about the Lawndale and Lake Jeanette Association and trying to reach out to discuss the request. Staff had a different contact for who was the President. Mr. Engle asked if that

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was done in writing or verbally. Mr. Kirkman responded it was done verbally and believed an email was sent. Based on information shared with staff, Mr. Stevens did attempt to try to make connections with the Association but was trying to reach out to the wrong person, which is now corrected. Mr. Engle stated this is a fine project and a fine plan. It will probably go and get a favorable recommendation from Council but with what he has, he would not be in support. Chair Holston stated one of the first questions Engle asked was regarding the designation of Commercial Low versus Office. That concerned Chair Holston and he felt Mr. Terranova brought up what he calls the “Devils Triangle”, the intersection at Lake Jeanette and Lawndale which was before the Zoning Commission last year. If he were to consider this for approval, there would need to be something adjacent to the Devils Triangle so there would not be sprawl occurring. Chair Holston stated he will do his job and he did not support the approval of the application. Mr. Rosa agreed with both Mr. Engle and Chair Holston. It is a fine project but there is a lot of traffic and speeding. The Commission opened the door for one commercial and that opened doors for more. It is a tight spot for that area and for that reason was not in support of the project. Mr. Bryson stated in listening to both arguments for the property, staff has approved this recommendation because it showed that another portion to the southeast of the subject property is already zoned CD-C-L. This not a new zoning for this area. It appears the Commission picks and chooses or go by the letter of the law and because it is unknown what will be there, the Commissioners step back since they don’t know what’s gong to happen, do not approve. Mr. Stevens made a good presentation and it matches because CD-C-L is already there. Mr. Bryson was in support of the application and has not seen anything that would stop this from moving forward. Mr. Terranova and anybody else can appeal it and go before City Council. Chair Holston asked Mr. Bryson if he was speaking of the CD-C-L at the intersection of Lake Jeanette and Lawndale. Mr. Bryson was unsure but saw one of maps depicting southeast of New Garden Road. Mr. Engle understood what was said but to him it was apples and oranges. Chair Holston asked Mr. Bryson in looking at the screen, was that the CD-C-L that he was speaking of. Mr. Bryson responded yes. Chair Holston stated that is the one that was before the Commission last year. Mr. Collins shared a similar view and saw it as straight forward. Mr. Collins lives off of Lake Jeanette Road and is on Lawndale every day. He stated there are a lot of different uses on Lawndale between New Garden Road and between Pisgah Church and New Garden Road back to the Food Lion. It is not all residential. There are offices inside of houses and different things. Mr. Stevenson has brought forward to the Commission conditions that tell what the total square footage will be, what the roofs will look like. The gentleman had said it will be a Battleground Avenue traffic volume. The only place probably protected is when you get to the loop going out to Greensboro Day School with nothing except churches, a baseball field, and the day school. From there back in, it is changing. There was a comment about one lot at a time, the problem is that is how it is owned. People who own those little lots are going to have them at a reasonable cost for those who put lots together and do something. That stretch of road is an eyesore and time for it to change. Last year City Council made a decision and said what it will be. Mr. Collins would be voting in favor.

Chair Holston inquired if there were additional comments from the Commissioners or a motion. Mr. Collins stated in regard to agenda item Z-21-01-003, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 4123 and 4125 Lawndale Drive from R-3 (Residential – Single-family-3)to CD-C-L (Conditional District – Commercial – Low) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map. The CD –C-L zoning district, as requested, would permit uses that are complimentary to those existing on adjacent tracts and contains conditions that limit potential negative impacts on adjacent residential uses. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded

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by Mr. Bryson. The Commission voted 4-3. (Ayes: Vice Chair O'Connor, Collins, Bryson, and Alford. Nays: Chair Holston, Engle, and Rosa.) Chair Holston stated this constitutes a favorable recommendation and is subject to a public hearing at the March 16, 2021, City Council meeting. Chair Holston again thanked everyone for their participation and encouraged more conversation before the public hearing in March.

Chair Holston stated there would be a 15-minute break and resume at 7:31. The meeting resumed at 7:32.

Z-21-02-004: A rezoning from L-I (Light Industrial) to CD-C-M (Conditional-District – Commercial - Medium) for the properties identified as 106, 110, and 112 Manley Avenue, generally described as west of Manley Avenue and south of West Market Street, (0.94 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions associated to the request. Chair Holston inquired of the Commissioners if there were any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to state their name, address, and their plans.

Chuck Truby, 502 Waycross Drive, representing Greensboro Auto Auction and Mr. Dean Green. Mr. Truby stated Mr. Green purchased these lots. Currently Mr. Green owns the Greensboro Auto Auction, a classic car auction located at 301 Norwalk Street, a showcase for fancy and very expensive older cars held quarterly and on weekends only. There are a lot of cars in the existing building at 301 Norwalk Street and they have run out of room. Mr. Green needs to expand and needs more indoor storage space. A condition was placed on the rezoning that these lots would be combined with the 301 Norwalk Street to create one lot. The 301 Norwalk Street site is zoned C-M and they are requesting zoning for the three subject lots to match the current zoning at 301 Norwalk Street. The plan is for the whole lot to be a building. The only access off of Manley Avenue would be a door for emergency access only. The new building will be totally accessed off of Norwalk Street through the existing structure. There will be no traffic. It will be the exterior of a new building versus what is there currently which is unsightly. Letters were sent out per the list received from the City. Mr. Truby received two phone calls. One from Mr. Gary Wolfe who represents Cook-Out and owns the property north of the applicant. Mr. Wolfe stated to Mr. Truby that he had no issues with the request. A phone call was received from the person who owns the properties across the street. It was explained to her what was being done and she did not have any issues. Mr. Truby was unaware of any opposition. The property is surrounded by commercial industrial properties. What Mr. Green is planning to do will make the appearance of the properties better.

Chair Holston inquired if there were questions for Mr. Truby from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Hearing none, Chair Holston asked if there was anyone in opposition to the request. Hearing none, Chair Holston closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a District-Scaled Activity Center and an Urban Mixed-Use Corridor on the Future Built Form Map and Commercial on the Future Land Use Map. The proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness goal to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The uses permitted in the proposed CD-C-M zoning district are consistent with surrounding uses. Staff recommended approval of the request.

Chair Holston inquired if there were questions for staff. Hearing none, Chair Holston requested thoughts, questions, comments. Mr. Engle stated in regard to agenda item Z-21-02-004 the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 106, 110, and

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112 Manley Avenue from L-I (Light Industrial) to CD-C-M (Conditional-District – Commercial -Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map. The requested CD-C-M, as conditioned, would permit uses that are complimentary to those existing in the surrounding area. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O’Connor. Nays: 0). Chair Holston stated this approval constituted final action unless appealed in writing to the Planning Department within 10 days.

PL(P) 21-02 & Z-21-02-006: Annexation and original zoning from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family-3), for the properties identified as 3922, 4000, and 4002 Hickory Tree Lane, generally described as southwest of Hickory Tree Lane and west of Youngs Mill Road, (1.55 acres) (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions related to the request. Chair Holston inquired of the Commissioners if there were any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to state their name, address, and state their case.

Bo Rodenbough, Attorney with Brooks Pierce, Suite 2000 Renaissance Plaza, representing Secure, Inc., a real estate owned subsidiary of the State Employees Credit Union. Secure Inc. He stated this property was conveyed by the State Employees Credit Union in 2019, following the Credit Union taking the property back via foreclosure or a deed in lieu of foreclosure. Secure, Inc. takes real estate owned by the Credit Union subsidiary and redevelops it for affordable single-family residential housing in keeping with the character of the neighborhood where the properties are located. This particular rezoning and annexation is related to the three adjoining lots on the cul-de-sac on Hickory Tree Lane as a looped road off of Youngs Mill Road. On the southern are lots 9 and 10 of the Young subdivision. There is a ranch style single-family residential home located on lot 10 and the driveway and well located on lot 9. Just to the north of the home is the third lot, lot 11, 3922 Hickory Trail Way, a 46-acre lot currently vacant and located in the Young subdivision. Secure, Inc., seeks annexation of these properties in the City of Greensboro in order to serve them with city water and sewer. It was recently discovered that the home located on lots 9 and 10 are served by City Water and Sewer but without notifying the city that they had connected to these services. Secure Inc., would like to pursue annexation into the City of Greensboro to make that a legal connection to the city sewer system. In response to the notices sent out by the city, Secure Inc., sent out their own notices and the only response was an inquiry from a realtor representing one of the adjacent owners who wanted to know if Secure, Inc., would have any interest in purchasing their lot.

Chair Holston inquired if there were questions for Mr. Rodenbough from the Commissioners. Seeing none, Chair Holston inquired if there was anyone to speak in favor of the request. Hearing none, Chair Holston asked if there was anyone in opposition to the request. Seeing none and no questions, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan’s Creating Great Places goal to expand Greensboro’s citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-3 zoning district is primarily

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intended to accommodate low density single-family detached residential development of up to 3 dwelling units per acre. The proposed original zoning request allows uses that are similar to existing uses in the surrounding area. Staff recommended approval of the request.

Mr. Kirkman advised there are two actions to take; a recommendation on annexation and a recommendation of the original zoning. Mr. Engle moved to recommend annexation of this property; seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Mr. Engle stated in regard to agenda item Z-21-02-006, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 3922, 4000, and 4002 Hickory Tree Lane, from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family-3), to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. The proposed R-3 zoning district permits uses which fit the context of the surrounding area. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated both the annexation and the rezoning request are favorable recommendations and is subject to a public hearing at the March 16, 2021, City Council meeting.

PLP-21-03 & Z-21-02-007: Annexation and original zoning from County RS-30-MH (County – Residential Single Family-30 Manufactured Home Overlay) and County RS-30 (Residential Single Family) to City CD-C-M (Conditional District Commercial Medium) for the property identified as 257 Willowlake Road, generally described as east of Desmond Drive and north of McKnight Mill Road, (21.9 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties and noted conditions associated with the request. Chair Holston asked the Commissioners if there were any questions for Mr. Kirkman. Chair Holston then requested the applicant to state their name, address, and state their case.

Benjamin Kuhn, with Ragsdale Liggett 2840 Plaza Place, Suite 400, Raleigh, on behalf of Eric Page. Mr. Kuhn introduced, Eric Page, West Care Holdings, Mike Roselli, Nick Sobo, Underfoot Engineering, and Jonathan Walk, Walk 360 Architects. Mr. Kuhn noted there was a neighborhood meeting in December 2020 and they met with several of the neighborhoods and took their concerns into consideration. No one expressed strong opposition. Mr. Kuhn referred to slides 3 and 4, and advised Mr. Page has proposed an event center that would build a community, create jobs, provide training and athletics, and help the community. Mr. Kuhn requested Mr. Page to speak on the proposed request.

Eric Page stated he was a co-founder and co-owner of West Care Professional Services, working with the special need's population for over 20 years. One thing that is consistent with this population, with few exceptions, is all experience life on the fringes of society for a number of reasons. Chief is bullying and that occurs at three times the rate of the mainstream population. West Care has developed programs to not only reduce bullying but train elite athletes to be leaders, whether they want to be, willing to be, or ready to be leaders, in their communities and schools in an anti-bullying curriculum. Opportunities and platforms are provided to work with the special needs population, so when they return to their communities and schools and see someone who looks different, talks different, acts different and walks different, they do not treat them differently. Bullying is easily defined by what is seen such as pushing them down, taking lunch money, etc., but is much more than that and permeates every

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aspect of culture. Addressing the issue early with elite athletes who are leaders in the community, helps them understand the problem and gives them a set of tools to intervene early. It increases self-awareness and confidence in the target population through several programs through this project and job training among them. Growth will be encouraged in the special needs population. The two buildings will consist of a crisis center for the IBB population, a jobs training program for the same population. A field house that will host small events such as AAU tournaments and things of that nature will be managed by the special needs' population. With the programs developed on this lot, it is anticipated to be able to provide over 100 jobs in this area.

Mr. Kuhn stated the use is designed to build on the community, in the community. Mr. Kuhn provided renderings depicting the type of facility for the area. A rendering was shown depicting growth in an area currently not in the city. This property sits almost equal distance between two intersections of the new freeway. It is uniquely located in an area that has good access to transportation both locally and regionally. Mr. Kuhn stated they think that is key to the success of the site and they see this as an area that gaps can be filled with the coming growth. The intersection of Willowlake and US 70 has commercial growth and further down on US 70 there is a large shopping center that is being developed there. This is an area that is poised for growth and a property that is uniquely suited for not only the shopping scenario but in the community and will be able to benefit from the proximity. Mr. Kuhn stated the annexation would allow extensions for water and sewer. US 70 is a reinvestment corridor. This site allows uses compatible with the general character of the area in terms of the 2040 Comprehensive Plan and is consistent with several policies of the Comprehensive Plan. This property will be annexed and developed going forward. This rezoning would allow for creating great places. Westcare will be growing into this area in the coming years. Mr. Kuhn stated the engineering people could talk on prioritizing sustainability and building community connections. Mr. Engle asked if this was a recreational facility for youth. Mr. Page responded that would be a portion of it. Mr. Engle was confused why it was for Commercial- Medium and not Public and Institutional. Mr. Page responded there will be job training uses. Mr. Kuhn stated with the mix of things that will be there, it requires a broader zoning category. Mr. Kuhn stated this project will provide job training, teaching young men and women to not bully, how to treat people who are bullied and how to help them in our society moving forward. This request is consistent with the Future Land Use Map and the Future Built Map that calls for urban general for future development, as well as Tier 1 development with area along Highway 70. This site is uniquely positioned to be able to be located in close proximity to people who will be utilizing this property. Mr. Kuhn stated the staff report was very comprehensive in outlining the issues and whether the proposed zoning should be approved.

Chair Holston asked if this property would be a facility for special needs specifically or in part. Mr. Page responded predominantly special needs. Chair Holston inquired if there were any further questions for Mr. Kuhn or Mr. Page from the Commissioners. Seeing none, Chair Holston inquired if there was anyone to speak in favor of the request. Hearing none, Chair Holston asked if there was anyone in opposition to the request. Hearing none, Chair Holston closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan's Economic Development goal to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-C-M zoning request allows uses that could provide enhanced services and recreational opportunities to an underserved portion of the city. Care should be given to orient the development to limit potential negative impacts of noise, traffic, and light trespass on adjacent residential uses. Staff recommended approval of the request.

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Chair Holston stated how much he loved the concept, the idea, and the fact it fits in within the development plan, the economic development, and for working with special needs and job training. Chair Holston wished Mr. Page and everyone well. Ms. O'Connor congratulated and thanked the applicant for bringing this to the Commission. It is a perfect project, very forward looking and fills a need that is definitely needed. Ms. O'Connor was very much in favor of the request. Mr. Kirkman reminded the Commission there was a motion to approve the annexation first and then a motion to approve the zoning. Chair Holston asked if there were no other comments, if there was a motion. Mr. Bryson moved to recommend annexation for this property; seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Mr. Bryson stated in regard to agenda item Z-21-02-007, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 257 Willowlake Road, from County AG (Agricultural) and County R-S -30 (Residential – Single-Family) to City CD-C-M (Conditional District – Commercial-Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. The requested CD-C-M zoning district would permit uses that are complimentary to those existing in the surrounding area and includes conditions that limit negative impacts on adjacent properties. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated both the annexation and the rezoning represent favorable recommendations and are subject to a public hearing at the March 16, 2021, City Council meeting.

Z-21-02-008: A rezoning request from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District – Residential Multi-family-8), for the properties identified as 1308, 1308-YY, 1312, and a portion of 1309 Pisgah Church Road, generally described as northwest of Pisgah Church Road and northeast of Pisgah Place, (4.26 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions related to the request. Mr. Kirkman advised there was a change to condition 1 which was read into the record.

1. Vehicular access shall only be permitted from Pisgah Church Road. Mr. Engle moved to accept the condition; seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0).

Chair Holston inquired of the Commissioners if there were any questions for Mr. Kirkman. Chair Holston requested the applicant to state their name, address, and state their case.

Marc Isaacson, 804 Green Valley Road, on behalf of Owls Roost Partners, LLC who build high quality townhome developments in and around Greensboro. He noted that it took time to acquire these three properties on Pisgah Church Road and this is like an infill project in the sense it is tucked between residential properties but the access will only be onto a thoroughfare that is Pisgah Church Road. It is a good fit for a moderate density townhome development oriented toward only Pisgah Church Road. The reason for the condition change was it was initially thought that the only other access might be from Bontura. However they realized that the townhomes to the east also zoned RM-8 have a small street called Torrington Way and there was concern regarding cut through traffic. There would not be any access to Torrington Way because the other access would be out Pisgah Church Road. The condition was revised to say that only access would be to and from Pisgah Church Road. An illustrative site plan was depicted indicating the access only on Pisgah Church Road. There are 25 single family townhomes

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attached residences. There is a required storm water control device along the northern end of the property and the usual buffers and setbacks were shown in the Civil Engineer's drawing. The layout was shown for illustrative purposes that would be submitted to the city's TRC for review and approval. The adjoining townhomes to the east were shown and would be very similar to the townhomes currently there and would be very compatible with what is around it. Photographs were shown depicting single-family attached residential dwellings. There is a market now for people who are looking for lower maintenance and responsibilities. Letters were sent to everyone on the city's notification list. There were 8 or 10 communications with those in the area. Most people did not want cut through traffic and a substantial change was made to the condition. Other concerns were what would be the effect on the properties that were addressed by having an increased buffer condition and access limitation. Other conditions assure the quality of building materials and so forth. Mr. Isaacson stated the proposed development is a natural fit in this location. The use of the property as a moderate density townhome development aligns with the City's Comprehensive Plan as well as the property to the east which is the same density and compatibility. The conditions limiting access benefit all parties, particularly the neighbors residing in single family homes along Bontura and to the north of the property. The proposed conditions on this rezoning assure that there will be no connectivity between this property and any other adjoining street, preserving privacy for the neighbors to the north, east, and west.

Chair Holston inquired if there were questions for Mr. Isaacson by the Commissioners. Mr. Engle asked if this was not rezoned there would not be a landscape buffer under the current R-3 zoning. Mr. Isaacson stated that was correct. The attached single-family adjoining attached single family require no buffers whatsoever. Mr. Isaacson stated if this was developed as single family, GDOT would also probably require connectivity to Bontura. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in favor of this request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to this request.

Nancy Kelly, 1316 Pisgah Church Road, advised she is directly south of the property and has not seen any plans or how it would affect her directly. Chair Holston inquired if she received communications from the applicant. Ms. Kelly stated she received the letter in regard to this meeting. Chair Holston inquired if she had received anything else from the applicant. Ms. Kelly responded it was a letter about this meeting. She did not call but did see the sign about a week ago and did not know what was going on. Ms. Kelly wanted to know how it would affect her privacy. It was talked about everywhere else except for her property. Ms. Kelly advised she has not seen anything and asked if there would be a barrier between her home and the townhomes and what would that look like. Chair Holston advised the applicant can address that in the rebuttal period and asked if there were additional questions. Ms. Kelly asked when was the construction going to start, how long would the construction last, how would that impact traffic and would there be more than 8 homes. She had been told it would be approximately 40 homes. Chair Holston inquired if this project required a traffic study. Mr. Tipton of GDOT responded it did not. Mr. Engle stated what was before the Commission was 3.93 acres that allows for 8 units per acre, up from 3 units per acre on the current zoning which goes from single family detached to multi-family. According to the conditions presented by the applicant, there will be a 25-foot buffer between the new residential and Ms. Kelly's home because she is residential and would consist of a landscape buffer. Mr. Kirkman stated a Type C buffer is required between townhomes and single family which would be an average 15-foot width. Ms. Kelly asked if it would only be 15 feet from her home. Mr. Engle stated that was true and if single family homes were built, there would be no buffer and could be built right next door. Chair Holston stated that buffer is consistent throughout. Ms. Kelly asked how could she see what this would look like from her home. Mr. Engle stated the Commission can only use what is presented to them at this meeting and only hold the applicant accountable to what is in the conditions. Mr. Engle suggested speaking with Mr. Isaacson. Regardless of the outcome at this meeting, either

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Mr. Isaacson or her could appeal to City Council. The applicants try to fix things with neighbors or other before going to City Council, because they like to build. A delay is a delay and is how the Commission operates. The Commission would look at the merits of it at the meeting and if she is unhappy in any way, she would have 10 days to appeal the decision. Mr. Isaacson can appeal the decision also. City Council would consider the proposal. Chair Holston added even if she is happy but wants to learn more, to reach out to Mr. Isaacson and the applicants. History has proven the developers do like to have and be good neighbors and it can be worked out. Ms. Kelly stated she thought the development will be good for the neighborhood and only wanted to know how it would affect her. Chair Holston stated the tall hardwoods may have to come up to the property line on Bontura. In this case, they do not. It may not be entirely ideal because right now there is nothing there, but in the overall context, there may be a little bit of cushion there and may be helpful. Conversation with the applicant would be good. Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Seeing none, Chair Holston went to the rebuttal period with Mr. Isaacson.

Attorney Isaacson stated the letter contained contact information and requested Ms. Kelly to follow-up with him. A preliminary site plan was submitted showing 25 attached single-family townhomes all pointed towards the center of the site. Mr. Isaacson stated there is a 15-foot buffer but there is a 25-foot setback shown on the sketch plan. Having that kind of setback landscape materials are used to provide and enhance the buffer. Zoning and conditions are a framework but the truest test is the economic interest that everyone has. It is certainly in the developer's best interest to create an attractive environment to sell their residences. Mr. Isaacson stated this developer will create an attractive buffer and back yard for their resident to buy. These homes are not for rent, they are similar to the townhomes located to the east and will be sold. They were confident this project will turn out well. It is very similar to other townhome developments along Pisgah Church Road and will be a good transition, a good use, and a good development to be their neighbor. Chair Holston inquired if Mr. Isaacson had the illustrative drawing or the site plan. Mr. Isaacson responded it is Tab 2 in the package. It has the 15-foot buffer but a 25-foot building setback along the southwest line. Chair Holston stated about 2/3 way up, that was where Ms. Kelly lived. Mr. Isaacson thought Ms. Kelly's home faced Pisgah Church Road. Mr. Isaacson stated this is a very traditional planning and development pattern well embraced by the City over the years, especially along a thoroughfare road like Pisgah Church Road that has a blend of these kinds of uses that have been well received and feel that will be the case with this project.

Chair Holston inquired if there was any further rebuttal in favor of the request. Hearing and seeing none, Chair Holston inquired if there was rebuttal in opposition to the request. Ms. Kelly stated she will be calling Mr. Isaacson to have a conversation. Chair Holston inquired if there were any additional questions or rebuttal. Ms. Kelly responded no. Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-8 zoning district permits residential uses which are compatible with uses present in the surrounding area and would increase the range of choice and supply of housing. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential on adjacent properties. Staff recommended approval of this request.

Chair Holston inquired if there were questions for Mr. Kirkman and if no discussion, a motion. Mr. Engle stated he was willing to make a motion. Mr. Engle advised he likes these kinds of infill projects because from a single -

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family perspective, there will be a nice townhome community maintained by an HOA. It also is a single in/single out. If it were connected to Bontura that probably would create traffic more than anything else on Pisgah Church. Mr. Engle stated in regard to agenda item Z-21-02-008, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties identified as 1308, 1308-YY, 1312, and a portion of 1309 Pisgah Church Road, from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District – Residential Multi-family-8) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map. The proposed CD-RM-8 zoning district fits the context of the surrounding areas and limits negative impacts on adjacent properties. The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval is in the public interest. Seconded by Ms. O’Connor. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O’Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the March 16, 2021, City Council meeting. All adjoining property owners will be notified of any such appeal.

Mr. Rosa stated he heard a couple of times at this meeting. City Council appointed the Commissioners to this Board for a reason. He has heard a lot from not only on this meeting but that it did not matter what the Commission says because it goes to City Council and they make the last decision. City Council appointed the Zoning Board for a reason to on here to help them make a decision. Mr. Rosa advised he takes his responsibility very seriously. He understood at the end of the day, City Council makes the final decision but the Zoning Commission is here for a reason and to help City Council to make a decision by what the Commissioners say and to help them through it. Chair Holston stated he agreed wholeheartedly.

ORDINANCE TEXT AMENDMENT: Zoning, Planning, and Development text amendment.

Amending sub-section (A) and Section 30-10-4.1, Plant materials of the Land Development Ordinance to require a Plant Species and Genus mix among newly installed canopy trees, understory trees, and shrubs. Mr. Kirkman advised Elizabeth Link from Planning staff would be doing the presentation on this item. Mr. Kirkman advised the Zoning Commissions role is to make a recommendation on the proposed text amendment. The recommendation can be to accept the amendment as presented, to recommend approval of the amendment with some level of change, or to recommend denial of the amendment.

Elizabeth Link, Planner and Landscape Architect for the City of Greensboro, stated since the beginning of 2020, she has worked with a group of stakeholders to craft revisions to the City Landscape Ordinance that was last revised in 2010. The stakeholder group is comprised of citizens, developers, engineers, community organizations, landscape architects, arborists, and city staff from Planning, Transportation, and Water Resources departments.

The city’s current ordinance requires landscaping buffers be placed around the perimeter of property while it is being developed or expanded. The buffers include 10-foot-wide street yards with canopy trees and shrubs, side and rear buffers with canopy and understory trees and shrubs. The width of the side and rear yards varies from 15 to 45 feet, depending on the proposed use and the adjacent property use and have a planting rate that increases as the width increases. Ms. Link shared a development plan with landscape buffers on two sides, right and bottom and a plant list. Types of trees and shrubs were depicted for planting. Large species of trees in close proximity with no other species, can have insect or fungus land on that species and then be able to rapidly build a large population that infests all trees or shrubs. The plant can eventually be killed and damaged and move on to the next property. A slide was shown depicting the scale on a red maple tree. Maple trees are one of the most overused species. They host a tiny insect called gloomy scales, about 16th of inch long. The black on the bark is a

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combination of bug poop and the bacteria that grows in it. They attach themselves to the red maple and grow an armor so that other things cannot get to them and then they suck the sap out of the tree which eventually weakens and kills it. Location of trees that are surrounded by pavement are hotter. Heat and confined root space placing more stress on trees, making them more susceptible to infestation by disease or insects. Plants are killed or damaged and the disease or insects can easily spread to other areas. A study was done on maple trees that discovered those in proximity of parking lots had larger populations of scale than similar trees in lawns. The scale actually had a longer breeding season because of the heat. Adding that to the close proximity of maples and there is a perfect situation for spreading infestation. A recent appearance is the Crepe Myrtle bark scale and is a similar insect that does similar damage to crepe myrtles that are frequently overused in landscaping. The Emerald Ash borer is an Asian bug that arrived via wooden pallets used to ship materials from China. It bores into the bark of Ash trees, lays eggs in the Ash trees in the areas where there is water and nutrients for the leaves. When the eggs hatch, the larva eats that layer and eventually kills the tree. Recent pests have been discovered in Zalora trees, Boxwoods, and other plants.

Ms. Link noted the group looked at ordinances from similar sized cities in North Carolina that already have these types of requirements. The wording of the ordinance currently devised was depicted. The current ordinance recognizes three categories of plants in required landscaping; canopy trees, understory trees, and shrubs. There is a table for each group. The bigger the development, the more is provided of each of those type of trees. There should be four different species. Ms. Link stated they are looking at the total number and then saying minimal numbers required and the maximum percent of each species allowed. Genus and species are the scientific ways. Quercus is the Genus that Oaks are under. There are a number of different species, Willow Oaks, Red Oaks, White Oaks, etc. Those are all different species within the Genus Quercus for Oak. If there are less than 20 trees, two species of Oaks cannot be planted. A footnote was referred to stating "at least 40% of the required canopy trees shall be made of species". There has been a lot of interest in native species. Research indicates these species are better at supporting birds, bees, butterflies, and other wildlife than many of the non-native plants used. For development it has been found that getting rid of the native things essential to wildlife should be replaced as there has been a large decline in birds. It was felt 40% would be an achievable goal, given availability, nursing, and suitability of the native plants in general for the open planning situations that would be occurring.

Chair Holston asked if there were questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone else to speak in favor or in opposition to the text amendment. Seeing none, Chair Holston closed the public hearing and advised there was a motion. Mr. Engle moved to support the ordinance change as presented; seconded by Mr. Rosa. The Commission voted 7-0. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this was a favorable recommendation and subject to a public hearing at the March 16, 2021 City Council meeting. Mr. Kirkman advised Ms. Link will be helping on a regular basis when dealing with landscaping conditions.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Carter advised there were approximately four cases for next months agenda.

ITEMS FROM THE ZONING COMMISSION MEMBERS:

Chair Holston stated there was a conversation with staff regarding the potential for a consent agenda to reduce overall meeting times. Ms. O'Connor stated they were trying to find ways to expedite the meetings without short changing anyone from the opportunity to discuss an item. Discussion involved timelines and speakers. Mr. Engle

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stated the big red clock that was in the chamber kept everyone in line. Chair Holston stated this is just a different type of flow in this type of environment and is not the time to clamp down on people. Mr. Rosa asked if the plans or paperwork applicants have could be submitted to the Commissioners ahead of time. Ms. O'Connor stated these are zoning decisions and all kinds of things could be allowed, a plan could be presented but was not something to be held to. The Commission votes on the different types of uses permitted. Attorney Harrell stated it is good to see what the applicant is planning to do but is not the end all, be all of what the Commissioners vote on. The Commissioners vote on anything that could potentially go there with the restrictions and conditions. Mr. Engle stated that was a double-edged sword because not everyone is a person who could visualize text in their mind as to what could be there. Drawings, layouts and things like that area visual representations of what fits within that context. Mr. Engle felt it was for people who are visual learners and a short cut to evaluate something when it is shown on paper that would fit within the framework of the zoning conditions that are placed. Mr. Engle stated getting the zoning amendments and conditions earlier to read before the meeting can be a challenge and short changing people. Mr. Kirkman stated staff does attempt to provide updated condition information as soon as it is received. If registering for the meeting, comments can be made up to through the meeting and up to 24 hours afterward. Ms. O'Connor stated it was also discussed of placing some type of guidelines. Part of the problem is educating the public every time they are on as it is a different audience every time. Sometime the discussion and question turn into a question session rather than comments and statements in opposition. Mr. Bryson asked if it was the Zoning Commission's responsibility to educate. Ms. Harrell stated work needs to be done in helping people understand the process before coming to the meeting and understand why conversations are limited. Perhaps something could be sent ahead of time outlining what exactly it is that Zoning would focus on and what Zoning can and cannot do at a meeting. Sending general comments to people signed up to speak to review would be a good idea before the meeting. Mr. Collins appreciated the comments. The city runs something about how zoning works. Perhaps when people sign up, they can be provided the link to view the video which explains exactly what will occur.

ACKNOWLEDGEMENT OF ABSENCES:

Chair Holston advised the absence of Mr. Jones, who was excused for voting purposes at the beginning of the meeting.

ADJOURNMENT:

Mr. Rosa made a motion to close the meeting; seconded by Ms. O'Connor. There being no further business for Commission, the meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Hugh Holston, Chairperson

HH/cgsa

**MEETING OF THE
GREENSBORO ZONING COMMISSION
March 15, 2021**

1

The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site March 15, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Catherine Magid, Zac Engle, Tony Collins, James Rosa, Richard Bryson, Vernal Alford, and Sandra O'Connor. Present for City staff were Luke Carter, Mike Kirkman, Steve Galanti, (Planning Department), Noland Tipton (GDOT), and Alan Andrews (Chief Deputy City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online only and to contact Planning staff with any issues logging into the meeting. Chair Holston also advised of the policies and procedures in place for the Zoning Commission and how the meeting would be conducted using the online format. Chair Holston then welcomed Catherine Magid as the newest Commissioner.

Deputy Attorney Andrews advised pursuant to General Assembly Session Law 2020-3, which modified Section 166A-19.24 and adopted by the North Carolina General Assembly that anyone may submit written comments between now and 24 hours after the public hearing closes for any item on the agenda. Those comments can be submitted to Planning staff. He also noted that if comments are sent to please identify which item on the agenda was being commented on.

Chair Holston performed a roll call of the Commissioners present and advised Mr. Jones was not present. Ms. O'Connor made a motion to approve the absence of Mr. Jones; seconded by Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0).

Chair Holston welcomed Catherine Magid as the newest member and first meeting.

APPROVAL OF THE FEBRUARY 15, 2021 REGULAR MEETING MINUTES: (Approved)

Ms. Magid abstained as she was not present at the meeting.

A motion was made by Mr. Engle to approve the February 15, 2020 minutes as amended; seconded by Mr. Rosa. The Commission voted 7-0-1. (Ayes: Chair Holston, Collins, Bryson, Rosa, Engle, Alford, and, O'Connor. Abstention:1).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised of a request to withdraw case Z-21-03-003, 4111 and 4113 Lawndale Drive and 4006 Lawndale Place and the applicant's attorney would speak to the withdrawal request.

Chair Holston requested the attorney state their name and address and address the request for the withdrawal.

Marc Isaacson, 804 Green Valley Road, represented the applicant for case Z-21-03-003. He respectfully asked for the request to be withdraw. He noted the application will be refiled in a month or two with a revised site plan. He stated that after the initial request was filed, there were concerns specifically regarding access and it was determined given the limited time, it would be best to withdraw this request, hit the pause button, and re-file again after their engineer has had sufficient time to address some issues regarding access with GDOT. They looked forward to returning with a revised plan to present to the Zoning Commission at the appropriate time.

Chair Holston inquired if there were any questions for Attorney Isaacson from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in favor of the request to withdraw. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Mr. Kirkman advised Chair Holston that because the application was being withdrawn by the applicant, there would be no official action needed by the Zoning Commission.

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PUBLIC HEARING

Z-21-03-001: A rezoning from R-3 (Residential Single-family-3) to LI (Light Industrial), for the property identified as 8513 Cider Road, generally described as south of Cider Road and west of Sandy Ridge Road, (1.35 acres) (Approved)

Mr. Kirkman reviewed the zoning map for Z-20-03-001 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston requested the applicant to provide their name, address, and state their case.

Sharon Frazier, 8513 Cider Road, represented the homeowner, Sheila Barber at 8513 Cider Road. Ms. Frazier stated she was a real estate broker with Berkshire Hathaway and with Ms. Barber as she had asked for their assistance. Ms. Barber has been a long-time resident at this location and stated the landscape and the whole face of the neighborhood had significantly changed over time. Ms. Barber expressed to Ms. Frazier she would like the land rezoned and had made a decision to move. The neighborhood has shifted to Light Industrial all around her and in addition, dump trucks go up and down her street all day moving very fast. The purpose of the neighborhood has shifted and Ms. Barber no longer felt comfortable in the yard with her grandchildren and pets. Ms. Frazier reached out to Mr. Carter and found out about the long range plans for the area. Ms. Frazier shared that information with Ms. Barber, who decided to relocate to an area where she would be more comfortable with her family and her pets and respect the long-range plan for the area. Ms. Frazier advised it is Berkshire's intention to market the property for that purpose and help support that plan.

Chair Holston asked if the neighbors had been contacted. Ms. Frazier responded she assisted Ms. Barber in writing a community outreach letter sent to approximately 22 residents in a 600-foot radius explaining Ms. Barber's intention. No one reached out in response to the letter. Chair Holston inquired if the Commissioners had questions. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Hearing and seeing none, Chair Holston closed the public hearing and requested to hear staff's recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this property as Urban General on the Future Land Use Map and the Western Area Plan designates this site as an Employment Area on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and intensity of surrounding uses and increases and preserves the inventory of developable sites compatible with corporate and industrial uses. The uses permitted in the proposed LI zoning district are consistent with several surrounding uses that are zoned both LI and HI. Staff recommended approval of the request.

Chair Holston inquired if there were questions for staff. Mr. Engle advised he had a motion if no one else wished to speak. Chair Holston inquired if the Commissioners had any comments, questions, thoughts, or discussion. Mr. Engle stated in regard to agenda item Z-21-03-001, the Greensboro Zoning Commission believes that its action to approve the zoning request for the property described as 8513 Cider Road, from R-3 (Residential – Single-Family-3) to LI (Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2) The requested LI zoning district would permit uses that are complimentary to those existing in the surrounding areas. (3) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and the community. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days.

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Anyone may file such an appeal. All such appeals will be subject to a public hearing at the April 20, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-03-004: A rezoning from CD-BP (Conditional District – Business Park) to LI (Light Industrial) for the properties identified as 7801 and 7803 Thorndike Road, generally described as south of Thorndike Road and east of Pegg Road, (6.21 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with the request. Chair Holston inquired if there were any questions for staff. Seeing none, Chair Holston requested Mr. Nichols to provide his name, address, and to present his case.

Hunter Nichols, 309 Gallimore Dairy Rd, represented Samet Corporation. Mr. Nichols stated Samet Corporation is requesting to rezone this property to Light Industrial to maximize the use of the land. Currently under the Business Park zoning regulations they are limited to a maximum of 60,000 square feet for warehouse uses. Samet would like to construct a warehouse building larger than 60,000 square feet to meet the client's needs, maximize the effective use of the area, and provide a building at the best possible lease rate based on the size.

Chair Holston inquired if the Commissioners had questions for Mr. Nichols. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of this request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Mr. Carter advised there was no one in opposition of the request. Chair Holston closed the public portion of the hearing and requested to hear from staff on their recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Industrial on the Future Land Use and Planned Industrial District on the Future Built Form Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and intensity of surrounding uses and increases and preserves the inventory of developable sites compatible with corporate and industrial uses. The uses permitted in the proposed LI zoning district are consistent with the surrounding uses zoned primarily LI and BP. Staff recommended approval of the request.

Chair Holston inquired if there were any questions for Mr. Kirkman. With no questions, Chair Holston advised the Commission to deliberate. Mr. Engle made a motion in regards to agenda item Z-21-03-004, that the Greensboro Zoning Commission believes that its action to approve the zoning request for the properties described as 7801 and 7803 Thorndike Road, from CD-BP (Conditional District – Business Park) to LI (Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.)The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use map. (2.) The requested LI zoning district will permit uses that are complimentary to those in the existing and surrounding area. (3.) The request is reasonable due to the size, physical conditions and other attributes of the area, and will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. O'Connell. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the April 20, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair Holston advised the next item was a proposed street name change from SR 6838 North Regional Ramp to Samaritan Lane.

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5. STREET NAME CHANGE: (Recommended Approval)

Mr. Kirkman advised Steve Galanti from the Planning department would be presenting this item. Mr. Galanti advised this was a street name change for a portion of a road going from the State Route number to Samaritan Lane. Mr. Galanti stated to begin the street name change process there needs to be a valid street name and a petition signed by the adjacent property owners. In this case there are both. The proposed street name was approved by the Address Coordinator of the Planning department and the petition was signed by both property owners on either side of the road. The applicant is Samaritans Purse who are building a hanger and office building on the airport property east of this site. The applicants need a clear and reliable address to receive materials. There was confusion regarding the street name currently and changing the street name to Samaritan Lane will help to gather their product and make deliveries in a more timely manner. In order to make a finding to change the street name, the Commission must find three things; The proposed name change has to be in accordance with the street name and address manual; it cannot duplicate an existing street name elsewhere in Guilford County; and it cannot be phonetically similar to an existing street name. This proposed street name meets all three of the findings and staff recommended approval of the request. To complete the process, staff requested the Zoning Commission hold a public hearing, receive public comments, and make a recommendation to City Council, who will have the final approval authority. The request is tentatively scheduled to be heard by City Council on April 20, 2021.

Chair Holston thanked Mr. Galanti for his presentation. Chair Holston inquired if there was anyone else to speak in favor of this request. Chair Holston requested the speaker to provide his name and address and share his thoughts.

Robert Pittard, 5401 Horse Trail Road Summerfield, stated Samaritan's Purse runs their aviation program for their International Relief program from the Greensboro airport. Samaritan did this without a hanger for a long period of time. Samaritan has completed 167missions out of Greensboro since 2016 when they located in Greensboro. They have been to 35 different countries, responded to earthquakes, famines, or whatever. The operation is being expanded and since the aviation program is centered in Greensboro they are building a large hangar for cargo to deliver supplies around the world. The SR6838 name has presented significant amount of problems for deliveries of materials in the past to this site.

Chair Holston inquired if there was anyone to speak in opposition to the request. Seeing none, Chair Holston closed the public hearing. Mr. Galanti stated staff does recommend approval based on the three findings. Mr. Engle made a motion for the Zoning Commission to recommend the name change to City Council. Seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the request constituted a favorable recommendation and was subject to a pubic hearing at the April 20, 2021 City Council meeting.

ITEMS FROM PLANNING DEPARTMENT:

GSO 2020 Comprehensive Plan Update

Russ Clegg presented an update on the GSO 2040 Comprehensive Plan implementation. Mr. Clegg reminded the Commission taht after several years of public conversations the Plan was adopted and the Plan has a set of community values that talk about community aspirations for the future, a vision of statements that is anticipated to be true in the next 20 years that will help to align policies moving forward and provide a target to aim towards. In moving towards that vision, there are six big ideas with each idea having a set of goals and strategies that make up the policies of the Plan. The Plan was adopted last year with an effective date of September 1, 2020. During that time hard work ensued to have the Plan up and running with new materials for the Zoning Commission and City

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Council for the consideration of land use changes and made sure other departments knew about the Plan. Staff was very pleased with the way the department has been able to use the Plan so far and the way the big ideas have become conversation points regarding zoning cases. Ten questions were set up to frame the zoning conversations that have also been helpful to the Commission and City Council. Mr. Clegg also noted there were Business Journal articles quoting the plan when there was talk about a new development program, which was framed in the context of several of the big ideas and how that proposal would help the city to move forward toward those.

Mr. Clegg then stated there was a new web site independent of the City web site related specifically for the Comprehensive Plan. On this site the Plan can be reviewed by the size and shape as it would be on paper or could be laid out in the more important constituent points. Video has also been added to the web site that explains the important concepts of the Plan and additions will be added to make it more user friendly. Growth maps have been added to the Maps and Apps page on the City web page that are interactive maps to zoom in on particular locations. The Comprehensive Plan's policies and the anticipated growth maps working with other zoning districts and other policies of the city can be reviewed here as well.

Mr. Clegg then stated that after the Plan was adopted, staff worked with a team from other departments looking at the small area plans that needed to be completed or updated. Currently work will be starting on a plan for the East Gate City Boulevard area, which will help expand the successes experienced with the West Gate City Boulevard plan to take advantage of city investments and other plans and facilities seen on the eastern side of the city closer to I-85. Staff has also started cataloguing specific actions that other departments are taking part in as depicted in the flyer update for January.

In thinking through implementation, staff thought of a strategy with four different pieces such as Work Planning, Communication, Engagement, and Regular updates since the Plan is broad and not a list of tasks. Staff has been working with other departments to see how the Plan aligns with their work projects and plans moving forward. Staff worked with the Capital Improvements Budget in the spring to align those priorities in the framework of the Comprehensive Plan with a focus on infill and activity centers which take a different thought process than basing the growth on physical expansion. The Plan has served as a good base for collaboration between the departments and how to frame the work done with each other. Staff is continuing to focus on communication. The City's landing page for the Comprehensive Plan is being re-aligned and the external web site will focus more on implementation and the items worked on in different departments out to the public to see how the Plan is being implemented. If the public is more interested in particular projects, they could click on links and learn more about those. Staff wants a consistent platform for communications so residents know where to find the most current information on how the Plan is being implemented. A database is being developed for outreach to different community groups. Flyers will be distributed on a quarterly basis to summarize different things being done in the city with implementation.

In addition to communication, there is a focus on engagement and interacting with residents which will be different for different projects. Communicating about the Energy Plan would be very different than the engagement strategy for corridor sites. Mr. Clegg stated the Zoning Commission will be receiving regular updates from the department. The Plan currently states that the Planning Board is a body that would receive annual reviews in addition to reviewing the 5-year updates to the Plan that will be more significant but that group was dissolved and its responsibilities shifted primarily to the Zoning Commission. The Zoning Commission will be kept up to date on a regular basis with what is being developed and will continue to work with other departments to see how their plans and projects can align with the plan in working with the websites and other communication strategies. The plan is to have information distributed so people will want to learn more about particular individual projects and programs and can dive into them with links and other information provided. It would also

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put them in context of the overall plan and its implementation. Planning will be watching how the public relates to the overall big picture of moving towards the vision and moving towards the six big ideas. Information is also being gathered about zoning cases seen over the last year and other land use trends to look at the anticipated growth maps to see how they are relating, and working and serving as a useful tool in moving forward.

Mr. Clegg stated the Commissioners had flyers that looked in detail at the individual projects from different departments that are assisting Planning in moving towards the six big ideas which is being used as a framework as it appears to resonate with people in talking about the plan and the large vision for the city moving forward.

Mr. Rosa stated in the past his main question had been plans for the three major corridors coming from I-85 and I-40 into the downtown area; Randleman Road, South Elm Eugene Street and Martin Luther King Jr. Drive, three of Greensboro's major corridors leading to downtown. Mr. Rosa asked if there were plans for those corridors. Those areas look terrible and there is a need to make those areas look as good as other corridors leading to those areas. Mr. Clegg responded there are plans for those three areas in particular that are being worked on. There are projects on South Elm and MLK with the Redevelopment Commission that they are hopeful will bring a lot of vitality and life and some properties there that they are hoping to sell for development. One of the reasons in choosing East Gate City Boulevard was it is one of the most important roads traveling in and out of Greensboro when looking at the amount of traffic generated, amount of folks from out of town, and the amount of city investments going in there. The housing plan was adopted this past year and the neighborhoods around there are mentioned in the housing plan. It appeared the most logical place to start a deep dive on how to obtain some synergy from those different projects and help those neighborhoods move forward. Planning will continue to look at the other corridors as well.

Mr. Rosa asked Mr. Clegg if he knew how long it would take before bringing this topic back to the Commissioners. Mr. Clegg responded currently there was not a time frame yet for the East Gate City Boulevard plan but the public process is anticipated to start in the near future. Chair Holston expressed his appreciation for the update and was looking forward to seeing some efforts regarding Randleman Road, South Elm Eugene Street and Martin Luther King. A rising tide raises all ships and he felt it would be important that there would not be a singular focus but a focus that is multi-faceted and multi-pronged so that some groups do not get left behind. Mr. Bryson looking at Yanceyville Street and Summit Avenue from the north, Yanceyville Street has some traction with sidewalks being done. Mr. Bryson felt there was a lot of infill that could be done in that area that leading to downtown. Revolution is doing a lot of work there but it stops at Revolution and Mr. Bryson would like to see what the City can do about those areas. Mr. Bryson has lived in that area 19 years with very little done for beautification and infill projects. Mr. Clegg responded he did not disagree with what was said. It sounds like the commercial corridors could use some reinvestment and new looks. The Planning Department has been looking at the economic development policies to determine how they could be revamped to tie in closer with the Comp Plan's policies as well as looking at how transit and those pieces can help spur development. Planning is also working with a group that studies missing middle housing which is the range of housing between single family detached housing and apartment buildings could possibly fit in for a bigger conversation about those corridors and how to help them globally in the future.

ITEMS FROM ZONING COMMISSIONERS:

Mr. Engle asked how many items were on the agenda for the next meeting. Mr. Carter advised there were 10 rezoning cases, including original zonings, and several other items beyond that.

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ADJOURNMENT:

The meeting was adjourned at 6:22 p.m.

Respectfully submitted,
Hugh Holston, Chairperson
HH/cgs

**MEETING OF THE
GREENSBORO ZONING COMMISSION
April 19, 2021**

1

The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site on April 19, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Catherine Magid, Tony Collins, James Rosa, Richard Bryson, Vernal Alford and Zac Engle. Present for City staff were Luke Carter, Mike Kirkman, Steve Galanti, (Planning Department), Noland Tipton (GDOT), Andrea Harrell, (City Attorney), and Alan Andrews, (Chief Deputy City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online only and if there are any issues with logging on, please contact Mr. Carter. Chair Holston then advised of the policies and procedures in place for the Zoning Commission and how the meeting would be conducted using the online format. Chair Holston then advised that Mr. Michael Jones had resigned from the Commission.

Attorney Andrea Harrell advised pursuant to General Assembly Session Law 2020-3, which modified Section 166A-19.24 and adopted by the North Carolina General Assembly. Anyone may submit written comments between now and 24 hours after the public hearing closes for any item on the agenda. Those comments can be submitted to Planning staff. She added that if comments are sent, to please identify which item on the agenda is being commented on.

Chair Holston performed a roll call of the Commissioners present and advised Mr. Engle would be arriving at the meeting later in the evening. Ms. O'Connor made a motion to excuse Mr. Engle from the portions of the meeting missed; seconded by Mr. Alford. The Commission voted 7-0 in favor. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Alford, and O'Connor. Nays: 0).

APPROVAL OF THE MARCH 15, 2021 REGULAR MEETING MINUTES: (Approved)

A motion was made by Ms. O'Connor to approve the March 15, 2021 minutes as submitted; seconded by Mr. Alford. The Commission voted 7-0. (Chair Holston, Magid, Collins, Bryson, Rosa, Alford, and, O'Connor. Nays, 0).

WITHDRAWALS OR CONTINUANCES

Mr. Kirkman advised that case PL(P) 21-09, a proposed street closing for several portions of street, was withdrawn by the applicant and no action was needed by the Commission. To those in the public for that item, the item has been withdrawn.

Mr. Kirkman then advised the Commission the agenda needed to be adjusted to move case Z-21-04-010, a portion of Flemingfield Road right of way and Z-21-04-003, a portion of 138 Flemingfield Road, so those items could be considered at the same time.

Ms. O'Connor made a motion for to adjust the agenda as staff had noted. Seconded by Mr. Rosa. The Commission voted 7-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Magid, Alford, and, O'Connor. Nays, 0).

Chair Holston stated there are a number of cases and generally will take a break after approximately 2 hours.

PUBLIC HEARING

Z-21-04-001: A rezoning from CD-C-L (Conditional District-Commercial-Low) to CD-C-M (Conditional District-Commercial-Medium) for the property identified as 1304 Woodside Drive, generally described as south of Woodside Drive and southeast of Summit Avenue, (0.31 acres). (Denied)

**MEETING OF THE
GREENSBORO ZONING COMMISSION
April 19, 2021**

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Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to provide their name, address, and state their plans for this request.

Waheed Tijani, 1708 Woodside Drive, stated he attempted to rent this property but could not. He would like to use this facility to show cars to other exporters from Africa. Due to Covid his financial situation has changed and he would like to use this property to house and sell cars. Friends from Africa will come over and buy the cars. His family lives in the neighborhood, his church and neighborhood community are here. He noted there are 15 parking spaces on the property he would only use 10 - 12 spaces. Mr. Tijani walked the neighborhood and contacted neighbors. A site plan was submitted to staff and Mr. Tijani noted he needed his neighbors' approval because without their support there is nothing he can do with the property. He noted there would not be any bright lights from the business and all the neighbors said as long as it did not bother anyone else, they were fine. Mr. Tijani then noted he had been working several jobs to support his family and needs this opportunity. He has been living in the neighborhood since July of 1984 and loves his neighborhood and neighbors and will do anything they would like. Because of the epidemic other businesses have failed and it has been a struggle. If Mr. Tijani does not display and sell his cars on this property, he will lose his dealers license. He needs his space and property and has been doing this type of activity at other locations in the city for the past 10 years and never had any problem. Mr. Tijani was asking his neighbor to please support him and tell him what he should do and he will make sure it is done. He has done his best with his neighbors and does not know what else to do. The property will go into foreclosure again and he will lose that income. Mr. Tijani will have a chain around the property to make it look nice.

Chair Holston asked if the business was an Import/Export business. Mr. Tijani stated the leasing of this property was unsuccessful and now he wants to move the business to this location to be able to market some of the cars and put a parking lot there. Mr. Tijani responded that is what he wants to do. Chair Holston asked if Mr. Tijani planned to do any repairs there. Mr. Tijani responded no, only sales. Chair Holston asked Mr. Tijani to talk about his neighborhood contact. Mr. Tijani attempted to talk to everyone. Chair Holston asked if he spoke to not only the neighbor on the left, but other neighbors as well. Mr. Tijani responded he tried to talk to everybody. He walked around door to door, not everyone would open their door and speak to him due to Covid. Chair Holston asked if this facility would be open 10:00 a.m. to 5:30 p.m. Monday through Saturday. Mr. Tijani responded that was correct. Chair asked staff regarding buffers abutting to residential and lighting and if there were there any special requirements regarding lighting on site. Mr. Tijani stated one of his neighbors told him they did not want big lights and Mr. Tijani advised them there would not be big lights. Chair Holston asked staff if lighting is required or is up to the property owner and what about the buffers. Mr. Kirkman said that commercial uses are allowed more lighting but with restrictions in terms of how those lights are designed. The standard is there should be no more than one foot candle of light at the edge of the commercial property, relative to the street and to adjacent residential properties. Chair Holston asked if it was correct lighting was not required. Mr. Kirkman responded lighting is not automatically required. If they want to do security lighting on a building, there also standards that apply. In terms of landscaping for commercial uses, generally the requirement is a Type B buffer which is a 25-foot space. For vehicle sales, there is also a requirement that sales area be screened from adjacent residential development.

Chair Holston inquired if there were any questions for Mr. Tijani from the Commissioners. Seeing none, Chair Holston inquired if Mr. Tijani had anything else to say. Mr. Tijani stated he has tried to do everything and would

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like his neighbors to support him for this request. Chair Holston inquired if there was anyone else to speak favor of the request. Seeing none, Chair Holston inquired if there was anyone to speak in opposition to the request.

Michael Galligani, 1305 Summit Avenue stated he lived across the street from the subject property. Mr. Galligani stated he had a list of 12 concerns for this request. This is a residential neighborhood where zoning could potentially affect homeowner properties and values in a negative way. The property is not in a good location for selling used cars because there is not adequate room to handle perspective customers looking to view used cars. There is not adequate space for tow trucks and/or other vehicles to be able to deliver and remove cars on Woodside Drive or Summit Avenue. The property would be suitable to the neighborhood and more profitable to the applicant if it were converted back to a rental property because the demand for rental properties in the area is high. The internet used car sales business the applicant wants to open may not be successful due to the fact there is a lot of competition by other used car businesses in the area. There could be a potential problem with cars being stored with rodents that could affect other properties if used vehicles are stored on the subject property. Perspective customers or applicants could be delivering or picking up vehicles all hours of the day or night and could be a nuisance to home owners. Mr. Galligani noted the applicant stated he will fence in the lot and install security. Fences can be climbed and security can be breached and could increase the area crime rate which is already high. The applicant's fence might be a chain link fence and may have barbed wire across the top, which would be unattractive to the neighborhood and would not be a positive addition for entrance in the neighborhood. The applicant's business could fail and he could end up selling the property to another business such as a convenience store where alcohol and tobacco products are sold. That situation could be a problem due to the subject's property is between two daycare centers. If security to protect the property is including a guard dog, there would be a problem with having an aggressive animal kept on the premises and close to daycare centers. When buying or selling a vehicle on the internet, there is no guarantee the vehicle being purchased is actually a nice used car or truck. Sometimes vehicles may look nice but may have other dents or damages that is an eyesore on the lot. The applicant states in his letter the property has been empty for years. However, it has been a successful business located on the same property in the past and was a nice fit in the neighborhood, without having to rezone it for commercial medium. The current zoning does not need to be changed. Mr. Galligani asked how would anyone feel if there was a used car lot open across from your home, especially so close to the road. Summit Avenue has traffic problems with speeding, ATVs, parking on the medium, and tractor trailers parking on the road.

Mr. Galligani then concluded that these are some of his concerns in opposition to this request. Mr. Galligani felt Mr. Tijani could change the house to a rental property and it would be almost a guaranteed income for him and more in keeping with the neighborhood. The house directly behind this property and several houses within the neighborhood are rental properties. Once there is a sign up, they are usually rented within hours. Mr. Galligani stated Mr. Tijani has done this before and turned down this option. Mr. Galligani is trying to keep the neighborhood intact the way it is. There was a used car lot that failed at the corner of Bessemer and Summit Avenue and is now a healthcare center.

Chair Holston asked Mr. Galligani what was his interaction with Mr. Tijani in his request for this rezoning. Mr. Galligani responded Mr. Tijani sent a letter informing the neighborhood about the request and had stopped by prior to this meeting and informed them about the request. He was using an internet car sales. Mr. Galligani stated he talked to one of the neighbors across the street who never received any notification from the City or Mr. Tijani and was very surprised to learn of it, but may email something after this meeting. Mr. Galligani stated his direct next-door neighbor is very concerned about the request as well. Chair Holston stated Mr. Galligani had mentioned something regarding a guard dog. Mr. Galligani responded neighbors were thinking that if there might be an

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enclosed parking area and if for a type of security there might be a guard dog. It was totally thrown out what my happen. Chair Holston stated the condition for this zoning excludes any drinking establishment and drive through facilities. Mr. Galligani stated that would be if the property was sold. Maybe it should be changed so that it cannot be changed into a small convenience store as they do want that in their neighborhood. Mr. Galligani was very concerned about the request. Chair Holston inquired if there were any other Commissioners who had questions for Mr. Galligani. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to this request. Seeing none, Chair Holston advised Mr. Tijani he had up to 5 minutes to rebut anything that has been shared in opposition or bring up anything not talked about yet.

Mr. Tijani thanked both Chair Holston and Mike Galligani who was a very good neighbor. Mr. Tijani spoke to Mike Galligani at his house and told him what he wanted to do. Mr. Tijani loves this neighborhood and is a very good neighborhood. He had promised Mr. Galligani that anything he did that Mr. Galligani did not want, he could talk to him and he would take care of it. Chair Holston advised to address any questions or comments directly to the Commission and not the opposition. Chair Holston inquired if there was anyone else to speak in favor of the request during the rebuttal period. Seeing none, Chair Holston inquired if anyone wished to speak in for opposition rebuttal.

Mike Galligani, stated the last concern was in looking at the subject lot, there are parking spaces for 12 vehicles. Mr. Galligani asked what were the restrictions for hard surfaces that may run off on to adjacent properties or the clearances needed for a business. The width of Mayfair Road supports a car and a half. With increased traffic on Summit and/or Mayfair it would be a detriment to the area and a hazard for EMT responders. Ambulance service is directly behind the site and closer to US29 and use that road for their vehicles. With increased traffic, it would be a problem. Mr. Galligani asked if he could make a statement to the Commission. Chair Holston responded yes. Mr. Galligani stated his wife and he completed the City Academy and asked how he could apply for the opening on the Commission mentioned at the start of the meeting. Mr. Kirkman advised Mr. Galligani to email either Mr. Carter or him, they will get him into the City Clerk and they will coordinate the appointments from there. Chair Holston stated regarding the question about the parking spaces or number of spaces, if this request were to be approved, there is another series of steps the applicant has to go through which is called TRC, a consolidation of different work groups within the city, they have all have different pieces and come together and would review the request whether it is 12 spaces, 10 spaces or however many and also any traffic issues would be addressed. If this is approved, this is not the final step. There would be other steps, with checks and balances along the way. Chair Holston inquired if there was anyone else to speak in opposition rebuttal. Seeing none, Chair Holston closed the public portion of the hearing and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this property as Urban Central on the Future Built Form Map and the Residential on the Future Land Use Map. If the request is approved, the Future Land Use Map is considered to be amended to Commercial. The proposed CD-C-M request, as conditioned, introduces uses that are not of a similar scale, intensity, or off-site impact as existing nearby uses on a lot that is visible from, but not directly connected to, the nearest thoroughfare on Summit Avenue. The proposed conditions do not protect existing adjacent single-family residences from negative impacts of the requested use by removing current restrictions on the size and hours of operation for uses on the property and significantly expanding the allowed uses if approved. Staff recommended denial of the request.

Chair Holston inquired if there were questions for Mr. Kirkman. Ms. O'Connor stated the rezoning runs with the land and not the individual person. Ms. O'Connor had concerns regarding the scope of what could be permitted if this was rezoned and she would be in opposition. Hearing from no one else, Chair Holston inquired if there was a motion. Ms. O'Connor stated in regards to agenda item Z-21-04-001, the Greensboro Zoning Commission

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believes that its action to recommend denial of the rezoning request for the property identified as 1304 Woodside Drive from CD-C-L (Conditional District – Commercial -Low) to CD-C-M (Conditional District – Commercial – Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable in denying this request and in the public interest for the following reasons: (1). Factors supporting the denial include the request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use map. (2). The proposed CD-C-M zoning district does not fit the context of the surrounding area. (3). The request is not reasonable due to the size, physical conditions and other attributes of the area. It will be a detriment to the neighbors and surrounding community. Denial is in the public interest. (4). The proposed CD-C-M request, as conditioned, introduces uses that are not of a similar scale, intensity or offsite impact as existing nearby uses. The proposed conditions do not protect existing adjacent single-family residences from negative impact, seconded by Mr. Rosa. The Commission voted 7-0 to deny the request. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Alford, and O’Connor. Nays: 0). Chair Holston stated the request was denied. Zoning denials constitute final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals are subject to a public hearing at the May 18, 2021 City Council meeting.

At this point Mr. Engle joined the meeting in progress.

PL(P) 21-10 and Z-21-04-002: An annexation and original zoning from County AG (Agricultural) to City R-5 (Residential Single-family-5) for the properties identified as a portion of 138 Flemingfield Road and all of 168, 170, and 172 Flemingfield Road, generally described as east of Flemingfield Road and south of Huffine Mill Road, (32.481 acres) (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with the original zoning request. Chair Holston inquired if there were any questions for staff. Seeing none, Chair Holston requested the applicant to provide their name, address, and present their case.

David Michaels, 5603 New Garden Village Drive, Greensboro represents Land Acquisition and Development Services, an affiliated entity with Windsor Homes and Windsor Investments. Mr. Michaels introduced team members Tom Hall, Cassie Kanoy, Charlie Hall, and Norris Clayton, who were also on the Zoom call. The site in question is approximately 32 acres and bringing it in from County AG to City R-5 still limits residential development to single-family detached homes. There would be no opportunity for townhomes, duplexes, or other multi-family uses under that zoning. The general land use for this area calls for residential use of up to 5 units an acre. If Windsor is able to develop this site to that density, it would be approximately 150 lots. However, based on the actual constraints of this site, Windsor expects the density to be closer to approximately 3 units per acre, plus or minus due to the streams, wetlands, and other site constraints to work around. A traffic impact study was prepared and submitted to staff based on a maximum of 135 units. The site is in Growth Tier 1 and would be a cost-effective annexation into the City of Greensboro. It was Mr. Michael’s understanding TRC had recommended the annexation to occur. Mr. Michaels advised a virtual Zoom meeting for neighbors was held on April 8, 2021. Notices were mailed to approximately 115 people from the same list that the city used to announce the zoning hearing to the surrounding neighborhood. A total of 5 responses were received and 3 people participated in the call. A summary of the comments was provided to staff. The concerns expressed related to traffic and transportation. Windsor Homes would be working under the City of Greensboro’s Ordinance to ensure that the site is developed according to their standards. Widening of Flemingfield is expected to be completed

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which is a minor thoroughfare connection for the city. There are no direct connections into adjoining neighborhoods. Due to the configuration of the property, all of the traffic would be directed out on to Flemingfield Road. Provisions will be made for future connections into some of the adjoining underdeveloped properties. With the capacity of Flemingfield Road and adjoining roads there would be minimal transportation impacts to the community. Concern was expressed regarding the density on the site. With the surrounding neighborhood and properties already developed, Windsor Homes will be in line with what is there now and what is expected to occur in the future if this area continues to develop. Questions were raised regarding buffering. As a residential neighborhood adjoining mostly undeveloped property, they would not be required to do any buffering. There are some natural buffers, streams to the south, and other wet areas that would create some natural separation and buffering. Other than that, Windsor Homes would not propose any specific buffers for this site. Water and sewer are adjacent or nearby the property. An HOA will be formed to maintain common areas on the site such as signage and storm water management devices as the site progresses. There are some environmental constraints and are working through the process with their consultant, the US Core of Engineers, and the DEQ to determine exactly where those areas are and what will be covered by each jurisdiction. When all of the information is obtained, a specific site plan will be provided for staff review through the TRC. Mr. Michaels stated this is a reasonable request for this area. It complies with the Greensboro 2040 Land Use Map, Tier 1 growth strategy, meets all the annexation requirements, and has utilities in close proximity. Windsor Homes has the experience and qualifications to do a good job with this site.

Chair Holston asked if there were illustrative drawings of the site. Mr. Michaels provided a sketch that he advised was very preliminary. Mr. Michaels stated Flemingfield Road runs north/south and indicated where there would be a connection point. A stream buffer was shown on the south. A cul-de-sac and two street connections were shown. Additional properties may have other connections and Windsor would work through that process as they make formal submittals to city staff. Chair Holston inquired if there were questions from the Commissioners for Mr. Michaels or his team. Hearing none, Chair Holston inquired if there was anyone to speak in opposition to the request.

Christopher Plummer, 2258 Owls Nest Trail, McLeansville, NC stated he had concerns more than being in opposition. The site went from 135 maximum possible homes on the site to 115 to 120 homes on the call, and now approximately 98 homes on the site. Mr. Plummer stated one of his concerns is particularly the volume of homes that may be developed within the next year. There will be an additional zoning request presented at this meeting directly south of this site. With the numbers of homes being built on this site a major concern was traffic. Driving down this road there is a hill and a turn creating a blind spot traveling southbound on Flemingfield Road. All of the traffic would come around the hill and down the curve. Currently the speed limit is 45 MPH and there are issues where people come across the hill at 45 to 50 miles an hour with just a few hundred feet of breaking distance downhill. There have been close calls and skidding tires trying not to hit someone. Mr. Plummer stated he had major issues with the traffic study and felt it was flawed. The traffic study recommends no change in the speed limit. Most of the neighborhood would like to see the speed brought down to 35 MPH. Mr. Plummer was glad to hear Windsor Homes was going to be installing a right-hand turning lane driving northbound and turning into this new development.

Another major concerns relates to the stream. Currently his home backs up against this stream and has a slight downhill descent. If anything took place where they backed up the stream in any way shape or form, it would turn his backyard from a creek or a stream into a swamp because of the level of the ground. Any raise in water height would expand out and create a swamp. Mr. Plummer has videos depicting the storm water flowing into the creek and stream from surrounding areas and surrounding paved areas. Mr. Plummer would like the developer to keep

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storm water in mind with the development. He noted there is an environmental analysis being completed that says this stream will be able to handle the volume of water. With all of the new paved area, it will affect the volume of water and add up very quickly. Mr. Plummer thought it was great that there are more homes being built and more opportunities for people to purchase homes. The road itself needs to be future proof for additional development. There is a great opportunity for land to be acquired and future development like this will be built and more housing will be added. Mr. Plummer did not feel the traffic study has taken any of that into account. Mr. Plummer did see where the traffic light timing intervals would change, but did not see any indication as to what that change would be. Morning and afternoons can become very hectic because there is a school on the same road. A combination of people traveling to work in the morning and school traffic to go their jobs or return home. Mr. Plummer would like feedback from Council regarding are the developers held to any type of standard. Mr. Engle responded legally all the Zoning Commission would consider tonight is to decide on land use. If the developer attempts to build 6 units an acre and put that through, they would not be able to obtain a building permit. A lot of the concerns expressed will not be decided at this meeting. There is another process for Technical Review where everything will be discussed and analyzed. Zoning does not decide that, Zoning only decides can they build houses or not and what density should that be. Mr. Plummer asked if the neighborhood would be notified of the Technical Review or was it held privately. Mr. Engle responded everything is public. Mr. Kirkman advised the meetings of the Technical Review Committee are available to the public but there is not a mechanism in place to contact adjacent private owners as there are with zoning hearings. Mr. Kirkman did not know exactly when plans would be submitted, as zoning is the first step and it is up to the developer to submit plans after that point. Chair Holston stated they were excellent questions from Mr. Plummer. If this request were to be approved, there are a lot of other technical steps with people who have been doing this for a long time and ensuring everything is being done and nothing more. It is a process that he could engage with Mr. Kirkman, who will assist in getting Mr. Plummer engaged with the technical group. Mr. Plummer stated the zoning case number is in very small print on the map and it may be prudent to consider placing the number at the header of the items being sent out and in addition to the maps. Chair Holston thanked Mr. Plummer for his recommendation. Chair Holston inquired if there was anyone else to speak in opposition to the request.

Jack Fleming, 183 and 184 Flemingfield Road, stated he would like to express his deep concerns regarding traffic. Flemingfield is not able to handle traffic now. The intersection of Flemingfield and Burlington Road or Highway 70 is a danger. He noted there is no turning lane for the gas station and there are problems on a continual basis of near misses and accidents. He expressed the same concern at the Windsor meeting and this was not a surprise to the applicant.

Mr. Plummer seconded Mr. Fleming's comments and stated it was a complete danger there at the gas station.

Chair Holston inquired if there was anyone else to speak in opposition to the request. Not seeing anyone, Chair Holston inquired if there was rebuttal from the applicant.

Mr. Michaels, appreciated the comments from Mr. Plummer and Mr. Fleming. Both participated in the Zoom call on April 8, 2001 and raised valid concerns regarding traffic in the general area as something to look into. He agreed the speed limit needs to be reduced on Flemingfield and Windsor Homes would be in favor as they want a safe situation for everyone. The noted there will be storm water management features on the site which is designed to provide a controlled release of runoff into the adjoining streams. Windsor Homes will work with the neighborhood going through this and be good neighbors along the way.

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Chair Holston inquired if there was anyone to speak in opposition rebuttal. Seeing none, Chair Holston closed the public portion of the hearing and requested to hear from city staff for a recommendation. The Commissioners will then deliberate.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and can accommodate a satisfactory transition to the existing scale and intensity of existing, adjacent uses in the area. The proposed R-5 zoning district allows uses that are consistent with the nearby residential uses in the area. Staff recommended approval of both the annexation and the original zoning request.

Chair Holston inquired if there were any questions for Mr. Kirkman. With no questions, Chair Holston advised the Commission could deliberate. Mr. Engle stated he understood the situation on traffic. Areas such as this could be considered in transition in the sense there will be some additional density but he felt both the city and county had time to catch up. Mr. Engle appreciated the interaction as the Commission needs feedback. Mr. Engle advised he would be supporting the request and was willing to make a motion. Chair Holston inquired if there were any other Commissions who had comments or questions. Hearing none, Mr. Engle made a motion to approve the annexation; seconded by Mr. Collins. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised the annexation passed 8-0. Mr. Engle then stated in regards to agenda item Z-21-04-002, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as a portion of 138 Flemingfield Road and all of 168 170, and 172 Flemingfield Road from County AG (Agricultural) to City R-5 (Residential Single-family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.)The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use map. (2.) The proposed R-5 zoning district permits uses which fit the context of the surrounding area. (3.) The request is reasonable due to the size, physical conditions and other attributes of the area, and will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Mr. Collins. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated these approvals constitute a favorable recommendation subject to a public hearing at the May 18, 2021 City Council meeting.

PL(P) 21-11 and Z-21-04-003: An annexation and original zoning from County AG (Agricultural) and County RS-30 to City CD-RM-12 (Conditional District -Residential Multi-family-12) for the property identified as a portion of 138 Flemingfield Road, and portions of the Flemingfield right of way, generally described as east of Flemington Road and north of Burlington Road, (32.113 acres). (Recommended Approval) and

Z-21-04-010: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City RM-12 (Residential Single-family-12) for the properties identified as a portion of 138 Flemingfield Road, right of way , generally described as north of Burlington Road and south of Huffine Mill Road, (.39 acres). (Recommended Approval)

Mr. Kirkman advised the Commission of the three decisions with the two cases. Mr. Kirkman reviewed the zoning maps and other summary information for the subject properties and surrounding properties. Mr. Kirkman advised of the conditions associated with this request. Chair Holston asked if there were questions for Mr.

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Kirkman. Seeing none, Chair Holston requested the lead applicant to come forward to state their name, address and present their case.

Judy Stalder, 115 Southwest Gate Drive, Greensboro advised Jeff Garnier, Developer from True Homes and Richard Glover from Jamestown Engineering were also present in the meeting to answer questions. She stated this request is for conditional district RM-12 zoning to allow townhomes with a density of around 5.3 homes per acre. The area has an established zoning pattern with the Charter School, the property adjacent to the Charter School, and Eagles Trace subdivision which are all RM-18. The residential developments have proposed densities ranging from 4.5 to 6.5 per acre and this proposal is in the middle at 5.3. The townhomes will be limited to 170 maximum. The topography of the site limits the location of where development can occur. A site plan was depicted indicating streams on the property and Ms. Stalder advised 13.5 acres would be preserved as open space which is over 40% of the property that remains. The number of homes proposed required a traffic impact study. Transportation engineers from Davenport found the projected volume of traffic did not warrant any improvements beyond NCDOT and Greensboro DOT standards for entrances. The main entrance will line up with the entrance to the school for safety of movement and the second entrance will be approximately 550 north providing adequate separation. The developer will dedicate additional right of way on Flemingfield Road and widen the pavement to accommodate Flemingfield Road as a 3-lane road. A sidewalk will be installed along the frontage of the property in accordance with the Land Development Ordinance. A photograph was depicted indicating what the townhomes would look like upon completion. The townhomes will be individually sold with a maximum height of 40 feet in keeping to scale with existing development in the area; each unit will be 1,850 to 2,200 square feet in area with a garage for each unit. The homes will sell in the low \$200,000 range. An HOA will maintain the exterior landscaping, common space, and open space. Letters were sent to approximately 190 neighbors in addition to emails, phone calls, and a Zoom meeting. Questions and comments centered on the types of homes, pricing, timeline of construction, and technical issues such as traffic and utilities. Ms. Stalder referred to a report the Commissioners had that addressed the comments and questions in the meeting and also would address any questions in this presentation. She concluded that the Flemingfield townhomes are in character with other similar neighborhoods in the area and in conformance with the Greensboro 2040 Comprehensive Plan policies and requested a favorable recommendation for both the annexation and the zoning.

Chair Holston asked if the Commissioners had questions for Ms. Stalder. Seeing none, Chair Holston inquired if there was anyone from Ms. Stalder's team wishing to speak in favor of the request. Ms. Stalder responded they were available to answer questions. Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Mr. Carter advised Mr. Plummer wished to speak. Chair Holston requested Mr. Plummer to provide his name and address for the record.

Christopher Plummer, 2258 Owls Nest Trail, McLeansville, NC, advised his question, comment, or concern was more directed toward the Technical Review Committee. It was his understanding that both Windsor and True Homes were looking at the same traffic study. Windsor Homes concluded that they needed a right-hand turning lane into the development. True Homes came to the conclusion that they did not need a right-hand turning lane into the development. Mr. Plummer stated he had a lot of conflict with that conclusion. Chair Holston asked Mr. Plummer if that was his only question. Mr. Plummer responded that was his only question or concern. That and the fact that an intersection will come directly across the street, next to the school. Mr. Plummer stated he was also surprised there was no representation from the school at this meeting. Mr. Plummer thought that maybe they need to be directed toward the Technical Review Committee more so than the Zoning Commission. Chair Holston asked Mr. Kirkman, Mr. Carter and Mr. Tipton of GDOT for their thoughts regarding Mr. Plummer's question/concern. Mr. Tipton responded the consultant for the applicant would be the person to best address the

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turn lane issue and it was the same consultant for both traffic studies. Mr. Engle stated in this instance the development appears to have two entrances. Mr. Tipton stated multi-family development is different than single family development. Single family homes traditionally put out more cars per unit than multi-family residences. Mr. Plummer stated the main issue was turning right into the neighborhood would be the first entrance. Chair Holston thanked Mr. Plummer for his feedback.

Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Seeing none, Chair Holston asked if Ms. Stalder had rebuttal. The question was the turn lanes and perhaps the engineer would want to say something about that in addition to what had been said.

Ms. Stalder, thanked Mr. Plummer for his comments and for attending their Zoom meeting as it was very enlightening. Traffic patterns are different for townhomes and generally generate fewer trips per day per unit than single-family homes because of the population. Townhomes typically have single professionals and retirees that have down sized. Townhomes usually generate different traffic volumes and times of different traffic volumes during the day. Peak hour generation is not the same as with single-family. Ms. Stalder stated there would be two entrances. In the past transportation engineers, GDOT and NCDOT line up the two entrances, if possible. It is the safest way for movement of traffic between two intersections. When vehicles approach head on, it is understood what should be done. If there is an offset in entrances, it a little more difficult for a driver to figure that out.

Chair Holston inquired if there was rebuttal from the opposition.

Mr. Plummer stated there was a lot of traffic going in and out frequently. It is usually younger individuals living in the townhomes. Mr. Plummer stated he was concerned with the two entrances and asked if it was being used for traffic volume calculations. Mr. Plummer asked if there were any post reviews done after development is completed of the facilities to see how well the traffic study lined up with actual traffic. Mr. Tipton responded that GDOT does not do a follow-up per se with individual projects or developments. Currently Flemingfield Road is not in the city. Once it is in the city it would be monitored for congestion issues. GDOT is always available to evaluate requests and concerns from the citizens. Mr. Engle stated this project could take four or five years to build out. The status of roads and transportation will change in that time period. What has been provided is hopefully a very good max case scenario. Mr. Plummer stated he also had a concern with the traffic study being done during a time when there is a global pandemic. Adjustments were done and had to have been hard to obtain accurate data.

Chair Holston stated if there was no one else to speak in opposition, the public hearing was closed and he then requested to hear from city staff for a recommendation.

Mr. Kirkman stated for the main property, the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map and Residential on the Future Land Use Map. The original zoning does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro city wide network in unique neighborhoods; offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-12 zoning district allows moderate to density residential uses compatible with the various residential uses located nearby. The Flemingfield Road right of way, is also designated as Urban General in the Future Built Form Map and residential in the Future Lane Use Map that does also support the Comprehensive Plan's Creating Great Places goal to expand Greensboro's city wide network of unique neighborhoods; offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed RM-12 zoning district allows uses that are compatible to uses on adjacent properties. Staff recommended approval of both requests.

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Chair Holston asked the Commissioners for any thoughts or comments. Mr. Engle stated this request meets the character of the area and was closer to Burlington Road so it made sense. This is something that the developer and Mr. Plummer have time to continue talking about this. All of the annexations are ultimately approved at a later time. With infrastructure, there is time to talk and resolve any issues. The 5.3 units per acre was a reasonable amount of housing. Mr. Engle advised he was ready to make a motion unless there were other comments. Chair Holston inquired if any other Commissioners had any comments before the motion. Hearing none, Mr. Engle moved both annexations to be approved; seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the approvals constitute a favorable recommendation and were subject to a public hearing at the May 18, 2021 City Council meeting.

Mr. Engle stated regarding Z-21-04-003, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as a portion of 138 Flemingfield Road from County AG (Agricultural) to City CD-RM-12 (Conditional District-Residential Multi-family-12) to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Lane Use Map. (2). The proposed CD-RM-12 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the approval constitutes a favorable recommendation and are subject to a public hearing at the May 18, 2021 City Council meeting.

Mr. Engle stated regarding Z-21-04-010, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as a portion of Flemingfield Road Right of Way from County AG (Agricultural) to City RM-12 (Residential Multi-family-12) to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1).The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Lane Use Map. (2). The proposed RM-12 zoning district permits uses which fit the context of the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the approval constituted a favorable recommendation and would be subject to a public hearing at the May 18, 2021 City Council meeting.

Chair Holston advised the Commission would take a break at 7:30p.m. and resume at 7:40p.m.

Z-21-04-004: A rezoning from R-3 (Residential Single-family-3) to R-5 (Residential Single-family-5) for the properties identified as 3009-3015 Tew Street, generally described as east of Tew Street and east of Pincroft Road, 0.99 acres.) (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to provide their name, address, and present their case.

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Dwight Tatum, 709 Stoneway Court, Greensboro, representing 3 Pillars Homes noted the owner is Henry Chukwoma of Feedgate Investments. Mr. Tatum advised they are requesting to change the zoning to R-5 (Residential Single-family-5) to build five single family homes. Currently the site is approved for 3 lots and they would like to expand and build 5 lots. 3 Pillar Homes has been building single-family products since January of 2020 and currently are on their 5th house in City of Greensboro. They have been going to neighborhoods and putting up 3-bedroom, two bath homes, 1,200 to 1,300 square feet. The amenities in the homes are engineered hardware flooring, granite counter tops, stainless steel appliances, ceramic tile so these homes hold their value. Mr. Engle asked if this site was .99 acres, Mr. Tatum responded that was correct. Mr. Engle stated they would only be able to build four based on his calculation. Mr. Tatum advised they would be fine to be able to do four if that was the case. Mr. Engle advised that would be dependent on how it was laid out. Mr. Engle stated for 5 homes to be built it would need to be a full acre, not .99 acres, but per acre. Mr. Tatum depicted homes that have been built by 3 Pillars Homes and provided their sold date. Mr. Tatum advised 3 Pillars was going to incorporate the two plans shown and place them side by side to have four houses side by side on Tew Street.

Chair Holston inquired if the Commissioners had questions for Mr. Tatum. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of this request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Holston closed the public portion of the hearing and requested to hear from staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed zoning request does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network community neighborhoods, offering residents of all walks a life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-5 zoning district permits similar uses to the existing R-3 zoning while allowing for a little greater flexibility on individual lot configuration and a small increase in residential density. The request is consistent with both the R-3 and R-5 zoned properties adjacent to the subject property. Staff recommended approval of the request.

Chair Holston inquired if the Commissioners had any questions of staff. Mr. Engle asked about the frontage for the lots and how many homes can be built on the land. Mr. Kirkman advised he only had the acreage and not the actual frontage along the property. The minimum for each lot would be 50 feet across the front. In order to do 5 homes, there would need to be at least 250 feet of frontage and each lot would have to be a minimum of 7,000 square feet. Mr. Engle stated he just wanted to be sure Mr. Tatum had the information needed to be able to do the product he wants to do. Mr. Engle advised in general he was supportive of the request.

Ms. O'Connor stated regarding Z-21-04-004, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3009-3015 Tew Street from R-3 (Residential Single-family-3) to R-5 (Residential Single-family-5), to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1).The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2). The proposed R-5 zoning district permits uses which fit the context of the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning

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Department within 10 days. Anyone may file such appeal. All such appeals will be subject to a public hearing at the May 18, 2021, City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 21-07 and Z-21-04-005: An annexation and original zoning from County AG (Agricultural) to City R-3 (Residential Single-family-3) for the property identified as 128 Vivian Lane, generally described as south of Vivian Lane and east of South Elm-Eugene Street, (1.23 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to provide their name, address, and present their case.

Britton Lewis, Carruthers & Roth, 235 North Edgewood Drive, Greensboro, was present on behalf of the Trust owners of the property. Mr. Lewis stated they are seeking annexation as the property is one lot over from the City's current boundary. The well on the property has run dry and the owner would like to tie into existing City water. He noted that public health and safety support this request. Letters were sent to neighbors on April 6, 2021 detailing the procedures for the meeting and what Carruthers & Roth was looking to do which is to maintain a residential dwelling and only needing access to public water.

Chair Holston inquired of the Commissioners of questions or comments for the applicant. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone to speak in opposition to the request. Seeing none, Chair Holston closed the public hearing and requested to hear from staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed original zoning does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods, offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-3 district is intended to accommodate low density single-family detached residential development of similar intensity to existing uses in the surrounding area. Staff recommended approval of the request.

Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston inquired if there were deliberations or a motion. Mr. Engle moved to approve the annexation of the property; seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this constitutes a favorable recommendation and is subject to a public hearing at the May 18, 2021 City Council meeting. Mr. Engle stated regarding Z-21-04-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 128 Vivian Lane from County AG (Agricultural) to City R-3 (Residential Single-family-3), to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1).The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2). The proposed R-3 zoning district permits uses which fit the context of the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the approval constitutes a favorable recommendation and is subject to a public hearing at the May 18, 2021, City Council meeting.

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Z-21-04-006: A rezoning from CD-C-H (Conditional District-Commercial-High) to CD-RM-18 (Conditional District-Residential Multi-family-18) for the properties identified as 102 and 104 East Vandalia Road, generally described as south of East Vandalia Road and east of South Elm-Eugene Street, (8.41 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to provide their name, address, and present their case.

Gene Mustin, Borum-Wade & Associate Engineers, 621 Eugene Court, Suite 100, Greensboro represented the developer, and a representative for the developer who could answer questions if needed. The developer of the property is an affordable housing developer from Winfield Communities. The developer applied for this change to build 96 residential apartment units. Positive feedback has been received from TRC regarding this project. The development will be applying to the North Carolina Housing Finance Agency for 2021 approvals. There would be four buildings and a clubhouse, plus the amenities required by the North Carolina Housing Finance Agency. City staff has looked at and provided a plan for improvements that will be adhered to along East Vandalia when the project is begun. A neighbor expressed concern regarding the drainage within the area. Drainage has been exacerbated due to previous development upstream and there are concerns and issues with that. The developer will work with City Water Resources and TRC to address requirements needed for the site and any other issues. Mr. Mustin advised Matt Raab and Davis Ray were on the line as representatives of the developer to answer any questions.

Matt Raab, 5208 Edinborough Road, Greensboro stated the layout would be the same building layout as other Winfield developments in Greensboro.

Chair Holston inquired if there was community outreach. Mr. Mustin responded the developer submitted a summary of community outreach to the city that included a March 30, 2021 letter that was sent to all of those on the mailing list provided by the city. The developer had two phone calls and voice mails received by the neighbors in support of the project. There were no adversarial conversations other than the resident with existing drainage issues that would like to speak with the city. Mr. Mustin advised the neighbor to contact the City Water Resources Department. The neighbor may be present at this meeting. Chair Holston asked how many residences received letters. Mr. Mustin responded it was approximately 30. Chair Holston stated in that immediate area there are not very many residences but more northeast or southwest are about a couple of hundred people. Given the Covid challenges and a large number of units further out, was it considered to expand the reach of the notice beyond the statutory limit. Mr. Mustin responded he believed the developer went with the statutory limit. Chair Holston asked if the issue with the drainage was east or west of this property. Mr. Mustin responded it was east and believed the address to be 126 East Vandalia Road. Chair Holston inquired if there were additional questions. Mr. Rosa asked if there were illustrative drawings of how the project would look. Mr. Mustin advised Mr. Ray could provide a rough illustration but he was having some technical difficulties.

Mr. Engle asked if the property was currently zoned Conditional District-Commercial High. Mr. Kirkman responded that was the current zoning. Mr. Engle asked if all uses were permitted except bus and rail terminals, pawn shops, recycling collection centers was correct which meant they could build a hotel on the property currently, a convenient store, or a gas station as those are all permitted uses in the current zoning. Mr. Kirkman responded that was correct. It is a variety of commercial service uses. It was intended to be a shopping center originally when rezoned which never came to fruition. Mr. Engle stated the whole site could be entirely a parking lot. Mr. Kirkman responded there would be storm water restrictions and other things with the watershed. He did

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confirm that commercial development could occur with a large parking lot. Mr. Engle asked how tall buildings could be in RM-18. Mr. Kirkman stated for multi-family development it can go up to 80 in height in RM districts. For the existing commercial district maximum height was 50 feet it is adjacent to residential but could go up to 80 feet if stepped back from the property line. For each one foot of additional setback, it was 1 extra foot of height. If adjacent to non-residential there was no height limit in C-H. Mr. Raab stated there will be 3 story buildings with a total roof height of 36 feet. Chair Holston advised there was another person wishing to speak in favor of the request.

Davis Ray, Winfield Properties, 5614 Riverdale Drive, Jamestown, provided an illustrative drawing of the conceptual site plan, detailing the four 3-story buildings and two access points. One access point is off Eugene and the other is off Vandalia. An elevation chart was shown for the property indicating four 24-unit walk-up buildings with a mix of 1, 2, and 3-bedroom units. The units would be constructed mainly of brick and Hardie plank and metal stairs. The buildings were very similar in nature to one another. They would be larger or smaller depending on unit mix in a particular building. Chair Holston asked if it was a traditional style usually built by the developer. Mr. Ray responded that was correct. Chair Holston inquired when communicating with the community if the illustrative drawings/plans were shared. Mr. Ray responded they did not as they weren't that far along at that time. Letters were sent out to the 30 neighbors and they received two phone calls, both in support. Mr. Ray did not speak on those calls but messages were left on voice mail and he was happy to share those. Chair Holston asked if there were additional questions from the Commissioners for Mr. Raab or his team. Chair Holston then inquired if there was anyone else who wished to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request.

Mariah Bolin and her father Robert Bolin, 126 E. Vandalia Road, Greensboro noted they were in opposition to the request. Ms. Bolin displayed pictures and a map depicting the downstream section of the stream cutting through the property being rezoned. The stream cuts their property in half. A blue arrow indicated the driveway on the front side of the property. The red star indicated where the bridge is located that goes over the stream used to access the dwelling. There have been severe problems with flooding of the stream since the land around was developed, particularly further south on Eugene the storm water runoff has been causing erosion around the bridge they use to access their property. The Fire Department advised during heavy rains they would not be able to access the Bolin's property if they were needed, nor could an ambulance. The Bolins are cut off from services needed due to the erosion and damage to the bridge. Pictures displayed the severe flooding that occurs with storms or heavy rain. The Bolins are not able to enter or exit the property when flooding occurs. Chair Holston asked in the first picture was the left toward Vandalia and on the right was toward her home. Ms. Bolin responded the left was toward the home and the right is toward Vandalia. Mr. Engle stated it appeared from the one picture, as if part of their land was on county land and part in city. Ms. Bolin responded that was correct. It is separated by the stream.

Mr. Engle asked Ms. Bolin if she has been in contact with the Greensboro Water Resources Department. Ms. Bolin responded they has several years ago. There was very little follow through or any type of solution. Mr. Engle stated he lived in a flood plain for years in Latham Park. He noted this is not something the Zoning Commission decides but there is a Technical Review Committee that reviews run-off and how the site is laid out and built, and things like that. The Zoning Commission can only decide the land use. The current land use for the subject property is Commercial-High meaning a hotel, a gas station, or a car lot can be placed there currently without a change in zoning. He then noted the Water Resources Department currently, due to efforts in Latham Park, is looking at flooding and doing a flood study in this area. Mr. Engle did not know if the study would be in this property area, but was specifically around Buffalo Creek. Things such as global warming and additional rain

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are being taken into account in how the city builds. Mr. Engle suggested Ms. Bolin apply some pressure. With every development this happens because the stream doesn't start on narrow land, it starts way up the road. Everything along the stream adds to the runoff, not only this site. Mr. Engle hoped that Ms. Bolin understood Zoning only decides land use. If they can build multi-family or should it be left alone and they can build something else such as a commercial shopping center. It is slated to be used for something. Ms. Bolin stated being lay people and receiving a letter and contact, this was the platform they knew to use so people could be aware of the situation. Mr. Kirkman advised he contacted Virginia Spillman and Johnnie Hill in Water Resources for them to reach out to Ms. Bolin. Mr. Engle stated he would have Mr. Borchers involved in this particular issue. Mr. Kirkman stated Mike Borchers is Director of Water Resources; Virginia Spillman is an Assistant Director. Ms. Bolin or her father are concerned only with the way it affects the water runoff and how that can continue to damage where their property is. Ms. O'Connor asked if the city or county maintains the bridge. Ms. Bolin responded it is maintained by them.

Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Hearing none, Chair Holston inquired if there was rebuttal from the applicants or the team.

Mr. Ray stated this is only the land use planning portion of the process. This will still go through the TRC process and have local municipal and state sign off on everything related to water, and runoff in particular. Mr. Ray understood the frustration of the Bolins. The developer would not proceed in any way without proper approvals and review.

Matt Raab stated the city line jurisdiction is near that stream and they may or may not have to be in contact with the county. Mr. Mustin stated he would start with the City. Mike Borchers is a great contact but may or may not need to have contact with folks at the County too. Chair Holston inquired if there were additional rebuttal comments for those in opposition. Seeing none, Chair Holston closed the public hearing and requested to hear from staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-18 zoning district is limited to residential uses and would increase the range of choice and supply of housing, while also complementing the variety of residential and commercial uses located along South Elm Eugene Street. Care should be taken with respect to building orientation, materials, height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval of the request.

Chair Holston inquired if there were questions for staff. Hearing none, Chair Holston inquired if there were comments from the Commissioners. Chair Holston stated he had concerns with this request. There was discussion regarding different communities, densities and the like. Traditionally density is tied into a particular lot or neighborhood. In this case the density is in a district, in a particular side of town where multi-family housing is "popping" up. Cases have been before Zoning and there are probably more coming with multi-family popping up in a particular district in Greensboro. That is a density issue for him and something that should be addressed and talked about. Chair Holston was also concerned regarding the water runoff of the property. Looking at the property of 126 Vandalia is devastating. Anything could cause that, but multi-family has a good chance to exacerbate it. Only 30 letters went out which met the statutory minimum, but northwest and southwest there were

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many more residents who will be impacted by this new project. For those reasons, Chair Holston would not support the request.

Chair Holston stated there needs to be a larger conversation regarding multi-family housing and in which districts they are concentrated in. There are other topics that do not address the land use currently but they are conversations that need to be held. Those neighborhoods needed to be brought in whether they are within 600 feet or not. The neighborhoods at New Garden Road were not necessarily within 600 feet but they still had an opportunity to hear and chime in at meetings to make it a win/win for that previous rezoning. Chair Holston stated he was not against housing, construction, or business. Chair Holston is pro Greensboro for all districts and does believe there needs to be a win/win situation for Zoning. Mr. Collins stated it was interesting that Chair Holston was concerned about the number of people contacted but did not have the same concern with any other cases heard at this meeting. Mr. Collins stated all of the cases sent the minimum letters that based on the lists provided by the city and he did not understand why Chair Holston was picking on this case. Chair Holston responded he was not picking on this case. He wished the applicants had reached out further given where they will be located. Mr. Collins stated maybe that was a comment for the whole of all projects seen tonight and not only this one. Mr. Collins advised he did not understand the comment about this particular area being picked on for multi-family housing. Multi-family housing is going on where multi-family housing can go on. There are certain areas that have been densely populated but there are multi-family housing developments going on all over Greensboro. This request was a classic multi-family with multi-family across the street and there are churches. It is good development. Where you don't want multi-family is back into the middle of the neighborhood. Mr. Collins stated he supported the request. It is good use and is a down zoning from what is there now.

Mr. Engle respected Chair Holston's opinion, but also concurred with Mr. Collins. For him, runoff is a scary thing but it is not just one development to care about. It is everything upstream. Mr. Engle stated it is a pattern of development that leads to runoff. It is not one. This property is already zoned Commercial-High which means there could be a lot of other uses that he did not feel fit the context of the area. This to Mr. Engle, was a down zoning. The residential that is planned to be built would fit the context to the area. There is a need for housing in this community. It is something the City has made a priority and fits the Future Land Use Map as stated. Mr. Engle advised he would be supporting this request.

Chair Holston inquired if there were additional comments or a motion. Mr. Engle stated regarding Z-21-04-006, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 102 and 104 East Vandalia Road from CD-C-H (Conditional District-Commercial-High) to CD-RM-18 (Conditional District – Residential Multi-family-18) to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1).The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2). The proposed CD-RM-18 zoning district, as conditioned, permits uses which fits the context of the surrounding area and limits negative impacts on the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest; seconded by Mr. Collins. The Commission voted 6-2. (Ayes: Magid, Collins, Bryson, Engle, Alford, and O'Connor. Nays: Chair Holston and Rosa). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such appeal. All such appeals are subject to a public hearing at the May 18, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-21-04-007: A rezoning from C-M (Commercial-Medium) to CD-RM-26 (Conditional District – Residential Multi-family-26) for the property identified as 5009 MacKay Road, generally described as southwest of Mackay Road and northwest of West Gate City Boulevard, (3.153 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Mr. Alford asked if this was multi-family RM-26. Mr. Kirkman responded the request was CD-RM-26, conditioned to the two conditions. Mr. Engle advised Mr. Alford the advertising and agenda were correct; the book was wrong. Seeing none, Chair Holston requested the applicant to provide their name, address, and present their case.

Davis Ray, 5614 Riverdale Drive, Jamestown noted the original design was to come in off of Mackay Road and they are now proposing to also access the site off of a utility access easement that Walgreens currently uses. Access would be off both Mackay Road and Gate City Boulevard. There will be 76 units with a mix of one and two bedrooms similar in design and construction as far as materials. There will be an all brick four story building, Hardie plank construction. There will be a covered drop-off area for the residents. Everything will be centrally located within the building with the Manager's office, gathering areas, and common space. An illustrative drawing was shown with an L shape style building. Mr. Ray noted this development would follow the same process as what was sought with their previous request.

Chair Holston inquired if there were questions from the Commissioners. Mr. Alford asked what the fourth-floor height was. Mr. Ray deferred to Mr. Raab for the measurement. Mr. Raab stated they would be 8-foot ceilings and so they would be 32 feet to the soffit line of the building. Mr. Alford asked floor to floor. Mr. Raab stated the ceiling height is 8 feet with a foot and a half of floor system in there, making it nine and a half feet.

Chair Holston inquired if there were additional questions from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Holston closed the public hearing and requested to hear from staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and both Commercial and Residential on the Future Land Use Map. The proposed rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-26 zoning district does permit uses compatible with the uses present and the surrounding area, and increases the range of choices and supplies of housing in this area. This does include conditions related to materials, height, and scale of the proposed residential development to be compatible with the existing area. Staff recommended approval of the request.

Chair Holston inquired if there were questions from the Commissioners. Mr. Engle stated regarding Z-21-04-007, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 5009 Mackay Road from C-M (Commercial-Medium) to CD-RM-26 (Conditional District – Residential Multi-family-26) to be consistent with the Adopted GSO 2040 Comprehensive Plan and considers the action take to be reasonable and in the public interest for the following reasons: (1).The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2). The proposed CD-RM-26 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts to the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the

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public interest; seconded by Ms. O'Connor. The Commission voted 7-1. (Chair Holston, Magid, Collins, Bryson, Rosa, Engle, and O'Connor. Nays: Alford). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such appeal. All such appeals are subject to a public hearing at the May 18, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-04-008: Consideration of a UDP (Unified Development Plan) for a previously approved PUD (Planned Unit Development zoning district), for the properties identified as 5812, 5908, and 5910 Lake Brandt Road and 2000, 2018, and 2020 Trosper Road, generally described as north and south of Trosper Road and east of Lake Brandt Road, (15,505 acres).

Mr. Kirkman advised the Commission this request is to approve a Unified Development Plan for property at the corner of Lake Brandt Road and Trosper Road. He then noted the Planned Unit Development zoning was already in place for this property that establishes uses, scale of uses, and some of the other requirements in terms of height and density of those types of aspects. The Commission was not being asked to address anything related to uses. The Commission was being asked to address at this meeting the next phase for development using Planned Unit Development zoning to establish the minimum dimensional standards used to approve any site development. It is the building setbacks, landscaped yards, and those types of things that are not already addressed by the zoning conditions. This is something that can have final approval from the Commission. He added that this is a function that was previously handled by the Planning Board and when that Board was dissolved, the Zoning Commission received the responsibility back in September. Because there are situations where zoning may be in place but the Unified Development Plan was not yet approved, that is what is before the Zoning Commission at this meeting. He also noted Mr. Carter could answer any questions in terms of review from the Technical Review Committee.

Chair Holston inquired if there were questions from any Commissioners. Hearing none, Chair Holston inquired if there was a motion. Mr. Kirkman advised this is a public hearing and they would need to ask for anyone in favor or opposition. Chair Holston stated the applicant, Mr. Isaacson was present. Norris Clayton advised he was also present representing the developer.

Norris Clayton, Hugh Creed Associates Engineers, 1305 West Wendover Avenue, Greensboro advised they were the design engineers for Sun Capital, Inc. who owns the property. As stated, this request is for the Unified Development Plan for the site based on the previously approved PUD zoning from 2017. No changes have been made to the original zoning. He added that the UDP Plan has gone through the City's TRC for approval and is required to be approved by the Zoning Commission prior to being recorded.

Chair Holston inquired if there were any questions from the Commissioners for Mr. Clayton. Mr. Engle asked if this zoning was approved in June of 2017 and approved by City Council in July of 2017. It appears to be well laid out compared to what was shown. Mr. Engle asked if there had been any changes and asked if the materials were the same. Mr. Clayton responded that was correct. Mr. Engle asked if it was correct that everything is laid out and shows where things will be placed and following what the zoning conditions are that were previously approved. Mr. Clayton responded that was correct. When the Unified Development Plan is set up, it states not to put particular buildings. It is areas that will be residential and where commercial areas will be. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Mr. Engle advised someone had a hand raised. Chair Holston asked Dr. Rosario if she was

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speaking in opposition. Dr. Rosario responded she was. With no one speaking in favor, Chair Holston inquired if there was in opposition to the request. Chair Holston requested Dr. Rosaria to provide her name and address.

Dr. Carrie Rosario, 5726 Oak Tree Road, Greensboro stated she is less than 600 feet from the proposed development. Dr. Rosario acknowledged the plan was approved but still would like to voice her concerns as a resident who moved in after the plan was approved with little to no information regarding what specifically will be on the development. Dr. Rosario received the information mailed and recognized there was approval for residential areas and office for retail space which is very vague. Dr. Rosario stated one of the Commissioners had mentioned earlier that the plan was well laid out. This plan stated there is multi-family but does not specify specifically what type of buildings. Dr. Rosario stated she had less concern with the type of buildings but would they be condos, townhomes, apartments, and how many. The Use Plan that was provided states 15 but the meeting notification stated 24 planned units and is ambiguous. Dr. Rosario had concerns regarding what the office space and retail space would be. Specifically, she was concerned about the alignment of the project with the City's stated mission regarding inclusive features and sustainable safe neighborhoods through resident focused services and programs. Dr. Rosario was unsure how the process for determining what will be on the land, not only what the land is potentially or could be potentially used is it including residences in that process. Dr. Rosario's specific concerns and those of her neighbors are about the ambiguity of what is coming in the neighborhood, environmental impacts to the watershed and water quality of neighborhood homes, to include her home, which depends on ground water via wells. There were also concerns regarding increased traffic congestion, traffic flow, pedestrian safety, noise pollution, and poor visibility. Dr. Rosario asked where exactly will the entrance for this planned development be and how would the traffic pattern flow. Other concerns were the long-term impact on existing property values, specifically the inclusion of office and retail space, and neighborhood stipulating and crime concerns about what each of those might mean for the neighborhood children, specifically for the school directly across the street from the proposed development.

She then noted the Greensboro 2040 Plan notes concerns from other citizens and quoted "not all new development is respecting the land. Developers have a responsibility to restore trees and landscaping and to seriously consider traffic coming out of their developments." Dr. Rosaria was unsure at what point in this process that would be articulated to residents. Her community was not asking for this plan and noticed in many of the other cases, the Commissioners noted the specific benefits to the property owner and the community. The benefit to her community is not apparent. This neighborhood was specifically picked for what it currently offers which is a serene, environmentally friendly surroundings. Not for noise and other pollution that comes with development, increased population, density, waste, and traffic congestion. Dr. Rosario stated her questions related to those things, particularly increased traffic congestion making it unsafe for children and adults traveling in and out of the neighborhood by car or as a pedestrian. She also noted on Lake Brandt Road due to Jesse Wharton elementary school they are already experiencing tremendous traffic congestion and backflow. There have been changes recently to Lake Brandt to include bike lanes and reducing the number of lanes of traffic for cars. Dr. Rosario asked how would this development affect traffic patterns both during and after the clearing and building process.

Mr. Engle stated he was looking at the notice that does state 24 residential dwelling units and the zoning is for 15, as well as the plan and asked Mr. Kirkman to address that. Mr. Kirkman responded he was discussing that with Mr. Carter currently. It may have been an error on their part. The Unified Development Plan builds on the existing improved conditions from the Planned Unit Development zoning and references more details about how the development will be accomplished. The Unified Development Plan doesn't change the density, scale, or anything else. Mr. Engle stated the situation Dr. Rosario has is she has residential multi-family 5 behind the planned development. Eleven acres with 50 units would be roughly 5 units per acre or so and is about the same

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density. Mr. Engle did not know what they would look like. The developer has the ability to do that. When her house was built on the land it was built on, when it was zoned nobody had to show exactly what it was going to look at. It is not required as part of the development request. The idea between what the GSO 2040 Development Plan has put out, is walkable, livable neighborhoods which is a mixture of uses that do not require cars to get to. That is where the benefit is from a development pattern perspective. What the businesses are to be, there are limitations that are spelled out, including the materials that can be used in building those businesses and the homes. It is a lot more than seen, even if the cases that Dr. Rosario looked at, where a picture can be shown depicting what it will look like. If it is not in the zoning condition, the developer is not bound by that at all. In this instance the developer has limited uses. The zoning change is done and they can only look at how the proposed Unified Development Plan building on that previous zoning.

Dr. Rosario responded from Mr. Engle's perspective she understood that. As a resident and as someone who lives very closely to the school, there is a huge difference between apartment buildings, condos and townhomes. Dr. Rosario stated she had less concern with the type of residential buildings. It was said this was a walkable community. A car or a bike is needed to live in this neighborhood. You cannot walk to the grocery store unless taking 25 or 30 minutes to get there. You may be able to walk to a park. With the plan for development of residential multi-family, her concern is where will the traffic go and what the traffic patterns were going to be like. There is already congestion with the number of residents in the neighborhood. Two developments have come into the neighborhood and added to the number of residents, cars, and backup of traffic in the neighborhood. Adding additional residences, not matter the number, there will be at least one vehicle per unit. It would be at least 50 more cars coming in and out of the neighborhood. What does that mean for emergency vehicles, what does it mean for which way the traffic will flow. Currently cars go down Oak Tree to get around the traffic from Lake Brandt. What does that mean for her family and herself. There are no sidewalks because this is technically in the county. Where will they be walking and what does that mean for them in terms of safety. Part of the plan deals with safe walkable neighborhoods. Currently the neighborhood is safe and walkable. Will it be safe and walkable when there is an additional 50 cars having to negotiate the impact of traffic conditions on Lake Brandt and now come down Oak Tree to get to Air Harbor Road or the Air Harbor traffic that tries to get around the lake at Air Harbor because of the backflow traffic on Lake Brandt. Dr. Rosario stated she heard what Mr. Engle said but to her this plan does not spell out a lot of things she felt the neighborhood residents are due in terms of mitigating traffic congestion. They live in a very environmentally friendly neighborhood near the marina of Lake Brandt. Storm water was discussed earlier, what does it mean for her and other residents who live on a well and now have paved development coming in and potentially messing up their quality of drinking water. That is not making a safe neighborhood for her where it currently exists as a safe neighborhood. That is something that needs to be included in conversations moving forward so that the developer is accountable to the community where it is situating its development.

Mr. Collins felt the Zoning Commission was losing its way on what was being discussed and what they were supposed to be deciding this evening. The Commission is to approve the standards presented and if Mrs. Rosario has something of concern about one of those standards. Dr. Rosario clarified she wished to be referred to as Dr. Rosario and there was some back and forth around this reference. Mr. Collins stated he was not trying to be disrespectful but she was negotiating something that happened four years ago and the request tonight is not a zoning function; but is a planning function. Mr. Collins stated if there was something that she has specific in the standards, to hear what it is. Mr. Bryson stated is that was the case for her, let it be for everybody and not pick on this one person because it is late at night. Mr. Bryson said to make sure to let everybody speak their mind. Everybody has spoken their mind at this meeting and not all of it was on topic, but they were allowed to speak. Chair Holston, Mr. Bryson, Mr. Collins, and all the Commissioners know the one rule of thought is the opposition

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and the applicant all have a set amount of time should they choose to use it. Chair Holston did not want to determine if they were on topic or not, they are speaking their minds. As it has been said, this was the one bite at the apple that these individuals may have in their lifetime, so to speak. It is up to the Commission to guide, lead, and share and the Commission can still do that and be respectful as it is done. Chair Holston inquired if Mr. Collins had any additional comments. Mr. Collins respond that there has been no discussion about the conditions that have been put forward and the rezoning is done. This case is related to setting standards so that the City has something to enforce on development plans. Most of the things heard with this case so far are not related to this. The standards are what the Commissioners need to look and to determine if there is something objectionable to the standards. Chair Holston asked Dr. Rosario if she had any additional comments. Dr. Rosario responded she thought her comments have been heard.

Dr. Rosario stated she was not part of the Planning Commission and is not her profession. Dr. Rosario asked to be excused if she had difficulty interpreting these plans and trouble understanding exactly how this process flows. She was here to learn more about that and how to represent her community in doing so, to ensure that going forward they have a say in how things are coming into their community. Dr. Rosario stated in the plan she did not see anything that says where the entrance to the multi-family-residential will be and asked if that should be on the set of materials provided. Chair Holston responded typically the applicants or those in opposition do not pose questions to each other. It is asked of the Commission but there is a rebuttal period and hopefully the developer will be able to answer that question. Mr. Engle asked if city staff could answer that question as far as ingress and egress requirements. Mr. Tipton of GDOT responded and advised he did not have the traffic study in front of him but he could let Dr. Rosario know that there was a traffic study done as part of the original zoning. If Dr. Rosario would like to contact the GDOT offices, he would go over that with her, or she could place a public records request. It goes over what the proposed uses were, the densities, what the proposed access points were, what the proposed improvements were that makes it fit in with the traffic better, and deal with any traffic problems it produced. Mr. Tipton advised he could go over some other things that are affecting the area as far as project wise. Chair Holston stated to Mr. Tipton's point, as stated with an earlier case, this is the City, a public entity, a public hearing and Dr. Rosario has the ability to contact Mr. Kirkman, Mr. Carter, or Mr. Tipton. The conversation can be continued and ask questions. It does not end tonight. You can continue to ask as many questions as you would like until you are satisfied with the responses. Chair Holston inquired if there was anyone else to speak in opposition to this request. Hearing none, Chair Holston asked if there was rebuttal from the applicant.

Mr. Clayton stated this UDP plan is just the next step of the development process to set the standards for what the development will encompass. There was a conceptual plan given at the rezoning and for the most part will be adhered to. The plan shows for the residential section, one entrance off of Lake Brandt Road on the far northern end and one entrance off of Trosper Road, on the far eastern end. The commercial area and office area had an entrance off of Trosper and onto Lake Brandt Road. The plans indicate a high-class neighborhood and will be for sale units of probably townhomes. The widening of the roads will be required off of Trosper and Lake Brandt and become a four-lane road, mimicking what is on the school side of this property. There will be sidewalks along all the roads in the development. It will improve the area as far as traffic.

Chair Holston inquired if there were any additional comments. Chair Holston stated if no one else was wishing to speak in favor during the rebuttal, Chair Holston asked if there was anyone wishing to speak in opposition to the rebuttal.

Dr. Rosario stated she heard both Lake Brandt and Trosper were being widened. Dr. Rosario asked if one or both would be four lanes and wanted to make sure she heard that correctly. Mr. Tipton did not think it was going to be a four-lane road. Widening usually comes as part of subdivision to add curb gutters, sidewalks and get up to city

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standards to withstand the additional widening of that traffic. Mr. Tipton did not believe there will be four lanes for Lake Brandt. Chair Holston closed the public hearing and requested to hear from city staff for their recommendation.

Mr. Kirkman stated in this case there is not a formal statement but information was included in the Commissioner's packet that outlined the purpose of the Unified Development Plan and what was being proposed. Staff was recommending approval of the Unified Development Plan as presented to the Commission.

Chair Holston inquired if the Commissioners had any thoughts or was there a motion. Mr. Engle made a motion to approve the Unified Development Plan as presented noting the layout matches the zoning. Seconded by Ms. O'Connor. The Commission voted 6-2. (Ayes: Chair Holston, Magid, Collins, Engle, Alford, and O'Connor. Nays: Bryson & Rosa). Chair Holston stated the approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such appeal. All such appeals are subject to a public hearing at the May 18, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 21-08 and Z-21-04-009: An annexation and original zoning from County AG (Agricultural) to City O (Office) for the property identified as 3403 McConnell Road, generally described as north of McConnell Road and north of Bridgepoint Road, (0.48 acres) (Recommend Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to come forward, provide his name and address and present his case.

Mr. Kirkman advised the City of Greensboro is the applicant and there was supposed to be someone from Water Resources to speak to the request. Mr. Carter advised the person from Water Resources was not logged in. Chair Holston inquired if there was someone who could present the case on their behalf. Mr. Kirkman responded Mr. Carter and himself could speak on the basics and try to answer any questions. He noted this is an existing utility substation and there needs to be a non-residential zoning district to support the utilities substation on there. The Office zoning district meets this test while also allowing residential development. They were trying to find a district that balanced the non-residential needs for the pump station with the context of the residential in the area, and that is why Office was ultimately picked for this request. This is a very limited site and is already developed with no real ability to do other projects.

Chair Holston inquired if there was anything else the Commission should know. Mr. Kirkman responded that was the basics of the request. Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Chair Holston closed the public portion of the hearing and requested to hear the recommendation from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Reserved from the Future Built Form Map. Upon annexation, the subject site will be considered to be changed to Urban General place type on the map. The Future Land Use designation also is set as Reserved. If the request is approved, the Future Land Use designation is considered to be amended to the Municipal Institution or Office Campus designation. The proposed original zoning request supports both the Comprehensive Plan's Prioritizing Sustainability Strategy to consider the impact and growth and develop patterns and have infrastructure in the City's fiscal health. The Office district allows all uses that are compatible with the surrounding area and facilitates the actual distribution of city services to the surrounding neighborhood. Staff recommended approval of the request.

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Chair Holston inquired if the Commissioners had any thoughts or motions. Ms. O'Connor moved to approve the annexation. Seconded by Mr. Rosa. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). The Commission voted 8-0. Chair Holston stated this constituted a favorable recommendation and is subject to a public hearing at the May 18, 2021 City Council meeting. Ms. O'Connor then stated regarding item Z-21-04-009 the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 3403 McConnell Road, from County AG (Agricultural) to City O (Office) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map. (2). The proposed O zoning district permits uses which fit the context of the surrounding area. (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. (4) It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Magid, Collins, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the vote constitutes a favorable recommendation and is subject to a public hearing at the May 18, 2021 City Council meeting.

ITEMS FROM PLANNING DEPARTMENT:

Mr. Kirkman stated staff did not have anything specific. The next meeting in May will have a number of items on the agenda and staff was still trying to sort out a couple of cases and did not have an exact number for the Commissioners. When asked further on the number of items, Mr. Kirkman advised 8-12 was the range currently. Mr. Kirkman advised there were also three ordinance text amendments for the next meeting as part of that number with the airport overlay changes being one of them. Mr. Engle stated he did not plan on sitting for 15 cases in one night and it is not reasonable for the public to have input for Zoning to do that. There is a situation where the meeting could potentially be split in half if need be or start at some other time. This is not reasonable for people to be up until 3:00 in the morning if they have a concern about a case. It is not equitable. Mr. Bryson stated this was something he had brought up at the last meeting but no one wanted to discuss it. It has been brought up over and over. This is not fair to the public to be on an agenda for four or five hours. There has to be a better way to do it. Chair Holston stated they have tried to touch on that topic and it was addressed with staff and the City attorneys to see what type of ways can be negotiated. Chair Holston stated not only does staff and himself sympathize, but definitely empathize on what is going on here. Fifteen cases are a big challenge. The Commission counts on city staff, along with the city attorneys. Hopefully a way will be found that will work for everybody, not only the Commission but also the developers, homeowners, everybody who is engaged in trying to get things done, but also doesn't want to wait 5 hours. One time in the past year the meeting time ended at 11:50 and was very taxing. A way has to be found to make it good for everyone.

Mr. Bryson asked what was going to be done about it. Chair Holston suggested Ms. O'Connor and himself to sit down again with city staff and see if there is something that can be crunched out at least as a draft and get back to the Commissioners. It may be in-between hearings or meetings which is probably best way of doing it. It may be something that has to be 60 days out because of notice requirements and the like. Chair Holston thought it was interesting that business is picking up. People are doing more things. Ms. Magid asked if this going to continue to be longer sessions, perhaps it should be considered to meet more than once a month and be able to split the items up. Some of the Commissioners could advise what other date of the week would be amenable. Fifteen cases seem rather long for the community to have to stay on that long. Chair Holston agreed and stated Ms. Harrell was present and could perhaps guide along those legal technicalities that might ordinarily be missed in wanting to

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break meetings in half. The Commission counts on Ms. Harrell and her team and Mr. Kirkman and everyone else. Ms. Harrell stated they could talk about that again. There is a new attorney coming on to help with planning, Alan Buansi, who was on the call after the meeting had started. Mr. Buansi is currently a town council person for the town of Chapel Hill and is very familiar with public hearings and the length of meetings. There are a lot of options such as starting earlier, breaking it into two meetings, trying to put things at the beginning that don't have opposition. There are things to be looked at and still try to stay within the parameters.

ITEMS FROM ZONING COMMISSIONERS:

Chair Holston wished Happy Birthday to Ms. Magid and Mr. Kirkman.

Mr. Bryson advised he had one thing to bring to the Commissioners attention. Mr. Bryson stated there can be tension among each other and that is what makes it a great system. However there is no need to have contention with the public. Mr. Bryson felt there was disrespect to some members of the public. It was not fair or prudent for this Commission to be disrespectful to a member of the public. There can be tension among the Commissioners and have some back and forth. Ms. O'Connor thanked Mr. Bryson for his comment because she had been weighing her words and trying to find a way to deliver that message. Mr. Rosa stated he agreed with what Mr. Bryson said as well. There are better ways of doing it. Mr. Rosa understood but there are better ways. If a person wants to be spoken to in a certain way, please speak to a person in the way that they want to be spoken to. Chair Holston stated very heartfelt words. Chair Holston stated if there was nothing else, advised everyone to have a good evening.

ADJOURNMENT:

The meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Hugh Holston, Chairperson

HH/cgs

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The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on May 17, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, James Rosa, and Vernal Alford. Present for City staff included Luke Carter, Mike Kirkman, Steve Galanti, Shayna Thiel (Planning Department), Noland Tipton (GDOT) and Alan Buansi (City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online. Chair Holston advised of the policies, procedures and updated instructions in place for the Zoning Commission and how the meeting would be conducted using the online format. Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested each item be identified for comments to be made on and submit the comments to planning staff.

Chair Holston performed a roll call of the Commissioners present. Chair Holston advised Mr. Rosa was resigning from the Commission after tonight's meeting. Chair Holston then welcomed Mary Skenes to the Zoning Commission, noting Ms. Skenes was a veteran of the Zoning and Planning Boards for both Greensboro and Guilford County.

APPROVAL OF THE April 19, 2021 REGULAR MEETING MINUTES: (Approved)

Mr. Engle made a motion to approve the April 19, 2021 minutes; seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford and O'Connor. Nays: 0).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised there were no withdrawals or continuances.

PUBLIC HEARINGS:

Z-21-05-001: A rezoning from R-3 (Residential Single-family-3) to CD-R-5 (Conditional District – Residential Single – Family-5) for the property identified as 1419 Manual Street, generally described as south of Manuel Street and west of Karlingdale Drive, (0.425 acres). (Denied)

Mr. Kirkman reviewed the zoning map for Z-20-05-001 and other summary information for the subject property and surrounding properties. Mr. Kirkman also advised of the condition associated with this request. Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston requested the applicant to provide their name, address, and to state their case.

Sonny Vestal, 501 Chancery Place stated his is the owner of Vestal Builders and indicated the white house with a two-car garage to the left side of the subject property. Mr. Vestal stated he intended to build a house almost identical to that one but a slightly different size and color to continue to beautify the neighborhood. Mr. Vestal advised Attorney Don Vaughn was also present to represent this matter.

Attorney Don Vaughan, 612 West Friendly Avenue, stated his client walked around to the properties within 600 feet and there was no opposition from the neighbors he spoke to and several were very pleased to have another home being built as it brought value to the property.

Chair Holston inquired if there was anyone else wishing to speak in favor of the request.

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Elise Margarita, 418 Manuel Street, stated her home was the white house with black shutters depicted in the photograph and referenced by Mr. Vestal. The previous house built by Mr. Vestal's group has beautified the neighborhood with many compliments on the neighborhood as it is more updated. Ms. Margarita noted she was planning to renovate her property and felt the new home built if the zoning was changed would be a great addition to the neighborhood and she supported the application.

Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone else to speak in favor. Seeing none, Chair Holston requested to hear from those in opposition to the request.

JoAlice Smith, 3101 Cecil Street, advised they went to the previous City Council meeting where this rezoning was denied and she wanted to know why this was back. Ms. Smith felt this online meeting was unfair as she had to travel back to Greensboro to help her parents participate. She noted many of the people in this neighborhood are seniors or disabled and not everyone has internet access. If Ms. Smith had not seen and read the letter or talked to Mr. Carter, she would not have known of the virtual meeting and felt it created disparities and was very unfair. She stated that Mr. Vestal had built a nice home and those neighbors are nice, but she does not want three and four homes placed on top of them like the neighborhood behind this community. It was very unfair. Ms. Smith stated her father want the neighborhood to look like the projects. This neighborhood was to be an historical site and is called Sugartown. There has never been crime in this neighborhood and she is concerned that crime will increase if there is another house. This is not a rental neighborhood. People live here and have been in the neighborhood for 60 plus years. Ms. Smith stated she was upset with the Zoning Board and City Council. These are taxpayers and no one appears to see that seniors have adequate means to attend the meeting. It is not fair and creates disparities.

Ms. Doggett, 3101 Cecil Street, stated her grandfather owned all of this property and gave each of the children property. Some have sold theirs but her father kept his, became her mother's property who gave her the lot where she lives now. Her family grew up on Cecil Street and they want a clean-cut neighborhood.

Natalie Reed, 3104 Ceil Street stated nothing has changed since the previous request was denied. It was requested of Mr. Vestal to have a meeting with the neighborhood. What he had shown is not the entire neighborhood and is not the truth. There is diversity and new homes. Ms. Reed noted she had recently done over \$20,000 in renovations for her home and did not appreciate the neighborhood being portrayed in a poor light. This neighborhood has never been an ugly neighborhood and she felt it was disrespectful to present the neighborhood as though it needs to be better. Ms. Reed advised Cecil Street was owned by her grandmother and indicated streets in the neighborhood that were established by family members such as great uncles and grandparents. Ms. Reed stated City Council voted 100% for no zoning before. She added that no one came to her home to speak to her or provide information, nor was there an email or letter.

Norman Doggett, 3101 Cecil Street, stated the lots on Manuel Street are approximately 250 feet wide. Mr. Daggert stated there is not enough yard space or driveway space for what Mr. Vestal is proposing. Manual Street is a small street separating Cecil from Kallamdale. There is no front. There is a house next to him and he does not want one on the other side. There are two on a one-acre lot and look a mess.

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Sandra Reid, 3104 Cecil Street, added that their homes have been in this neighborhood for 60 plus years. The homes are fully brick, 5 room ranch homes. Everyone takes pride for their property and are not trying to keep people out, but are attempting to continue a standard that has been in place. No one wants to see homes on top of each other and having cars parked on the street creating a safety issue. Ms. Reid's biggest concern was the overall mission for the city. It feels like gentrification is happening and property owners of more than 60 years as African-Americans are being pushed out. There is pride in for the accomplishment by their parents and are attempting to keep their property.

Jahard Paschal, 3101 Cecil Street, stated he was a fourth generation raised on this street. Mr. Pasqual has noticed everything going on with the construction and destruction, how the neighborhood was distraught and how his grandparents were affected with the house built next to them and everything around them. Mr. Pasquel stated the neighborhood has a history of everyone knowing each other and of growing together as a community. Adding new homes to the neighborhood would not do anything but lower the value of the current land and homes. Adding new homes brings new people in the neighborhood that may not fit within the neighborhood and have different behaviors. There are a lot of senior citizens within this neighborhood who know each other and know the history of the neighborhood. Mr. Pasquel would like the Zoning Commission to keep housing at a minimum to ensure everyone is being considered in this process.

Chair Holston advised opposition time was done and asked if Commissioners had questions for any of those who spoke in opposition. Mr. Engle stated this request had been before the Commission in the past and asked staff to speak to why the request is back. Mr. Kirkman advised the ordinance allows for a rezoning to be filed again if it has been at least 12 months since the item was first considered and this request is smaller in terms of the area of the lot to be rezoned than the previous request. Mr. Engle asked Mr. Kirkman to explain how many houses could be built R-5 on .425 acres, with the frontage that is available. Mr. Kirkman responded he would have to run the numbers, but thought t it was only one additional one because of setbacks. Mr. Kirkman advised Mr. Engle the .425 acre request at 5 units per acre would be just over two units per acre and would need to have at a minimum 50 feet of frontage for each lot.

Chair Holston advised that the applicant had 5 minutes of rebuttal at this time.

Attorney Vaughan stated Mr. Vestal is a quality builder and staff supports this request. He noted that infill development is one of the goals of the Comprehensive Plan. This is a quality project and he asked for the Zoning Commission's support. Mr. Engle stated this .425 acre request is in the middle of R-3 on all sides and asked Attorney Vaughn to tell him where his thinking was off. Attorney Vaughn requested the City Attorney to answer that question as it is a legal question and this is not spot zoning as Mr. Engle may be thinking.

Attorney Buansi stated there are a series of factors a court considers regarding spot zoning. One of which includes the size of the parcel in question relative to surrounding parcels. Another factor is if the use that is proposed is wholly and consistent with the surrounding parcel and that is for the Zoning Commission to decide. As the Commission's attorney, he can only advise on what the factors are and would not be able to predict what a Court may or may not say regarding spot zoning. Mr. Engle stated the use is similar, but it is just the density is different.

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Chair Holston stated he heard quite a bit from opposition there was not the outreach indicated and asked if the applicant for any rebuttal regarding that and inquired if there were illustrative drawings for the Commission and community to review.

Sonny Vestal responded they have an illustrative drawing which is the site plan. The site plan clearly shows a lot of room with measurements approved by the City for this particular lot. Borum Wade performed the survey throughout the site plan. There are no driveway issues, and no access issues.. Regarding the issues of Ms. Margarita's home not being beautiful, photographs were displayed of her home. Going through the pictures presented, it is obvious which house is the most beautiful on the lot. Mr. Vestal stated there were a lot of speakers from the one house and he thought the conversation was supposed to be for landowners. Mr. Vestal stated they did go visit properties within 600 feet of the zoning request.

Attorney Vaughan noted the home built next door to the subject site that Mr. Vestal had built and stated it was quality construction and asked if there had been any complaints regarding that home. Mr. Vestal responded none at all. Mr. Vaughn asked how long Vestal Homes has been building homes in Greensboro. Mr. Vestal responded for a number of years and they had been building single-family residences over the past 6-10 years. Mr. Rosa stated it did not appear those in the neighborhood were contacted and spoken to so he asked were there letters, knock on the doors or something else. Mr. Vestal responded the land owner and he walked the neighborhood and knocked on every door. They spoke to a large number of people. Within 600 feet going to the left is an apartment complex and vacant lots. Chair Holston asked Mr. Vestal if he walked through and talked with a handful of those living on Cecil, Manuel, or Karlingdale, and outside the letter that was from the City of Greensboro, there was no other outreach to the other neighbors. Mr. Vestal responded they had verbal face to face and felt that would be best to answer questions.

Mason Schermerhorn, owner of 1419 Cecil Avenue, stated they were attempting to maximize the use of the land. Greensboro is low on housing and these are good quality homes whether it is a rental or a new construction to sell. He is committed to the community. They have walked around the neighborhood to engage in conversation. And had great feedback. At the end of the day, they want to provide affordable housing in a great area of Greensboro.

Chair Holston moved to rebuttal for those in opposition.

Sandra Reed advised she was part owner but did not live at 3104 Cecil, her sister Natalie Reed does. She noted no one has spoken to her sister and 3104 Cecil Street is within 600 feet of the subject property. JoAlice Smith reiterated Mr. Vestal did not talk to everyone in the neighborhood. Her father was asked to sell his property. The people that they thought they could get to say yes were the ones spoken to. Natalie Reed also advised no one spoke to her and Mr. Reed is retired and disabled and home all day. Ms. Reed was born in 1960 and this has been her home. The reason why everyone is so upset is because they have not been talked to. The neighborhood is not trying to be prejudiced or uppity, but only want their neighborhood to continue to be a quiet respectful neighborhood. Their neighborhood is beautiful, not run over and nothing to be ashamed of. They have the right to protect and claim what is theirs. No one on this part of the street was talked to. Both of the Reed sisters own 3102 and 3104 Cecil Street. Chair Holston inquired if there were any questions for

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Ms. Reed from the Commissions. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and the scale and intensity of existing, adjacent uses. The proposed CD-R-5 zoning district, as conditioned, permits similar uses to the existing R-3 zoning allowing for greater flexibility on individual lot configuration and a small increase in residential density. Staff recommended approval of the request.

Chair Holston inquired if there were site plans presented. Mr. Kirkman responded staff did not have a copy. Chair Holston requested to hear information on the frontage. Mr. Kirkman responded they would need at least 50 feet for each new lot. Chair Holston asked if this configuration has that. Mr. Kirkman responded that was his understanding from a previous discussion.

Chair Holston inquired if the Commissioners had questions or comments. Mr. Bryson expressed his concern regarding speaking and reaching out to the neighborhood. No mailings were done and he felt the neighbors were not given their due diligence to receive information about the project. Mr. Bryson did not believe the applicant spoke to the neighbors. Despite Greensboro experiencing a tight housing shortage, Mr. Bryson was unable to support the request as presented. Mr. Rosa agreed with Mr. Bryson and did not feel the community was reached out to and would not support the request. Mr. Engle asked if when the Commission looks at a zoning request for residential, they were not allowed to consider whether it is something built for rent or sale, affordable or not affordable. Mr. Kirkman responded that was correct. In dealing with land use, any considerations related to ownership and who would be living on the property and type of discussion on the value of the property sold or rented were not legal conversation for the Zoning Commission to consider. Mr. Engle asked if the only thing the Commission could consider would be is what is presented with, in this instance, building two houses on .425 acres. Mr. Kirkman responded that was correct. Mr. Engle asked if the requirement is that the City sends out letters to everybody within 600 feet and signs are placed on the property. Mr. Kirkman responded first class notices are sent to all property owners within 600 feet and that requirement exceeds what is required by State law. A sign was also placed in the yard.

Chair Holston inquired if there were additional comments, discussion, or questions for city staff from the Commissioners. Mr. Alford stated it appeared to him as if this request was being shoe horned on a piece of property and did not go with what is there. Mr. Engle would not be in support. Ms. Skenes stated her concern was the density. There are large lots in this area and she did not feel it was keeping with the current configuration of the neighborhood. Ms. Skenes stated she did agree with some of those in opposition, and would not be in support of the request. Chair Holston inquired if there was a motion.

Ms. O'Connor stated in regard to Z-21-05-001, the Greensboro Zoning Commission believes that its action to recommend denial of the zoning request for the property described as 1419 Manual Street, from R-3 (Residential Single-family-3) to CD-R-5 (Conditional District-Residential Single-family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the

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following reasons: (1). The request is inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-R-5 zoning district, as conditioned, permits uses which do not fit the context of the surrounding area; (3). The request is not reasonable due to the size, physical conditions, and other attributes of the area. It will be a detriment to the neighbors and surrounding community. Denial is in the public interest. Seconded by Rosa. Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this denial constitutes final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals will be subject to a public hearing at the June 15, 2021 City Council meeting.

Z-21-05-002: A rezoning from CD-RM-18 (Conditional District -Residential Multi-family-18) and C-H (Commercial-High) to CD-RM-18 (Conditional District-Residential Multi-Family-18) for the property identified as 2571 Sixteen Street generally described as west of Sixteen Street and north of East Cone Boulevard. (11.83 acres). (Approved)

Mr. Kirkman reviewed the zoning map for Z-20-05-002 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions associated with this request. Chair Holston requested the applicant to provide their name, address, and state their case.

Attorney Britton Lewis, Caruthers & Roth, 235 N Edgeworth Street represented Linder Ventures, III, owner of the property. Also present was Dustin Mills of Taft Mills Development Group, one of the developers anticipating to purchase and develop the property along with Don Linder, the principal of Lender Ventures, III, and Max Sims, East Greensboro Now, and Rachel Decker co-counsel with Mr. Lewis. Attorney Lewis stated the request is to rezone the property from a split zoning currently zoned as CD-RM-18 on the northern portion of the property and C-H on the southern portion to create unified development. Currently the northern portion of the property is zoned to allow for multi-family development up to 120 units. It is contemplated to place a larger development of 180 units. For a unified project it was felt to be appropriate to rezone the entire property. Caruthers & Roth sent over 100 letters on April 20, 2021 to those in the neighborhood detailing the project and invited feedback. Pre-addressed and pre-stamped survey cards were provided to respond and they received approximately 10 back. None contained substantive comments. Three persons did not approve the project and they were reached out to directly to discuss the concerns. Four approved the project and two requested more information and were reached out to. An online town hall meeting was held on May 5, 2021 inviting everyone who had received a letter with the survey and the option to contact for the meeting. A link was provided directly in the letters. No one attended the meeting. The builders are attempting to satisfy the city standards and goals. It is a good opportunity for infill and is a large lot on a major corridor currently undeveloped. This rezoning would allow for one single unified use of the property meeting the circumstances surrounding the properties and blending multi-family in next to adjacent multi-family and commercial. The project is walkable with grocery and ample commercial shopping facilities, bus stops and bus routes. This is a quality property that will bring economic competitiveness to Greensboro. Mr. Lewis then requested Mr. Mills to speak on the project.

Dustin Mills, 631 Dickerson Avenue, Greenville North Carolina presented photographs depicting an overview of the Taft Mills Group, the potential purchaser of this development, and what their affordable housing developments look like. The proposed affordable housing development here is meant to serve individuals who make 60% or below Greensboro's area medium income. Mr. Mills stated a good portion of the site is zoned for

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what they are proposing already. The site abutting against the existing single-family and multi-family is zoned for the proposed use and they are requesting to have the frontage portion adjusted to the same zoning classification. The request to develop this property for new housing is contingent upon the zoning change. Mr. Mills and his partner have done 90 affordable communities over the past 35 years and have been awarded this type of funding on 10 similar developments over the last 6 years. The firm has been recognized as one of the top affordable housing developers in the country. The firm has been looking for development in Greensboro for several years and found this about 18 months prior and knew there was a need for rezoning. The development is restricted to ages 55 and older.

Mr. Mills then depicted a photograph of the site indicating what surrounded the requested property. The property will have an on-site property manager, full time on-site maintenance person, and a part time assistant manager. Mr. Mills provided renderings to the Commissioners and advised it was how Taft Mills envisioned the building to look like that was sketched by their in-house architects. A market study was submitted with the application. Mr. Mills stated the total development cost of the proposal is a \$31 million dollar investment into the community and would be approximately \$173,000 per unit. Mr. Mills advised of the commercial facilities available close to this proposed community. Representative samples were shown depicting what the clubhouse, playgrounds, and exercise facility would look like. Mr. Mills advised all of the units will have washer/dryer hook-ups and a centralized laundry in the same facility. Mr. Mills stated this presentation was presented to Councilman Wells, council person for that district and Stan Wilson, Director of Neighborhood Development.

Chair Holston inquired if there were questions from the Commissioners for Mr. Mills. Hearing none, Chair Holston inquired if there were other speakers in favor of the application.

Mac Sims, 601 East Market Street stated this is a superior project, unique and consistent. It is for 55 and older, noting there is a lack of that age within this community. It will be a great addition to the community and an asset to East Greensboro.

Mr. Engle stated Mr. Sims mentioned this was an over 55 community but that was not in the conditions and asked if that was the intention or what was being planned to be done. Mr. Mills responded Mr. Sims was correct. They are developing this project to target residents 55 and older but younger people can also live there.

Chair Holston inquired if there was anyone wishing to speak in opposition to this request. Ms. O'Connor advised no one has registered.

Daniel Lyons, 2606 David Richmond Court, advised Mr. Mills answered some of his questions. Being that this neighborhood will not be for 55 and older, Mr. Lyons asked if this would be considered as Section 8 housing or for those who do not meet the income standards. Mr. Lyons also asked if this would be a secure neighborhood with security on staff. Mr. Kirkman stated questions are normally addressed during rebuttal. Mr. Mills stated he would address that as part of his rebuttal. Chair Holston inquired if Mr. Lyons had any other statement, outside of questions for the applicant. When it goes back to the rebuttal period, they can be addressed from Mr. Mills and his team.

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LeeAnn Lyons, 2606 David Richmond Court, asked where the letters and surveys were sent as the Lyons did not receive one. Chair Holston responded it is within the 600 feet radius and may or may not include her property. It is an irregular shape as it is 600 feet from the property line and so they may or may not have directly received the notice.

Mr. Engle requested a determination from the City Attorney as to what the applicant can or cannot say regarding the kind of housing when talking about fair housing. Chair Holston asked relative to affordable housing or the age 55. Mr. Engle stated the term Section 8 was used. Zoning decides land use and about density of homes, apartments, or anything else. Mr. Engle wants to understand what can be talked about or can be promised. Chair Holston inquired from the Commissioners, the applicant, or opposition. Mr. Engle responded from the City and the applicant. Everyone needs to understand what is being decided.

Attorney Buansi advised part of the Zoning Commission's charge is to evaluate the use and determinations and to evaluate the uses and their compatibility with the Comprehensive Plan in the context of the properties surrounding the area to determine if it is something that will also benefit to the city. Based on whether or not there is affordable housing is not a permissible consideration. Mr. Engle stated he wanted to make sure the only the only things considered would have to be in the conditions. Chair Holston inquired if Mr. Lewis, Mr. Sims, or Mr. Mills had any rebuttal or could respond to the question from the Lyons. He looked back at the list of notices sent out and confirmed a letter was sent to Mr. Daniel Lyons. It may not have reached the destination but did go in the mail.

Dustin Mills stated they were seeking an allocation of tax credits for the proposed development. It is a financing vehicle allowing them to charge rents that are affordable within the market. They are the private owner of the development and confirmed that this particular development would not have been any project-based assistance, other than the tax credit. The tax credit is allocated through the North the Carolina Housing Finance Agency. A vehicle that allows them to charge rents slightly less than market to target individuals who make 60% or below of the area medium income for Greensboro Guilford County. Typically, security is not hired for patrol use unless there are issues. There will be a full-time property manager and maintenance personnel on site. There have not been any issues in any of the previous communities that required security for patrol use. If it were to happen and became necessary, it would be added as part of ongoing operations. This is a privately held community. When the North the Carolina Housing Finance Agency finances a development such as this one, they inspect it annually, as do the investors who purchased the tax credits. There are two sets of eyes looking at this particular type of development annually to ensure it is kept in good condition, good working order, and there are no perceived security issues or health concerns regarding the particular developments.

Chair Holston inquired if there was anyone else to speak in rebuttal. Seeing none, Chair Holston asked if there were questions from the Commissioners regarding the rebuttal. Seeing none, Chair Holston moved to the opposition for a rebuttal. Hearing none, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a regional scale activity center on the Future Built Form Map and both Commercial and Residential on the Future Land Use

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Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and can accommodate a satisfactory transition to the existing scale and intensity of nearby adjacent uses. The proposed CD-RM-18 zoning district is limited to residential uses and would increase the range of choices and supply of housing while complimenting the variety of residential and commercial uses already located along East Cone Boulevard. Staff recommended approval of the request. Chair Holston advised if there were no questions or comments from Commissioners, requested a motion. Mr. Engle stated in regard to agenda item Z-21-05-002, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 2571 Sixteenth Street from CD-RM-18 (Conditional District Residential-Multi-family-18) and C-H (Commercial – High) to CD-RM-18 (Conditional District – Residential Multi-family-18) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-18 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Magid. Commission voted 8-0. (Ayes: Chair Holston, Skenes, Bryson, Rosa, Engle, Alford, Magid, and O’Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the June 15, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-05-004: A rezoning from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-Family-8) for the properties identified as 224-228 College Road, generally described as southeast of College Road and southwest of Savoy Lane, (1.49 acres). (Approved)

Mr. Kirkman reviewed the zoning map for Z-20-05-004 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition associated with the request. Chair Holston requested the applicant to provide their name, address, and state their case

Tom Terrell, Fox Rothchild. 230 North Elm Street, represented Solution Architects. Letters were sent to 145 property owners within the 600 feet and several discussions with them in response. The only question was will it be apartments or town homes, and it will be townhomes. Mr. Terrell displayed slides depicting how the townhomes would look. This is a very mixed-use area. A slide illustrated how heavily the mixed-use character of the area was and why having another 1.5 acres as multi-family would not be a problem. There will be substantial transitioning across the street which the neighbors are in support of. Slides were shown depicting the area and how the property appears currently. Mr. Terrell advised there was nothing regarding this proposal that challenges a neighborhood that is a sea of uniformly developed properties. The proposal will enable the properties to transition to something everyone would appreciate it rather than degrading and become eyesores. Based on the neighborhood conversations, there was good support once it was learned it was not going to be apartments. This is a type of urban infill that should be supported.

Chair Holston inquired if the Commissioners had questions from Mr. Terrell. Seeing none Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Holston inquired if there was

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anyone in opposition to the request. Seeing none, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Commercial on the Future Land Use Map. The proposed rezoning request does support both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive and healthy places to live and raise a family. The proposed CD-RM-8 zoning district permits uses that are compatible with the uses present in the surrounding area and increases the range and choices of housing. Staff recommend approval of the request.

Chair Holston inquired if there were questions for city staff, discussion, comments, or a motion. Mr. Engle stated in regard to agenda item Z-21-05-004, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties identified as 224-228 College Road, from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-family-8) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-8 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0).

Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Mr. Kirkman advised there was not closed captioning for this meeting and the Commission did not have to take a break unless needed by the Commissioners.

Chair Holston advised there would be a 15-minute break. A break was taken at 7: 25 p.m. The meeting resumed at 7:40.

PL(P) 21-013 & Z-21-05-005: An annexation, original zoning and rezoning from County AG (Agricultural) and City R-3 (Residential Single-family-3) to City CD-RM-5 (Conditional District-Residential Multi-family-5) for the properties identified as 800 and 816 Roberson Corner Road, generally described as north and east of Roberson Corner Road and east of Lake Jeanette Road, (11.911 total acres). (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map for PL(P) 21-013 and Z-20-05-005 and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request. Chair Holston inquired the Commissioners if there were any questions. Ms. Skenes asked if there was a watershed around Lake Jeanette. Mr. Kirkman stated on page 3 of the staff report, it was noted that the site drains to the Lake Jeanette watershed and was Tier 3. Chair Holston requested the applicant to come forward and provide their name, address, and share their plans.

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Marc Isaacson, 804 Green Valley Rd, Suite 200, represented Lake Shore Residence, LLC, a local developer committed to the construction of high-quality residential communities in and around Greensboro. Attorney Isaacson introduced Mr. Akbar from Lake Shore Residence, LLC and Civil Engineer, Ed Collins, all available for any questions from the Commission if needed. He then noted were requesting a rezoning from R-3 to CD-RM-5 for the property currently located in Guilford County that adjoins property already in the city. All are under the same ownership of Lake Shore Residence. Lake Shore Residence is asking for annexation and an original zoning to match up with the CD-RM-5. The Comprehensive Plan designates this area to be annexed as Growth Tier 1, indicating the city has recognized the development potential of this location and can extend city services to the property. The proposed development requires a slight increase in the overall density from R-3 to RM-5 which is consistent with existing residential uses in the surrounding area. Per Greensboro DOT's requirements, the applicant agreed to and will pay for the widening of portions of Roberson Comer Road where necessary to match up with the already widened Roberson Comer Road that leads out to Lake Jeanette Road. Attorney Isaacson depicted an illustrative preliminary sketch plan that had gone through the preliminary TRC process, depicting Roberson Comer Road coming around the edge of the property. It enters at a cul de sac where vehicles would access to the townhome community. There are 47 townhomes proposed.

Attorney Isaacson noted that if the property was developed as R-3, there would be approximately 35 single-family detached homes. Mr. Isaacson stated there was a significant retention pond proposed that was reviewed by TRC staff and Stormwater Services. It would be sufficient to handle the water run off from this development before reaching Lake Jeanette. A tree save area was also shown in the low-lying area of the property east of the pond. Townhomes require buffers and there will be extensive landscaping buffers installed and a vegetative buffer for adjoining properties. This property has been vacant for a very long time and Lake Shore believes this is appropriate for low density townhome development that is much needed to provide housing in this area. The townhome community will be managed by a Homeowners Association as required by the City Ordinance that will own the retention pond, the common areas, and the roadways. The members of the HOA will be homeowners in the community. The condition was added voluntarily that at least 50% of the building materials of high-quality materials such as brick, wood, stone, and glass. This will be a townhome development with two car attached garages.

Attorney Isaacson further noted a letter was sent out to the residents and property owners in the area, describing the project, condition, and background regarding the property, developer, and the Comprehensive Plan. A neighborhood meeting was also held virtually on May 6 and there were approximately 10 participants who joined the meeting. Most of the questions centered on the current lots to the north located in Guilford County. Some owners have lots that are vacant in Guilford County and had questions regarding access to those lots. It appears the lots are landlocked and without direct access to a public right of way. A request was made of the applicant if they would be willing to open up access through the townhome community and the private streets to the property owners north. Mr. Isaacson checked with GDOT and city staff with the conclusion that Lakeside could not provide access to the county property owners across private streets for a number of reasons. The property owners north of the property were advised that they could not provide access and provided the reasons why. Mr. Isaacson checked with staff and there have been no other communications. This is a quality project, a good fit under the Comprehensive Plan, consistent with other low density and/or moderate density townhomes, and single-family residences in the area. The bonus is the applicant will take care of the upgrade of Roberson Comer Road in this area. With Growth Tier 1 next to the city limits, the applicant would submit this is a logical growth area for the

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city and as way to provide much needed and reasonably affordable housing in this growing area. Lake Shore is committed to quality construction per a condition requiring the building materials.

Chair Holston inquired if the Commissioners had questions for Mr. Isaacson, Mr. Akbar, or Mr. Collins. Seeing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request.

Debra Ross, 1108 Crescent Street, stated the parcel she has is landlocked and was part of the larger property owned by Mr. Atkinson that also includes the subject property. Ms. Ross stated the developer wants to block out land that was their ancestors who were slaves and had to work for the land that was left to them. Ms. Ross is not ready to build. Ms. Ross felt any developer would be locked out and unable to access her property because the developer wants to buy that land. Ms. Ross would like to build on her land at some point and does not want to be land locked. On the deed it was stated that they would have the right of way of the property and asked how the developer do could that.

Chair Holston was not familiar with the property or how it was acquired, and referred to city staff to respond to how that applies in this case. There was no dedicated public right of way that exist at this point. Mr. Kirkman did not believe there were any recorded easements. Ms. Ross stated it is on her deed and has been since it was given away 100 years ago. It is documented she has a right of way to get to her land. Chair Holston was unsure if this was something Zoning could address, but asked if it said how the access would be or where. Ms. Ross responded the north part of her great grandmother's plot. An engineer would have to look at that. Mr. Tipton agreed with Mr. Kirkman and felt it was a question for a lawyer. The conversation with Mr. Isaacson was that GDOT or Planning does not have a mechanism to require a developer to provide access to the land. The lot would not be created in the city now without access, but it is an established lot. Mr. Kirkman stated Zoning does not have an enforceable provision since the lots are established and are in the county and not in the city jurisdiction. There is a question about whether or not legal needs to be involved in attempting to sort rights for access based on deeds. That is more of a private matter than what the city can enforce. Ms. Ross felt until this can be determined and her being able to access her property, there should be a hold on this request.

Chair Holston asked Ms. Ross when she first received notice of any activity on this property. Ms. Ross responded when the letter was sent advising of the meeting for rezoning. Chair Holston inquired if Ms. Ross had sought assistance since that time. Ms. Ross responded she did not think she needed assistance as everything was in writing. Mr. Engle stated typically with a case like this with a legal dispute, there would be contact with an attorney to have a conversation in a courtroom. All Zoning can do is decide land use. The land use is whether houses can be built on this property or otherwise. It is county access now. The developer could go to the county and decide to rezone it to build houses in the county and it would be the same problem. Regardless of whether it is brought into the city or, whether townhomes are built here or not there are other things that could be done. There are permitted uses within County AG and Ms. Ross would probably still need to contact someone to legally determine what her options are to do that. Given there is something in writing, that would be enforceable. The Zoning Commission is not the arbitrator.

Chair Holston inquired if there was anyone else to speak in opposition to this request.

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Carlos Motley, 6 Hackberry Court, Brown Summit, advised he had the same issue as Ms. Ross with his property on the north side and close to the lake. No access is allowed into any of the land-locked properties and poses a problem for most of the residents. Mr. Motley has had conversations with individuals within the Planning Department regarding what the options were. No access through that property makes it very difficult. Mr. Motley is aligned with Ms. Ross and her position in terms of legal issues that need to be addressed to ensure they are locked in and would like to know more about those options. Chair Holston responded this is not the venue for zoning to provide legal advice and understood these were issues for the homeowners. Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Seeing none, Chair Holston inquired if the Commissioners had questions for those who spoke in opposition. Hearing none, Chair Holston inquired of the applicant for rebuttal.

Mr. Isaacson stated they understood and empathized with those who have spoken regarding the properties to the north. His client acquired the property as a parcel and did not create the boundary lines of the parcel. Lake Shore took the property as it was found and acquired it in good faith. There may be ways to approach this but agreed they probably should obtain legal counsel regarding the access issues and how their lots may be organized to provide reasonable access. The issue has been investigated with staff and Mr. Isaacson reviewed it as well. His client has applied for what they considered to be a very reasonable rezoning and original zoning. They have submitted a high-quality application for a great project that will fit in well with the area. Roberson Comer Road will be improved and there will be a lot of benefits with this project. Ms. O'Connor asked Mr. Isaacson if could repeat about widening and improving the road. Mr. Isaacson stated his client was asked by GDOT to take responsibility for widening and upgrading Roberson Comer from its terminus at this property up to the point as determined by GDOT that would be appropriate to provide reasonable access for vehicles in and out of the property. Chair Holston asked if that roadway improvement would go beyond the property line. Mr. Isaacson responded as he understood it, it would. They would be subject to GDOT's determination but his client has agreed to be responsible for those improvements up to a point where GDOT has determined. Mr. Isaacson understood that to mean that it would go up to the currently existing Roberson Comer Road where it is widened and improved to city standards and would connect to where it is currently improved. Mr. Tipton confirmed and advised the applicant did agree to widen beyond what is required of a normal site plan subdivision development, to a minimum width for safe ingress and egress for two way traffic on Roberson Comer to a point somewhere along where Roberson Comer turns and goes south with the property and is where the widening would stop. Mr. Tipton measured 14 and 17 feet in different places. It is a very narrow road currently. Chair Holston inquired if there were additional questions from the Commissioners for the applicant. Mr. Isaacson stated there is a real benefit to having this project annexed into the city and zoned RM-5. Mr. Rosa asked if Zoning approved the request, was there a chance to have access for those who do not have access currently or would it be too late at that point. Mr. Buansi advised without looking at the documentation for an easement, was unable to say. With respect to the Zoning Commission's charge in evaluating the use and impacts on surrounding properties, those are their considerations for rezoning decisions. Chair Holston inquired if there were additional questions for Mr. Isaacson. Seeing none, Chair Holston requested to hear rebuttal from those in opposition.

Carlos Motley, stated at this point, considering the fact there is still additional information that needs to be known, especially for those who are currently land-locked, there are legal issues that need to be determined for the best direction. Mr. Motley asked the Commission to put this on hold in order to obtain legal information and

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possibilities in regard to their land and ingress/egress. There are others blocked in who are not present at this meeting. Mr. Motley spoke on behalf of everyone who is land-locked currently. Chair Holston inquired if Mr. Motley knew if any others have taken any type of action. Mr. Motley responded it was hard to have everyone together at one time. People are attempting to determine what their options are individually.

Chair Holston stated it appeared Mr. Motley would like a continuance. This could go on to City Council and could then petition the Council for additional time. Chair Holston advised there were different avenues the applicant and those in opposition could take. It could be a request for a continuance of this meeting to be held at a later date. This request was going to City Council regardless of the outcome from this meeting for a hearing with City Council members on June 15, 2021. Chair Holston asked Mr. Motley if he was specifically requesting for a continuance or simply saying that there would be more time when this case goes to City Council and have the discussion there. Mr. Motley responded that would give them enough time to legally figure out what needs to be done. The June 15th date was good. Mr. Engle stated from a procedural standpoint, Zoning has gone through 15 minutes of presentation, 15 minutes of rebuttal, 5 minutes of rebuttal and now asking if they want a continuance. That option should have been asked at the beginning of the meeting. It's being heard now; it is an original zoning. There was a conversation regarding streamlining the meeting for other people that are present. Chair Holston responded in the past there have been cases where the cases went on and the request for a continuance came up, the request was listened and times when it was granted and voted on. Chair Holston stated he has asked those in opposition what they were asking for, more time or a formal continuance. Mr. Motley advised they were not asking for a continuance as this case will go before City Council and that would be enough time for them to do what was needed. Ms. Ross agreed with Mr. Motley to wait until June for time.

Chair Holston inquired if there were additional questions from the Commissioners for those in opposition during rebuttal. Seeing none, Chair Holston closed the public hearing and requested to hear from staff. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed original zoning and rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-5 zoning district allows low intensity residential uses that are compatible with the various uses located nearby. Staff recommended approval of the request.

Chair Holston inquired if there were questions for Mr. Kirkman, or discussion by the Commissioners. Mr. Kirkman advised the Commission there should be a motion on the annexation portion first and then a motion on the original zoning and the rezoning as a combined item. Ms. O'Connor made a motion to approve the annexation. Seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford and O'Connor. Nays: 0). Chair Holston stated the motion constitutes a favorable recommendation and subject to a public hearing at the June 15, 2021 City Council meeting.

Ms. O'Connor stated in regard to agenda item Z-21-05-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning and rezoning request for the properties described as 800 and 816 Roberson Comer Road from County AG (Agricultural) and City R-3 (Residential Single-family-3) to City

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CD-RM-5 (Conditional District-Residential Multi-family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-5 zoning district would allow low intensity residential uses that are compatible with the various residential uses located nearby; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation and is subject to a public hearing at the June 15, 2021 City Council meeting. Chair Holston advised Mr. Motley and Ms. Ross to seek legal advice in preparation for the public hearing on June 15, 2021.

Z-21-05-007: A rezoning from O (Office) to PUD (Planned Unit Development) for the properties identified as 3507-3511 West Market Street, generally described as south of West Market Street and west of Ashland Drive, (15.51 acres) (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions related to the request. Mr. Kirkman also advised of the Unified Development Plan that is with the case, noting the Commission has two items to consider. Chair Holston inquired the Commissioners if there were any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to state their name, address, and case.

Michael S. Fox, 400 Bellemeade Street, Suite 800, represented the applicant, Koury Corporation. Present with Mr. Fox was Richard Vanore of Koury Corporation, John Davenport, Traffic Engineer, and Anthony Lester, Adams Engineering to answer any questions regarding the site plan. Mr. Fox advised this site is currently zoned O and they would like it changed to PUD to allow for the development of multifamily development and additional office development. The PUD allows a mixed-use development and internal setbacks, shared driveways, etc., which they felt makes the project work better as a whole. The goal is for a high quality, multi-family community between the existing office uses and the church. Additional medical office development on the undeveloped section that fronts Market Street along with a structured parking for the medical office development. This a great site for continued medical office development and multi-family in a very desirable area with many amenities. Attorney Fox further noted the development is supported by the Comprehensive Plan and the Lindley Park Neighborhood Plan. As outlined in the staff report, it also aligns with a number of the goals in the Comprehensive Plan, primarily those regarding infill in the Filling in our Framework and Creating Great Places Big Ideas. Conversations were held with neighbors of the property. Letters were sent out to everyone on the required list within 600 feet and encouraged to attend a Zoom meeting. There were approximately 15 neighbors at a meeting on May 4 with representatives from almost all sides of the property. There were specific meetings with the owners of the multi-family development and representatives of the church regarding concerns and questions specific to the church. There have been a number of emails and phone conversations with individual neighbors. The main questions and concerns were the potential for traffic increases and how the property would be accessed. After having that conversation, the impression was most people felt very good about their concerns and questions. The neighborhood meetings were very productive.

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Richard Vanore, President, Koury Corporation, 1807 Nottingham Road, stated this development has been years in the making and was acquired in the early '90s and immediately began preparing for the property development. The project was delayed while focusing on the development of Grandover Resort. Koury Corporation was proud of what has been accomplished in Guilford County and remains fully committed to enhancing this infill location with another landmark property. This will be a top tier project aiming to attract medical office and providing cutter edge upscale living opportunities. The medical office building in the northwest portion of the site plan will be a cutting-edge design and roughly 30,000 square feet, two floors, with a parking deck adjacent to it. The multi-family community will be a gated community consistent with 1, 2- and 3-bedroom dwelling units ranging in size from 600 to over 1500 square feet. The buildings will have elevators and state of the art amenities. Adjacent to the site is Starmount Country Club. Friendly Shopping Center is close by. Within minutes of the site is Downtown Greensboro, the Arboretum, and Four Seasons Shopping Center. Koury Corporation is confident in their ability to fulfill the goal for this infill location. It will be an asset and outstanding asset to the surrounding neighborhoods, increase Greensboro's tax base, and provide Greensboro with excellent housing options.

John Davenport, President, Davenport Engineering, 119 Brookstown Avenue, Winston-Salem, advised there was no indication of any adverse impacts from this project as far as traffic. There are two full access points with auxiliary lanes in place on Market Street that will facilitate access to the site. There is an exit only on Ardale Place and which is also an emergency gate. Turn lanes were developed when the site was originally graded and are sufficient to handle the traffic entering and exiting the site. Mr. Davenport stated this proposed land use is half of the potential traffic that would be produced if the site were developed as a medical office which is the current zoning. By approving the site as planned, traffic impact will be cut by about half.

Mr. Fox stated this project is supported by the Comprehensive Plan which supports the mixed-use infill type development and the Lindley Park Neighborhood Plan. The PUD meets all the applicable requirements of the Greensboro Lane Development Ordinance. Koury Corporation intends to complete the development on the site with high quality development consistent with the other recent projects and will be a great amenity for those who work there, those who visit there, and those who live there. Planning staff has recommended approval of this request and he respectfully asked the Zoning Commission to approve this request.

Chair Holston inquired if there were questions for Mr. Fox, Mr. Vanore, or Mr. Davenport from the Commissioners. Seeing none, Chair Holston inquired if there was anyone to speak in favor of the request. Seeing none, Chair Holston asked if there was anyone in opposition to the request.

Maury Schott, 3510 Parkwood Drive, spoke with Mr. Vanore shortly before the meeting. Mr. Schott's concern was allayed regarding the access from the development to Ardale Place and Ashland Drive, as this is a very winding street that goes along Greensboro Arboretum with no sidewalks much of the way. Mr. Schott felt their treatment of it would be exit only and allayed most of his fears. Chair Holston thanked Mr. Schott for working it out. Chair Holston inquired if there were any questions for Mr. Schott. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to the request.

David Wallace, 3703 Mossburr Drive, stated there are no questions regarding zoning but spoke with Mr. Vanore and was satisfied. Chair Holston inquired if there was anyone else wishing to speak. Seeing none, Chair Holston inquired if Mr. Fox and team had rebuttal. Mr. Fox responded they had no rebuttal. Chair Holston inquired if there

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were any questions from the Commissioners. Hearing none, Chair Holston closed the public hearing, and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map. The subject parcels are also designated as Mixed-Use Office within the Lindley Park Neighborhood Plan. The proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework Big Idea to encourage higher density, mixed-use, and walkable infill development and the Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The proposed PUD zoning designation, as conditioned, allows a mix of office and residential uses in immediate proximity to each other and similar uses in the immediate area. The zoning also encourages appropriate scaled development along a major thoroughfare while providing good transitions to nearby low intensity residential development. Staff recommended approval of the request.

Chair Holston asked the Commissioners for thoughts, comments, discussion, or a motion. Ms. Skenes advised she started having calls about this particular item the day after being appointed to the Zoning Commission. There was concern regarding traffic and height of the buildings. Ms. Skenes advised she applauded Mr. Fox and Mr. Davenport for addressing those concerns and making this a non-contentious process. Ms. Skenes was prepared to make a motion. Chair Holston inquired if any other Commissioners had comments before moving to the motion.

Ms. Skenes then stated in regard to agenda item Z-21-05-007, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3507-3511 West Market Street, from O (Office) to PUD (Planned Unit Development) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.)The proposed Planned Unit Development (PUD) zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.)The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such appeal.

Chair Holston then inquired if there was a request for a roll call on the UDP. Mr. Engle moved to approve the UDP. Seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised it constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such appeal. Mr. Kirkman stated the UDP (Unified Development Plan) would only with the Planned Unit Development. If there is action on the one, the other one follows. Otherwise, they both would be final action.

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Z-21-05-008: A rezoning from CD-C-H (Conditional District-Commercial-High) to CD-LI (Conditional District – Light Industrial) for the properties identified as 4160 Near Pleasant Garden Road, 4150 R1 Pleasant Garden Road, and 121 Near East Emsley Drive, generally described as west of Pleasant Garden Road, east of East Elmsley Drive, and north of I-85, (114.21 Acres).

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the condition related to the request. Chair Holston inquired if the Commissioners had any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to come forward and state their name, address, and case.

Michael Fox, 400 Bellemeade Street, representing Carroll Industrial Development. Paul Smith, Vice President of Legal Affairs at the General Counsel for Carroll Companies, Evan Stone, Vice President of Industrial Business Development for Carroll Industrial Development, and John Davenport, Traffic Engineer, Davenport Engineering were also present. Attorney Fox stated this site was zoned in the early 2000s for a shopping center and a movie theater which never materialized. Light industrial use is a very high demand and they were asking for this site to be changed to LI for industrial development. The proposed development, as conditioned, is consistent with the Development Ordinance, the Comprehensive Plan, and compatible with the general character of the surrounding area. He noted this site is adjacent to the interstate and in close proximity to a number of other industrial and commercial uses. Adding this back into the inventory for industrial sites will be critical for economic development. A slide was depicted highlighting the surrounding area of the site. Conditions were listed with the uses that were excluded. Notices were mailed to everyone within 600 feet with a description of what the rezoning would be and contact information to reach Mr. Fox. To date, there has been no contact. A traffic study has been done that showed no adverse impact from the traffic associated with this project. The two existing access points will be used on South Elm Eugene Street. There were minor signage recommendations to ensure tractor-trailer traffic does not go down the wrong street and minor improvements related to traffic. Mr. Fox stated the current zoning for the shopping center is a very high traffic generator. The proposed Industrial Development use is roughly 10% of what the commercial shopping use would have.

Paul Smith, Vice President and General Counsel for Carroll Companies noted that his company had invested in this general area for approximately 20 years starting with the Wynmere residential subdivision for single-family homes and the Treybrook Apartments. Around that same time before the I-85 bypass was put in place, Carroll Companies acquired approximately 60 acres of land at South Elm Eugene. An opportunity came to sell the 60 acres to Granite Development around 2002-2003. Granite was more experienced with heavy commercial and retail development and followed through with the heavy commercial development seen west of South Elm Eugene, including Walmart, Lowes, Cracker Barrell, and a lot of the other restaurants. Carroll companies undertook their own commercial development on the east side of South Elm Eugene Street called Brittway One, parcel lots with restaurants, and a Credit Union. A strip center retail that includes Verizon, Pizza Hut and other commercial development had also been development. There are other lot up for sale or lease, build to suit on the commercial side of Brittway One. This particular land was annexed into the City and acquired in 2007. The original zoning with that annexation included the commercial zoning allowing retail or heavy commercial shopping center use. Carroll have been actively marketing and seeking users for that use for a number of years but has more recently been studying and getting heavily into industrial development and job creation for the last number of years. A special division was created, Carroll Industrial Development, US. Evan Stone was hired is the

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Vice President of Industrial Development. Recent projects have been undertaken close to Greensboro that will benefit Greensboro, including Build to Suit a manufacturing facility that will employ several hundred employees. Carroll Companies is actively seeking other industrial development opportunities around the city. This particular property checks a lot of boxes and has an interesting layout, including bisected by a railroad as shown in one of the earlier slides. It provides an interesting opportunity for industrial development because it would allow for a potential spur to come off of the rail line and could be used to facilitate and support a manufacturing facility or industrial facility on this property. It also has great access and visibility to the interstate systems and I-85. The site has been identified as a prime industrial site, not only for Guilford County but also for the entire state. The future development with this zoning will increase the tax base, provide opportunities for economic development and growth, and provide the potential for job creation.

Evan Stone, VP of Carroll Industrial Development, 201 North Elm Street, stated Carroll Industrial is a subsidiary of the Carroll Companies. This site is fantastic for industrial and economic development. Greensboro and Guilford County are very much in need of industrial development and economic development sites that are properly prepared and ready to go for industrial uses, large employers, and things of that nature. This site was identified by Duke Energy as a potential Duke readiness site. The site was put through a very intensive, all level site study from GEO Technical Phase 1, Wetlands Delineation, archaeological sites, an endangered species site survey, a topography survey, soil borings, and all the things that go with an intensive civil site survey in getting all those studies prepared. Mr. Stone stated the zoning was one of the last steps in the Duke site readiness program. Site selectors were on the site reviewing the site leading to the final step. Things that make this site fantastic is there is a quarter mile of interstate frontage, access points from the east and west sides, rail running along the eastern corridor to bring in feed stock to any manufacturing. The site has 10 megawatts of power, probably more than ever could be used or put as use on the site for that much power. Carroll Developer is an active player in economic development in partner with the community. There have been several conversations with the economic development community. Not only is this a marquee site, it is probably one of four or five in the state and definitely will be the only one in the county to have the Duke site readiness certification. It will provide a great location for light manufacturing operations with significant impact in the jobs and capital expenditure realm. The site will be a great addition to the economic development spear of Greensboro and will bolster the economic development. Carroll has made significant investments into the site to get it to the point where it is ready for development. They are excited about this project and feel this is something that can be a great asset for Greensboro going forward.

Chair Holston inquired if the Commissioners had questions for Mr. Fox or his team. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Ms. O'Connor advised no one registered. Chair Holston closed the public hearing and requested to hear from city staff for a recommendation. The Commissioners will then discuss and vote.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial Campus on the Future Built Form Map and Industrial on the Future Land Use Map. The proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-LI zoning district allows a

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variety of warehouse, distribution and limited manufacturing and assembly uses that are adjacent to an interstate highway and in close proximity to a variety of heavy commercial and other industrial uses. Staff further noted that in dealing with the development care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval of the request.

Chair Holston stated he appreciated the outreach for the economic development, industrial development, and jobs in east Greensboro. An area that does not always see a lot of jobs coming in. This will be a great project. Chair Holston inquired if the Commissioners had other thoughts, comments, or a motion.

Ms. O'Connor stated in regard to agenda item Z-21-05-008, The Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 4160 Near Pleasant Garden Road, 4150-R1 Pleasant Garden Road, and 121 Near East Emsley Drive, from CD – CH (Conditional District – Commercial – High) to CD-LI (Conditional District – Light Industrial) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district, as conditioned, permits uses which fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such an appeal.

TEXT AMENDMENTS:

PL(P) 21-14: Amending Sections 30-4-1.4 (Mailed Notice), 30-4-8.7 (District Boundaries), 30-7-8.2 (District Standards), and 30-13-9.2 (Owners Associations) of the Land Development Ordinance related to the Airport Overlay District.

Mr. Kirkman advised the first text amendment request will be making amendments to the City's airport overlay district.

Steve Galanti, Greensboro Planning, advised that city planners have two tools that can be used to guide development within their jurisdictions. First is the base zoning district; second is overlay districts. The base zoning district is a list of uses and dimensional standards applicable for property and applied across the entire city. Meaning if you have property zoned commercial on the north side of town, its dimensional standards, the setbacks and height alignments are the same as if the property was located on the south side of town. Overlay districts differ because they have additional regulations for a specific geographic area. Mr. Galanti wanted the Commissioners to know that because the change proposed to the Overlay District does not make any changes to the base zoning district. That means that if currently a piece of property inside the airport overlay district that does not permit residential uses, changes to the overlay district will still not allow residential unless the property is rezoned. It does not change the base zoning district or the uses currently permitted. Mr. Galanti advised the purpose for the Airport Overlay District is three-fold. To limit uses compatible with the airport operations; to

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offset the negative impacts that aircraft noise may have with residential uses; and prohibit large structures that will interfere with the airport's operation. The overlay district has a specific geographical area and a special set of regulations.

The current Airport Overlay District has two regulations. One is if a proposed structure exceed 50 feet in height, the airport has to approve. Second, residential single-family detached dwellings are prohibited unless located on lots exceeding 40,000 square feet. The current boundary being used, the specific geographic area, is from the Airport Area Plan adopted by the county and incorporated into the Land Development Ordinance in November of 2003. At that time, City Council decided to move from the 65 DNL outline to the 60 DNL outline. The 60 DNL line was determined by the Airport as part of their study and is the area that depending on its climate, topography, existing development, operations of the airport were over the averaged over 24 hours, the sound level will be 60 decibels. According to the FAA, all uses are compatible with sound at the 65 DNL line, the 65-decibel line. Since that time, the airport has updated the Part 150 study with a new boundary for the 60 DNL line. This occurred is because of airport operations, how planes are landing and taking off and the aircraft is using the airport at the time. City staff has been requested to look at updating the Overlay District.

In doing the update, city staff checked with the airport who raised concerns that significant changes would curtail future expansion for the airport. The Airport also wanted city staff to keep in mind aircraft are still taking off and landing and will still have noise impacts in the area even though the 60 DNL line decreased in size. Two other proposals staff was reviewing in making the changes were twofold. One was if a particular use is permitted in the overlay district it does not curtail use. The second goal was to not create any non-conforming issues. Staff is proposing that the current boundary of the Overlay District be divided into two sub-districts, District A and District B. District A would be the area from the 2007 study, the 60 DNL line and the staff proposal. Option A would mimic the two existing regulations pertinent to the Airport Overlay District. Those are the two regulations concerning structure height and prohibiting residential single family detached dwelling units on lots less than 40,000 square feet. District B will be the area between the 2007 line in the current boundary of the Overlay District, shown on the map depicted on the screen. The majority of that area is located north of Bryan Boulevard. In Option A, residential development will be allowed with two caveats. If that were to be done, there is a notification requirement. Landowners would need to notify potential buyers that there is the potential for impacts from aircraft noise in that area. The second caveat is if a residential dwelling unit is constructed inside B, they would need to use methods to incorporate noise level reductions. That entails using building design or materials to reduce the noise heard inside the dwelling unit itself and would have to be reduced to at least 30 decibels. In the text amendment it is incorporated and will be in the split parcel provision that says is if the parcel is split by the outer boundary of the district B line, the parcel would be considered outside of the Overlay District. Except you cannot have the effect of moving that line more than 600 feet and it cannot encroach into area A. Mr. Galanti provided an example. There was an overlay project off of Horse Pen Creek Road and the outer boundary at District B, the yellow line on the map. It splits the parcel and has shifted. The entire parcel cannot be considered outside of the overlay district since the line can only move 600 feet depicted by the blue line on the map. As part of this effort, there was extensive public outreach. The media covered this and there was a press release. There have been discussions with the airport major land owners and the Greensboro Chamber of Commerce. A web site was created dedicated solely to this effort. On that website there was a short video explaining the changes, information on the change in the form of frequently asked questions, and an interactive map where land owners

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could type in their address and find out if they are in district A or B, or were outside the Airport Overlay District. There were four informational sessions via Zoom, two in October of 2020 and two in April of 2021. With the text amendment process, notices are mailed to those affected by this change and notices published in the newspaper. This text amendment was before the Zoning Commission several months ago. On the way to City Council, the Airport raised concerns regarding the text amendment and asked City Council to instruct staff to look into requiring a noise level reduction and notification requirements in the entire Airport Overlay District. That is option B. Since that time, the airport has come back and, in an effort to not create any non-conforming uses, have offered vesting language to allow existing dwellings located inside the Airport Overlay District to be reconstructed if they become damaged. The changes to the Airport Overlay District have two options, Option A and Option B.

OPTION "A": The proposed overlay district would be divided into two parts: 1) Sub District-A: continues to allow single-family dwellings on lots greater than 40,000 square feet; and 2) Sub-District-B continues to allow single family dwellings on lots greater than 40,000 square feet, and allow other residential uses with notification and noise level requirements.

OPTION "B" : The current boundary of the Airport Overlay District will be divided into two parts: 1) Sub District-A would allow single-family dwellings on lots greater than 40,000 square feet with notification and noise level reduction requirements; and 2) Sub District-B allow all residential uses with notification and noise level reduction requirements.

There is a third component, the revision that would allow existing residential uses located within the Airport Overlay District to be rebuilt if they are damaged. Staff respectfully requested a public hearing be held to receive public comments and make a recommendation to City Council. This is the public hearing before the Zoning Commission to make a recommendation. This item is tentatively scheduled to be heard on June 15, 2021 at City Council where they will also have a public hearing and consider adoption of the ordinance.

Mr. Galanti asked if any of the Zoning Commissioners had questions. Mr. Engle stated existing single-family homes could be rebuilt and asked if that was the only thing that is in Option B. Were there any residential multi-family uses, light-industrial uses in that zone. Single-family detached and the multi-family under B if they became damaged would be able to be rebuilt. Under A, they would be rendered non-conforming and in order for them to be rebuilt, they would have to comply with the use notification and the noise level reduction requirements. Mr. Galanti stated the use regulations have no impact on non-residential uses located in the Airport Overlay District. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston requested to go down the list for speakers. Ms. O'Connor advised three neutrals and a variety of people in favor of Option B, all from the Airport Authority. Mr. Kirkman stated he would recommend going with counsel for the airport, Mr. Terrell or Mr. Cooke to begin with. Many of the parties are here in support or neutral to the request. Chair Holston requested Mr. Terrell to speak.

Tom Terrell, Fox Rothchild, 230 North Elm Street, representing the Piedmont Triad Airport Authority. The issue before the Zoning Commission is not whether there are protections but what those protections should be. Mr. Terrell stated that the Airport was asking to recommend Option B to City Council and to explain the differences

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between A and B, and how important it is to the Airport that Zoning recommend Option B. Mr. Terrell introduced Bill Cooke, General Counsel for the Airport Authority to explain.

Bill Cooke, 3 Stonecreek Court, stated the Airport Authority was asking for Option B to be recommended by the Zoning Commission to City Council versus Option A. The difference has to do with the requirement the Airport feels is very important for the protection of new residents in the Overlay District. The notification requirement is very important for anyone buying a house in the Overlay District. It informs the buyers that they are in an overlay district with aircraft overflights.. It is mentioned that there are flights at night. Most houses will be shown during the day when potential buyers may not be aware of the night traffic. The airport is growing and there will be future growth with over flights. The 30 decibel sound reduction is also very important so the Airport can provide extra sound insulation for dwellings against the outside noises. The disagreement starts with Option A, Planning proposal. The two requirements would not apply at all within the inner zone, District A. It would only apply in District B, the outer zone. The Airport feels very strongly about Option B because it made good sense.

As the planes head from B into A, they are progressing with lower elevations. It is very important that buyers within Zone A receive that notification and have the 30 decibel reduction standard for noise insulation for both Zone A and B. The Airport's proposal would have them be the same in both zones. The second difference is under Option A, the Planning Department proposes that the 30 decibel noise reduction would not apply even in Zone B if it is 40,000 square feet or greater. The Airport does not see why the 30 decibel reduction requirement applies to houses on lots less than 40,000 square feet, but not for houses on lots over 40,000 square feet. There is no reason the Airport can see for the distinction. The Airport's proposal would eliminate that distinction and the 30 decibel reduction requirement would apply to all lots.

Mr. Cooke emphasized the Airport did not introduce this change on the way to City Council. The amendment was passed through the Zoning Commission. In a letter to the Planning Department on August 31, 2020, it was stated that the Airport felt these requirements should apply in both Zone A and Zone B. In October of 2020, the Airport Board passed a resolution that the requirements should be applied in both zones. This is not something that was introduced at the last minute. The Airport has had to correct this misimpression before. This is a consistent position the Airport has taken all along. As mentioned by Mr. Galanti, they have added in their proposal a vesting requirement of rebuilding houses existing houses that are currently in place. If they were to suffer the misfortune of burning down or some other casualty. Mr. Cooke asked Mr. Terrell to explain what provision is being proposed to take care of that non-conformity issue.

Tom Terrell then stated what was being shown is something the Airport has only recently come up with because staff was making it clear they were concerned about non-conformities. Language was added to Option B to clear up any non-conforming issues. It was only to fix a problem that was raised. A power point presentation was shown indicating the language in the original 3B section. They have proposed to add six lines to the noise level reduction section in the Overlay. The language shown was the language proposed by the Airport to add making it a non-issue. If someone's home burns down, they are exempted. They are grandfathered and would not have to build back to the new standards. It could be built back to the standards that existed at the time the home was purchased. It is very simple and recommended the new language. The Airport Authority asked the Zoning Commission to recommend to City Council Option B.

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Chair Holston inquired if there were any other speakers.

Edward Lindsey, 600 and 602 Millwood School Road, stated it appeared his home fell into the AOD-A and was very confused. He has approximately 6 1/2 acres of land with two very old houses. Mr. Lindsey opted not to get the noise installation because if there were structure problems, he would receive \$1000. Mr. Lindsey was concerned if something happened to his property, he would have to bring it up to a standard where it meets the 30 decibels. It is an older house and there was no way it could. Mr. Lindsey's understanding was if his house burns down, he would not be required to build it back to a standard of a 30 decibel reduction. Mr. Terrell advised that was correct. Mr. Galanti stated that would be in Option A and Option B. Mr. Lindsey felt he was locked in-between. He is next door to the 6 story Hilton Garden Hotel. His property is A1 and commercial property. His has a perennial screen that goes through the middle of his 6 acres. Mr. Lindsey felt stuck with a situation of having two old houses there and if something happened to them, he would not be able to rebuild them.

Mr. Galanti stated under Option A and Option B, Mr. Lindsey would be allowed to rebuild those houses. Mr. Lindsey stated some time ago he was told that because of the location, he could not build a new house on the property. Based on the fact it was in an area where there was commercial property on both sides of his home and was stuck in the middle with an A1. Chair Holston asked if he was saying he had two existing residences on the property and if something happened to either of them, he wanted to know if he could rebuild those houses or was he saying that he wants to build an entirely new structure. Mr. Lindsey responded he has two lots with a home on one and a mobile home on the other. If something were to happen on either one of the properties, he is lost as to what he could do as a homeowner. The property has been in his family since 1950. Chair Holston asked Mr. Galanti if he was familiar with the treatment of the structures that Mr. Lindsey spoke of. Mr. Galanti responded it appears that the site is zoned R-3 which would allow single-family dwellings. Under both of the options, since it is in sub-district K, he would be permitted to build back the single-family dwelling. The only caveat would be if there is a mobile home on the site, he would not be able to replace the mobile home. Mr. Lindsey stated that is what he was told by the City because he is annexed into the City of Greensboro, not the county. He was grandfathered in because it has been there since 1970 but if the mobile home is removed, he cannot bring another one in and would have to put up home to code. Mr. Galanti stated the change to the Overlay District will not change any of that for him. Mr. Lindsey stated it is very confusing as to AOD-A and AOD-B. One says its 40,000 square feet which is the property size. It is just confusing to him as a property owner. His house is the closest to the airport. Other family homes were brought out about 5 years ago by the Airport Authority. The airport keeps expanding and the noise situation will not go away. He is in a Catch-22 and does not know what to do with the property in the event of catastrophe such as a tornado or fire. Chair Holston asked Mr. Galanti if this was a situation that Mr. Lindsey could benefit by having a conversation directly with him to look specifically at the address, the properties, and the like. Mr. Galanti responded he would be more than happy to meet with Mr. Lindsey or Mr. Lindsey could visit their Planner of the Day offices located in Development Services in the Municipal Building on UG level. Mr. Lindsey advised he lives in California but has Mr. Galanti's number and will call. Mr. Lindsey felt he had a better idea based on what has been stated.

Mr. Terrell advised no one else from the airport has anything to say. Chair Holston inquired if the Commissioners had any questions for anyone before closing the public hearing. Mr. Galanti stated as the discussion process with the Commissioners begins, he would like to bring up two items to add to the discussion. In the format of the Land Development Ordinance, the non-conforming regulations are all in Article 2, not actually in the regulations themselves. If the Commission were to recommend Option B, the Airport's revised submittal, he would request

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that as part of that motion, to have the non-conforming section moved to the non-conforming portion of the Ordinance. In addition, the Airport has the June 1 date as the date of when an existing residential unit had been constructed or a building permit was being issued. This item will be going to City Council on June 15 and Mr. Galanti would request that date be changed to June 15 to match the adopted date that Council will be discussing this item. Mr. Terrell advised those were acceptable to the Airport Authority. Mr. Engle asked how the City views the difference between a tiny house and a mobile home. Mr. Galanti stated there is not a definition of tiny house and it is not recognized as a term. In the Development Ordinance, there is not a limit on the square footage in a house and can build it as large or big as you want as long as it complies with the dimensional standards. As far as a mobile home, there is a definition that is in the Land Development Ordinance that has to do with the type of construction and the date that the unit was built. Mr. Engle asked if that could be emailed to the Commissioners. Chair Holston closed the public hearing. Mr. Kirkman stated at this point the Commission could discuss whether they would like to recommend Option A or Option B with the two changes Mr. Galanti suggested and the Airport seems to be consistent with. Ms. O'Connor moved to amend Option B, change the date from June 1 to June 15, and move the non-conforming use language into the non-conforming section of the LDO, Article 2. Second by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Ms. O'Connor moved to adopt amended Option B. Second by Ms. Skenes. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this was a favorable recommendation, subject to a public hearing on the June 15, 2021 City Council meeting.

Mr. Engle requested a short break as it had been two hours. A 5-minute break was taken at 9:52 and resumed at 9:58 p.m.

PL(P) 21-15: Amending Section 30-4-11.3 (Decision -Making -Criteria) and Section 30-8-11.1 (Accessory Uses and Structures) of the Land Development Ordinance to allow a Type 1 modification for separate utility connections to accessory structures.

Shayna Thiel, Greensboro Planning, stated agenda item PL(P) 21-15 is a proposed text amendment to the Land Development Ordinance related to separate utility connections for accessory structures. The Planning Department requests the Zoning Commission to hold a public hearing, receive public comments, and consider making a recommendation to City Council. Currently the Land Development Ordinance requires accessory structures to single-family, twin homes, duplexes, and traditional housing to take utility service by branching from the principal dwelling. If a property owner wants to install a separate electric meter, they must seek a variance from the Board of Adjustment. As part of the process, the research and review, all the separate meter requests that have been heard by the Board of Adjustment over the last 3 years have been approved unanimously by the Board. The Board directed staff to evaluate the current process and provide recommendations. Staff researched other municipalities ordinance requirements, solicited feedback from professional colleagues on the Professional listserv, and sought input from the Engineering and Inspections Department within the city. Draft text language was prepared for consideration and was shared with TREBIC, the Neighborhood Congress, and Land Use Attorneys throughout the city. From that sharing, there were no negative feedback. The process as proposed changes the review approval body from the Board of Adjustment through a variance to the Planning Director through a Type 1 modification. The process would be shortened. Property owners would not go before the Board of Adjustment seeking their request and wait a month for the Board to meet. The Type 1 modification would be

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handled directly by the Director of the Planning Department. Appeals to those decisions would be heard by the Zoning Commission. As a result, costs would be reduced for the applicants and staff time and money would be reduced. It still would be incumbent for the applicant to demonstrate practical difficulties from branching from the principal dwelling or what the need is for a separate utility connection. The change would also allow the city to continue monitoring for illegal home occupation, the establishment of additional principal uses on residential lots or new accessory dwelling units requiring additional permits. There would be checks for staff to review and a faster process for applicants.

Ms. Thiel thanked the Commission for their time and was ready to answer any questions. Mr. Engle asked if the Zoning Commission was going to hear appeals regarding utility connections. Ms. Thiel responded the Zoning Commission is the authorized body to hear appeals for Type 1 modifications. Chair Holston asked what percent of the cases coming through the Planning Director, would be appealed. Mr. Kirkman responded the Planning Department does not anticipate appeals on these items. The process is there, should someone wish to pursue it. Chair Holston asked if it was not a one to one and would not automatically come to the Zoning Commission. Mr. Kirkman responded it would be very rare that the Zoning Commission would receive an appeal request. Chair Holston inquired if there were any further questions from the Commissioners. Hearing none, Chair Holston inquired if there was anyone signed up to speak. Ms. O'Connor advised there was no one signed up to speak. Chair Holston inquired if there was anyone wishing to speak from the Zoom floor for this amendment. Seeing none, Chair Holston closed the public hearing and requested to have discussion and a recommendation for City Council. Ms. Skenes stated this amendment came from the Board of Adjustments. BOA had many cases regarding electric meters and this action has been needed for a long time. It saves applicants \$400.00 in application fees. It was a no brainer in her opinion. Ms. Skenes moved that the Zoning Commission recommend amending the Land Development Ordinance to allow the Type 1 modifications for staff to make a Type 1 modification regarding utility meters and connection. Second by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the June 15, 2021, City Council meeting.

PL(P) 21-16: Amending Article 3 (Administration), Article 4 (Review and Approval Procedures), Article 7 (District Standards), and Article 12 (Natural Resources of the Land Development Ordinance to change the name of the Zoning Commission to the Planning and Zoning Commission, Section 30-4-15.4 (Coordination with Other Procedures) and Section 30-4-6.5 (Effect of Approval) related to Unified Development Plans.

Mr. Galanti stated this text amendment does two things; it changes the name of the Zoning Commission to Planning and Zoning Commission. Mr. Galanti was requesting to make that change to better reflect the items going to the Zoning Commission. When the Planning Board was dissolved, some of the responsibilities were moved from the Planning Board to the Zoning Commission. The name change will reflect not only reviewing and making recommendations on zoning cases, but also on some planning items that come before the Zoning Commission. The text amendment also updates two of the sections related to Unified Development Plans. When the Planning Board was dissolved and moved, there were two sections that needed to be updated to reflect that the Unified Development Plan was submitted with the rezoning application. Those two sections were missed with the text amendment previously when the responsibility was moved to Zoning. The changes to those two sections are needed so it is very clear in the Land Development Ordinance, Article 4 (Procedures) that the Unified Development Plan is submitted with the rezoning application. Those two sections actually say currently that it is

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submitted after the rezoning request is approved. The two sections need to be upgraded to reflect the current process.

Chair Holston inquired if there were comments or questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone wishing to speak on this item in the public hearing. Seeing none, Chair Holston closed the public hearing and requested to hear any discussion, comments, or a motion. Mr. Engle stated he would make a motion but would like to change the name from the Planning and Zoning Commission to Zoning and Planning Commission because most of the items heard are zoning cases. Chair Holston stated that comment has come up before and requested Mr. Kirkman to respond. Mr. Kirkman stated it is the purview of the Commission at the end of the day to make the recommendation. Mr. Rosa made a motion to accept the amendment to reflect the Zoning Commission name be changed from Planning and Zoning Commission to Zoning and Planning Commission, as that is what the Zoning Commission. Second by Mr. Engle. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the motion passed and constituted a favorable recommendation. Subject to a public hearing at the June 15, 2021, City Council meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

None

ITEMS FROM THE ZONING COMMISSION MEMBERS:

Chair Holston stated his appreciation to everyone. Chair Holston welcomed again Ms. Skenes to the Commission and wished Mr. Rosa good luck. Mr. Rosa thanked everyone for being patient and teaching him. Will miss everyone, but not the long meetings.

Mr. Bryson wished Mr. Rosa well. Mr. Bryson stated he was very upset at this meeting. It should not be this long. There were talks this evening about things that should have been taken care of a long time ago. Mr. Bryson guaranteed if this happens again, there will be one less Commissioner. Chair Holston responded the Commission did not want to lose him and were working on it. Mr. Bryson responded something needs to be done and needs to be fixed. It is not fair to the Commissioners or the taxpayers to be on a Zoom call until 10:00 p.m. waiting. There were a number of cases with no opposition and going through the motions was pointless. Chair Holston responded it is the current process. Everyone is working on to improve the process. Mr. Bryson stated it is imperative to work in an efficient manner. Chair Holston inquired if there were any other comments.

ADJOURNMENT:

There being no further business for the Commission, the meeting was adjourned at 10:14 p.m.
Respectfully submitted;

Hugh Holston, Chairperson
HH/cgs

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The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on May 17, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, James Rosa, and Vernal Alford. Present for City staff included Luke Carter, Mike Kirkman, Steve Galanti, Shayna Thiel (Planning Department), Noland Tipton (GDOT) and Alan Buansi (City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online. Chair Holston advised of the policies, procedures and updated instructions in place for the Zoning Commission and how the meeting would be conducted using the online format. Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested each item be identified for comments to be made on and submit the comments to planning staff.

Chair Holston performed a roll call of the Commissioners present. Chair Holston advised Mr. Rosa was resigning from the Commission after tonight's meeting. Chair Holston then welcomed Mary Skenes to the Zoning Commission, noting Ms. Skenes was a veteran of the Zoning and Planning Boards for both Greensboro and Guilford County.

APPROVAL OF THE April 19, 2021 REGULAR MEETING MINUTES: (Approved)

Mr. Engle made a motion to approve the April 19, 2021 minutes; seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford and O'Connor. Nays: 0).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised there were no withdrawals or continuances.

PUBLIC HEARINGS:

Z-21-05-001: A rezoning from R-3 (Residential Single-family-3) to CD-R-5 (Conditional District – Residential Single – Family-5) for the property identified as 1419 Manual Street, generally described as south of Manuel Street and west of Karlingdale Drive, (0.425 acres). (Denied)

Mr. Kirkman reviewed the zoning map for Z-20-05-001 and other summary information for the subject property and surrounding properties. Mr. Kirkman also advised of the condition associated with this request. Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston requested the applicant to provide their name, address, and to state their case.

Sonny Vestal, 501 Chancery Place stated his is the owner of Vestal Builders and indicated the white house with a two-car garage to the left side of the subject property. Mr. Vestal stated he intended to build a house almost identical to that one but a slightly different size and color to continue to beautify the neighborhood. Mr. Vestal advised Attorney Don Vaughn was also present to represent this matter.

Attorney Don Vaughan, 612 West Friendly Avenue, stated his client walked around to the properties within 600 feet and there was no opposition from the neighbors he spoke to and several were very pleased to have another home being built as it brought value to the property.

Chair Holston inquired if there was anyone else wishing to speak in favor of the request.

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Elise Margarita, 418 Manuel Street, stated her home was the white house with black shutters depicted in the photograph and referenced by Mr. Vestal. The previous house built by Mr. Vestal's group has beautified the neighborhood with many compliments on the neighborhood as it is more updated. Ms. Margarita noted she was planning to renovate her property and felt the new home built if the zoning was changed would be a great addition to the neighborhood and she supported the application.

Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone else to speak in favor. Seeing none, Chair Holston requested to hear from those in opposition to the request.

JoAlice Smith, 3101 Cecil Street, advised they went to the previous City Council meeting where this rezoning was denied and she wanted to know why this was back. Ms. Smith felt this online meeting was unfair as she had to travel back to Greensboro to help her parents participate. She noted many of the people in this neighborhood are seniors or disabled and not everyone has internet access. If Ms. Smith had not seen and read the letter or talked to Mr. Carter, she would not have known of the virtual meeting and felt it created disparities and was very unfair. She stated that Mr. Vestal had built a nice home and those neighbors are nice, but she does not want three and four homes placed on top of them like the neighborhood behind this community. It was very unfair. Ms. Smith stated her father want the neighborhood to look like the projects. This neighborhood was to be an historical site and is called Sugartown. There has never been crime in this neighborhood and she is concerned that crime will increase if there is another house. This is not a rental neighborhood. People live here and have been in the neighborhood for 60 plus years. Ms. Smith stated she was upset with the Zoning Board and City Council. These are taxpayers and no one appears to see that seniors have adequate means to attend the meeting. It is not fair and creates disparities.

Ms. Doggett, 3101 Cecil Street, stated her grandfather owned all of this property and gave each of the children property. Some have sold theirs but her father kept his, became her mother's property who gave her the lot where she lives now. Her family grew up on Cecil Street and they want a clean-cut neighborhood.

Natalie Reed, 3104 Ceil Street stated nothing has changed since the previous request was denied. It was requested of Mr. Vestal to have a meeting with the neighborhood. What he had shown is not the entire neighborhood and is not the truth. There is diversity and new homes. Ms. Reed noted she had recently done over \$20,000 in renovations for her home and did not appreciate the neighborhood being portrayed in a poor light. This neighborhood has never been an ugly neighborhood and she felt it was disrespectful to present the neighborhood as though it needs to be better. Ms. Reed advised Cecil Street was owned by her grandmother and indicated streets in the neighborhood that were established by family members such as great uncles and grandparents. Ms. Reed stated City Council voted 100% for no zoning before. She added that no one came to her home to speak to her or provide information, nor was there an email or letter.

Norman Doggett, 3101 Cecil Street, stated the lots on Manuel Street are approximately 250 feet wide. Mr. Daggert stated there is not enough yard space or driveway space for what Mr. Vestal is proposing. Manual Street is a small street separating Cecil from Kallamdale. There is no front. There is a house next to him and he does not want one on the other side. There are two on a one-acre lot and look a mess.

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Sandra Reid, 3104 Cecil Street, added that their homes have been in this neighborhood for 60 plus years. The homes are fully brick, 5 room ranch homes. Everyone takes pride for their property and are not trying to keep people out, but are attempting to continue a standard that has been in place. No one wants to see homes on top of each other and having cars parked on the street creating a safety issue. Ms. Reid's biggest concern was the overall mission for the city. It feels like gentrification is happening and property owners of more than 60 years as African-Americans are being pushed out. There is pride in for the accomplishment by their parents and are attempting to keep their property.

Jahard Paschal, 3101 Cecil Street, stated he was a fourth generation raised on this street. Mr. Pasqual has noticed everything going on with the construction and destruction, how the neighborhood was distraught and how his grandparents were affected with the house built next to them and everything around them. Mr. Pasquel stated the neighborhood has a history of everyone knowing each other and of growing together as a community. Adding new homes to the neighborhood would not do anything but lower the value of the current land and homes. Adding new homes brings new people in the neighborhood that may not fit within the neighborhood and have different behaviors. There are a lot of senior citizens within this neighborhood who know each other and know the history of the neighborhood. Mr. Pasquel would like the Zoning Commission to keep housing at a minimum to ensure everyone is being considered in this process.

Chair Holston advised opposition time was done and asked if Commissioners had questions for any of those who spoke in opposition. Mr. Engle stated this request had been before the Commission in the past and asked staff to speak to why the request is back. Mr. Kirkman advised the ordinance allows for a rezoning to be filed again if it has been at least 12 months since the item was first considered and this request is smaller in terms of the area of the lot to be rezoned than the previous request. Mr. Engle asked Mr. Kirkman to explain how many houses could be built R-5 on .425 acres, with the frontage that is available. Mr. Kirkman responded he would have to run the numbers, but thought t it was only one additional one because of setbacks. Mr. Kirkman advised Mr. Engle the .425 acre request at 5 units per acre would be just over two units per acre and would need to have at a minimum 50 feet of frontage for each lot.

Chair Holston advised that the applicant had 5 minutes of rebuttal at this time.

Attorney Vaughan stated Mr. Vestal is a quality builder and staff supports this request. He noted that infill development is one of the goals of the Comprehensive Plan. This is a quality project and he asked for the Zoning Commission's support. Mr. Engle stated this .425 acre request is in the middle of R-3 on all sides and asked Attorney Vaughn to tell him where his thinking was off. Attorney Vaughn requested the City Attorney to answer that question as it is a legal question and this is not spot zoning as Mr. Engle may be thinking.

Attorney Buansi stated there are a series of factors a court considers regarding spot zoning. One of which includes the size of the parcel in question relative to surrounding parcels. Another factor is if the use that is proposed is wholly and consistent with the surrounding parcel and that is for the Zoning Commission to decide. As the Commission's attorney, he can only advise on what the factors are and would not be able to predict what a Court may or may not say regarding spot zoning. Mr. Engle stated the use is similar, but it is just the density is different.

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Chair Holston stated he heard quite a bit from opposition there was not the outreach indicated and asked if the applicant for any rebuttal regarding that and inquired if there were illustrative drawings for the Commission and community to review.

Sonny Vestal responded they have an illustrative drawing which is the site plan. The site plan clearly shows a lot of room with measurements approved by the City for this particular lot. Borum Wade performed the survey throughout the site plan. There are no driveway issues, and no access issues.. Regarding the issues of Ms. Margarita's home not being beautiful, photographs were displayed of her home. Going through the pictures presented, it is obvious which house is the most beautiful on the lot. Mr. Vestal stated there were a lot of speakers from the one house and he thought the conversation was supposed to be for landowners. Mr. Vestal stated they did go visit properties within 600 feet of the zoning request.

Attorney Vaughan noted the home built next door to the subject site that Mr. Vestal had built and stated it was quality construction and asked if there had been any complaints regarding that home. Mr. Vestal responded none at all. Mr. Vaughn asked how long Vestal Homes has been building homes in Greensboro. Mr. Vestal responded for a number of years and they had been building single-family residences over the past 6-10 years. Mr. Rosa stated it did not appear those in the neighborhood were contacted and spoken to so he asked were there letters, knock on the doors or something else. Mr. Vestal responded the land owner and he walked the neighborhood and knocked on every door. They spoke to a large number of people. Within 600 feet going to the left is an apartment complex and vacant lots. Chair Holston asked Mr. Vestal if he walked through and talked with a handful of those living on Cecil, Manuel, or Karlingdale, and outside the letter that was from the City of Greensboro, there was no other outreach to the other neighbors. Mr. Vestal responded they had verbal face to face and felt that would be best to answer questions.

Mason Schermerhorn, owner of 1419 Cecil Avenue, stated they were attempting to maximize the use of the land. Greensboro is low on housing and these are good quality homes whether it is a rental or a new construction to sell. He is committed to the community. They have walked around the neighborhood to engage in conversation. And had great feedback. At the end of the day, they want to provide affordable housing in a great area of Greensboro.

Chair Holston moved to rebuttal for those in opposition.

Sandra Reed advised she was part owner but did not live at 3104 Cecil, her sister Natalie Reed does. She noted no one has spoken to her sister and 3104 Cecil Street is within 600 feet of the subject property. JoAlice Smith reiterated Mr. Vestal did not talk to everyone in the neighborhood. Her father was asked to sell his property. The people that they thought they could get to say yes were the ones spoken to. Natalie Reed also advised no one spoke to her and Mr. Reed is retired and disabled and home all day. Ms. Reed was born in 1960 and this has been her home. The reason why everyone is so upset is because they have not been talked to. The neighborhood is not trying to be prejudiced or uppity, but only want their neighborhood to continue to be a quiet respectful neighborhood. Their neighborhood is beautiful, not run over and nothing to be ashamed of. They have the right to protect and claim what is theirs. No one on this part of the street was talked to. Both of the Reed sisters own 3102 and 3104 Cecil Street. Chair Holston inquired if there were any questions for

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Ms. Reed from the Commissions. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and the scale and intensity of existing, adjacent uses. The proposed CD-R-5 zoning district, as conditioned, permits similar uses to the existing R-3 zoning allowing for greater flexibility on individual lot configuration and a small increase in residential density. Staff recommended approval of the request.

Chair Holston inquired if there were site plans presented. Mr. Kirkman responded staff did not have a copy. Chair Holston requested to hear information on the frontage. Mr. Kirkman responded they would need at least 50 feet for each new lot. Chair Holston asked if this configuration has that. Mr. Kirkman responded that was his understanding from a previous discussion.

Chair Holston inquired if the Commissioners had questions or comments. Mr. Bryson expressed his concern regarding speaking and reaching out to the neighborhood. No mailings were done and he felt the neighbors were not given their due diligence to receive information about the project. Mr. Bryson did not believe the applicant spoke to the neighbors. Despite Greensboro experiencing a tight housing shortage, Mr. Bryson was unable to support the request as presented. Mr. Rosa agreed with Mr. Bryson and did not feel the community was reached out to and would not support the request. Mr. Engle asked if when the Commission looks at a zoning request for residential, they were not allowed to consider whether it is something built for rent or sale, affordable or not affordable. Mr. Kirkman responded that was correct. In dealing with land use, any considerations related to ownership and who would be living on the property and type of discussion on the value of the property sold or rented were not legal conversation for the Zoning Commission to consider. Mr. Engle asked if the only thing the Commission could consider would be is what is presented with, in this instance, building two houses on .425 acres. Mr. Kirkman responded that was correct. Mr. Engle asked if the requirement is that the City sends out letters to everybody within 600 feet and signs are placed on the property. Mr. Kirkman responded first class notices are sent to all property owners within 600 feet and that requirement exceeds what is required by State law. A sign was also placed in the yard.

Chair Holston inquired if there were additional comments, discussion, or questions for city staff from the Commissioners. Mr. Alford stated it appeared to him as if this request was being shoe horned on a piece of property and did not go with what is there. Mr. Engle would not be in support. Ms. Skenes stated her concern was the density. There are large lots in this area and she did not feel it was keeping with the current configuration of the neighborhood. Ms. Skenes stated she did agree with some of those in opposition, and would not be in support of the request. Chair Holston inquired if there was a motion.

Ms. O'Connor stated in regard to Z-21-05-001, the Greensboro Zoning Commission believes that its action to recommend denial of the zoning request for the property described as 1419 Manual Street, from R-3 (Residential Single-family-3) to CD-R-5 (Conditional District-Residential Single-family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the

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following reasons: (1). The request is inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-R-5 zoning district, as conditioned, permits uses which do not fit the context of the surrounding area; (3). The request is not reasonable due to the size, physical conditions, and other attributes of the area. It will be a detriment to the neighbors and surrounding community. Denial is in the public interest. Seconded by Rosa. Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this denial constitutes final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals will be subject to a public hearing at the June 15, 2021 City Council meeting.

Z-21-05-002: A rezoning from CD-RM-18 (Conditional District -Residential Multi-family-18) and C-H (Commercial-High) to CD-RM-18 (Conditional District-Residential Multi-Family-18) for the property identified as 2571 Sixteen Street generally described as west of Sixteen Street and north of East Cone Boulevard. (11.83 acres). (Approved)

Mr. Kirkman reviewed the zoning map for Z-20-05-002 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions associated with this request. Chair Holston requested the applicant to provide their name, address, and state their case.

Attorney Britton Lewis, Caruthers & Roth, 235 N Edgeworth Street represented Linder Ventures, III, owner of the property. Also present was Dustin Mills of Taft Mills Development Group, one of the developers anticipating to purchase and develop the property along with Don Linder, the principal of Lender Ventures, III, and Max Sims, East Greensboro Now, and Rachel Decker co-counsel with Mr. Lewis. Attorney Lewis stated the request is to rezone the property from a split zoning currently zoned as CD-RM-18 on the northern portion of the property and C-H on the southern portion to create unified development. Currently the northern portion of the property is zoned to allow for multi-family development up to 120 units. It is contemplated to place a larger development of 180 units. For a unified project it was felt to be appropriate to rezone the entire property. Caruthers & Roth sent over 100 letters on April 20, 2021 to those in the neighborhood detailing the project and invited feedback. Pre-addressed and pre-stamped survey cards were provided to respond and they received approximately 10 back. None contained substantive comments. Three persons did not approve the project and they were reached out to directly to discuss the concerns. Four approved the project and two requested more information and were reached out to. An online town hall meeting was held on May 5, 2021 inviting everyone who had received a letter with the survey and the option to contact for the meeting. A link was provided directly in the letters. No one attended the meeting. The builders are attempting to satisfy the city standards and goals. It is a good opportunity for infill and is a large lot on a major corridor currently undeveloped. This rezoning would allow for one single unified use of the property meeting the circumstances surrounding the properties and blending multi-family in next to adjacent multi-family and commercial. The project is walkable with grocery and ample commercial shopping facilities, bus stops and bus routes. This is a quality property that will bring economic competitiveness to Greensboro. Mr. Lewis then requested Mr. Mills to speak on the project.

Dustin Mills, 631 Dickerson Avenue, Greenville North Carolina presented photographs depicting an overview of the Taft Mills Group, the potential purchaser of this development, and what their affordable housing developments look like. The proposed affordable housing development here is meant to serve individuals who make 60% or below Greensboro's area medium income. Mr. Mills stated a good portion of the site is zoned for

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what they are proposing already. The site abutting against the existing single-family and multi-family is zoned for the proposed use and they are requesting to have the frontage portion adjusted to the same zoning classification. The request to develop this property for new housing is contingent upon the zoning change. Mr. Mills and his partner have done 90 affordable communities over the past 35 years and have been awarded this type of funding on 10 similar developments over the last 6 years. The firm has been recognized as one of the top affordable housing developers in the country. The firm has been looking for development in Greensboro for several years and found this about 18 months prior and knew there was a need for rezoning. The development is restricted to ages 55 and older.

Mr. Mills then depicted a photograph of the site indicating what surrounded the requested property. The property will have an on-site property manager, full time on-site maintenance person, and a part time assistant manager. Mr. Mills provided renderings to the Commissioners and advised it was how Taft Mills envisioned the building to look like that was sketched by their in-house architects. A market study was submitted with the application. Mr. Mills stated the total development cost of the proposal is a \$31 million dollar investment into the community and would be approximately \$173,000 per unit. Mr. Mills advised of the commercial facilities available close to this proposed community. Representative samples were shown depicting what the clubhouse, playgrounds, and exercise facility would look like. Mr. Mills advised all of the units will have washer/dryer hook-ups and a centralized laundry in the same facility. Mr. Mills stated this presentation was presented to Councilman Wells, council person for that district and Stan Wilson, Director of Neighborhood Development.

Chair Holston inquired if there were questions from the Commissioners for Mr. Mills. Hearing none, Chair Holston inquired if there were other speakers in favor of the application.

Mac Sims, 601 East Market Street stated this is a superior project, unique and consistent. It is for 55 and older, noting there is a lack of that age within this community. It will be a great addition to the community and an asset to East Greensboro.

Mr. Engle stated Mr. Sims mentioned this was an over 55 community but that was not in the conditions and asked if that was the intention or what was being planned to be done. Mr. Mills responded Mr. Sims was correct. They are developing this project to target residents 55 and older but younger people can also live there.

Chair Holston inquired if there was anyone wishing to speak in opposition to this request. Ms. O'Connor advised no one has registered.

Daniel Lyons, 2606 David Richmond Court, advised Mr. Mills answered some of his questions. Being that this neighborhood will not be for 55 and older, Mr. Lyons asked if this would be considered as Section 8 housing or for those who do not meet the income standards. Mr. Lyons also asked if this would be a secure neighborhood with security on staff. Mr. Kirkman stated questions are normally addressed during rebuttal. Mr. Mills stated he would address that as part of his rebuttal. Chair Holston inquired if Mr. Lyons had any other statement, outside of questions for the applicant. When it goes back to the rebuttal period, they can be addressed from Mr. Mills and his team.

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LeeAnn Lyons, 2606 David Richmond Court, asked where the letters and surveys were sent as the Lyons did not receive one. Chair Holston responded it is within the 600 feet radius and may or may not include her property. It is an irregular shape as it is 600 feet from the property line and so they may or may not have directly received the notice.

Mr. Engle requested a determination from the City Attorney as to what the applicant can or cannot say regarding the kind of housing when talking about fair housing. Chair Holston asked relative to affordable housing or the age 55. Mr. Engle stated the term Section 8 was used. Zoning decides land use and about density of homes, apartments, or anything else. Mr. Engle wants to understand what can be talked about or can be promised. Chair Holston inquired from the Commissioners, the applicant, or opposition. Mr. Engle responded from the City and the applicant. Everyone needs to understand what is being decided.

Attorney Buansi advised part of the Zoning Commission's charge is to evaluate the use and determinations and to evaluate the uses and their compatibility with the Comprehensive Plan in the context of the properties surrounding the area to determine if it is something that will also benefit to the city. Based on whether or not there is affordable housing is not a permissible consideration. Mr. Engle stated he wanted to make sure the only the only things considered would have to be in the conditions. Chair Holston inquired if Mr. Lewis, Mr. Sims, or Mr. Mills had any rebuttal or could respond to the question from the Lyons. He looked back at the list of notices sent out and confirmed a letter was sent to Mr. Daniel Lyons. It may not have reached the destination but did go in the mail.

Dustin Mills stated they were seeking an allocation of tax credits for the proposed development. It is a financing vehicle allowing them to charge rents that are affordable within the market. They are the private owner of the development and confirmed that this particular development would not have been any project-based assistance, other than the tax credit. The tax credit is allocated through the North the Carolina Housing Finance Agency. A vehicle that allows them to charge rents slightly less than market to target individuals who make 60% or below of the area medium income for Greensboro Guilford County. Typically, security is not hired for patrol use unless there are issues. There will be a full-time property manager and maintenance personnel on site. There have not been any issues in any of the previous communities that required security for patrol use. If it were to happen and became necessary, it would be added as part of ongoing operations. This is a privately held community. When the North the Carolina Housing Finance Agency finances a development such as this one, they inspect it annually, as do the investors who purchased the tax credits. There are two sets of eyes looking at this particular type of development annually to ensure it is kept in good condition, good working order, and there are no perceived security issues or health concerns regarding the particular developments.

Chair Holston inquired if there was anyone else to speak in rebuttal. Seeing none, Chair Holston asked if there were questions from the Commissioners regarding the rebuttal. Seeing none, Chair Holston moved to the opposition for a rebuttal. Hearing none, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a regional scale activity center on the Future Built Form Map and both Commercial and Residential on the Future Land Use

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Map. The request is consistent with the Comprehensive Plan because the proposed development is compatible with the scale and design of the adjacent road and can accommodate a satisfactory transition to the existing scale and intensity of nearby adjacent uses. The proposed CD-RM-18 zoning district is limited to residential uses and would increase the range of choices and supply of housing while complimenting the variety of residential and commercial uses already located along East Cone Boulevard. Staff recommended approval of the request. Chair Holston advised if there were no questions or comments from Commissioners, requested a motion. Mr. Engle stated in regard to agenda item Z-21-05-002, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 2571 Sixteenth Street from CD-RM-18 (Conditional District Residential-Multi-family-18) and C-H (Commercial – High) to CD-RM-18 (Conditional District – Residential Multi-family-18) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-18 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Magid. Commission voted 8-0. (Ayes: Chair Holston, Skenes, Bryson, Rosa, Engle, Alford, Magid, and O’Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the June 15, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-05-004: A rezoning from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-Family-8) for the properties identified as 224-228 College Road, generally described as southeast of College Road and southwest of Savoy Lane, (1.49 acres). (Approved)

Mr. Kirkman reviewed the zoning map for Z-20-05-004 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition associated with the request. Chair Holston requested the applicant to provide their name, address, and state their case

Tom Terrell, Fox Rothchild. 230 North Elm Street, represented Solution Architects. Letters were sent to 145 property owners within the 600 feet and several discussions with them in response. The only question was will it be apartments or town homes, and it will be townhomes. Mr. Terrell displayed slides depicting how the townhomes would look. This is a very mixed-use area. A slide illustrated how heavily the mixed-use character of the area was and why having another 1.5 acres as multi-family would not be a problem. There will be substantial transitioning across the street which the neighbors are in support of. Slides were shown depicting the area and how the property appears currently. Mr. Terrell advised there was nothing regarding this proposal that challenges a neighborhood that is a sea of uniformly developed properties. The proposal will enable the properties to transition to something everyone would appreciate it rather than degrading and become eyesores. Based on the neighborhood conversations, there was good support once it was learned it was not going to be apartments. This is a type of urban infill that should be supported.

Chair Holston inquired if the Commissioners had questions from Mr. Terrell. Seeing none Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Holston inquired if there was

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anyone in opposition to the request. Seeing none, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Commercial on the Future Land Use Map. The proposed rezoning request does support both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive and healthy places to live and raise a family. The proposed CD-RM-8 zoning district permits uses that are compatible with the uses present in the surrounding area and increases the range and choices of housing. Staff recommend approval of the request.

Chair Holston inquired if there were questions for city staff, discussion, comments, or a motion. Mr. Engle stated in regard to agenda item Z-21-05-004, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties identified as 224-228 College Road, from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-family-8) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-8 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0).

Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Mr. Kirkman advised there was not closed captioning for this meeting and the Commission did not have to take a break unless needed by the Commissioners.

Chair Holston advised there would be a 15-minute break. A break was taken at 7: 25 p.m. The meeting resumed at 7:40.

PL(P) 21-013 & Z-21-05-005: An annexation, original zoning and rezoning from County AG (Agricultural) and City R-3 (Residential Single-family-3) to City CD-RM-5 (Conditional District-Residential Multi-family-5) for the properties identified as 800 and 816 Roberson Corner Road, generally described as north and east of Roberson Corner Road and east of Lake Jeanette Road, (11.911 total acres). (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map for PL(P) 21-013 and Z-20-05-005 and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request. Chair Holston inquired the Commissioners if there were any questions. Ms. Skenes asked if there was a watershed around Lake Jeanette. Mr. Kirkman stated on page 3 of the staff report, it was noted that the site drains to the Lake Jeanette watershed and was Tier 3. Chair Holston requested the applicant to come forward and provide their name, address, and share their plans.

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Marc Isaacson, 804 Green Valley Rd, Suite 200, represented Lake Shore Residence, LLC, a local developer committed to the construction of high-quality residential communities in and around Greensboro. Attorney Isaacson introduced Mr. Akbar from Lake Shore Residence, LLC and Civil Engineer, Ed Collins, all available for any questions from the Commission if needed. He then noted were requesting a rezoning from R-3 to CD-RM-5 for the property currently located in Guilford County that adjoins property already in the city. All are under the same ownership of Lake Shore Residence. Lake Shore Residence is asking for annexation and an original zoning to match up with the CD-RM-5. The Comprehensive Plan designates this area to be annexed as Growth Tier 1, indicating the city has recognized the development potential of this location and can extend city services to the property. The proposed development requires a slight increase in the overall density from R-3 to RM-5 which is consistent with existing residential uses in the surrounding area. Per Greensboro DOT's requirements, the applicant agreed to and will pay for the widening of portions of Roberson Comer Road where necessary to match up with the already widened Roberson Comer Road that leads out to Lake Jeanette Road. Attorney Isaacson depicted an illustrative preliminary sketch plan that had gone through the preliminary TRC process, depicting Roberson Comer Road coming around the edge of the property. It enters at a cul de sac where vehicles would access to the townhome community. There are 47 townhomes proposed.

Attorney Isaacson noted that if the property was developed as R-3, there would be approximately 35 single-family detached homes. Mr. Isaacson stated there was a significant retention pond proposed that was reviewed by TRC staff and Stormwater Services. It would be sufficient to handle the water run off from this development before reaching Lake Jeanette. A tree save area was also shown in the low-lying area of the property east of the pond. Townhomes require buffers and there will be extensive landscaping buffers installed and a vegetative buffer for adjoining properties. This property has been vacant for a very long time and Lake Shore believes this is appropriate for low density townhome development that is much needed to provide housing in this area. The townhome community will be managed by a Homeowners Association as required by the City Ordinance that will own the retention pond, the common areas, and the roadways. The members of the HOA will be homeowners in the community. The condition was added voluntarily that at least 50% of the building materials of high-quality materials such as brick, wood, stone, and glass. This will be a townhome development with two car attached garages.

Attorney Isaacson further noted a letter was sent out to the residents and property owners in the area, describing the project, condition, and background regarding the property, developer, and the Comprehensive Plan. A neighborhood meeting was also held virtually on May 6 and there were approximately 10 participants who joined the meeting. Most of the questions centered on the current lots to the north located in Guilford County. Some owners have lots that are vacant in Guilford County and had questions regarding access to those lots. It appears the lots are landlocked and without direct access to a public right of way. A request was made of the applicant if they would be willing to open up access through the townhome community and the private streets to the property owners north. Mr. Isaacson checked with GDOT and city staff with the conclusion that Lakeside could not provide access to the county property owners across private streets for a number of reasons. The property owners north of the property were advised that they could not provide access and provided the reasons why. Mr. Isaacson checked with staff and there have been no other communications. This is a quality project, a good fit under the Comprehensive Plan, consistent with other low density and/or moderate density townhomes, and single-family residences in the area. The bonus is the applicant will take care of the upgrade of Roberson Comer Road in this area. With Growth Tier 1 next to the city limits, the applicant would submit this is a logical growth area for the

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city and as way to provide much needed and reasonably affordable housing in this growing area. Lake Shore is committed to quality construction per a condition requiring the building materials.

Chair Holston inquired if the Commissioners had questions for Mr. Isaacson, Mr. Akbar, or Mr. Collins. Seeing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request.

Debra Ross, 1108 Crescent Street, stated the parcel she has is landlocked and was part of the larger property owned by Mr. Atkinson that also includes the subject property. Ms. Ross stated the developer wants to block out land that was their ancestors who were slaves and had to work for the land that was left to them. Ms. Ross is not ready to build. Ms. Ross felt any developer would be locked out and unable to access her property because the developer wants to buy that land. Ms. Ross would like to build on her land at some point and does not want to be land locked. On the deed it was stated that they would have the right of way of the property and asked how the developer do could that.

Chair Holston was not familiar with the property or how it was acquired, and referred to city staff to respond to how that applies in this case. There was no dedicated public right of way that exist at this point. Mr. Kirkman did not believe there were any recorded easements. Ms. Ross stated it is on her deed and has been since it was given away 100 years ago. It is documented she has a right of way to get to her land. Chair Holston was unsure if this was something Zoning could address, but asked if it said how the access would be or where. Ms. Ross responded the north part of her great grandmother's plot. An engineer would have to look at that. Mr. Tipton agreed with Mr. Kirkman and felt it was a question for a lawyer. The conversation with Mr. Isaacson was that GDOT or Planning does not have a mechanism to require a developer to provide access to the land. The lot would not be created in the city now without access, but it is an established lot. Mr. Kirkman stated Zoning does not have an enforceable provision since the lots are established and are in the county and not in the city jurisdiction. There is a question about whether or not legal needs to be involved in attempting to sort rights for access based on deeds. That is more of a private matter than what the city can enforce. Ms. Ross felt until this can be determined and her being able to access her property, there should be a hold on this request.

Chair Holston asked Ms. Ross when she first received notice of any activity on this property. Ms. Ross responded when the letter was sent advising of the meeting for rezoning. Chair Holston inquired if Ms. Ross had sought assistance since that time. Ms. Ross responded she did not think she needed assistance as everything was in writing. Mr. Engle stated typically with a case like this with a legal dispute, there would be contact with an attorney to have a conversation in a courtroom. All Zoning can do is decide land use. The land use is whether houses can be built on this property or otherwise. It is county access now. The developer could go to the county and decide to rezone it to build houses in the county and it would be the same problem. Regardless of whether it is brought into the city or, whether townhomes are built here or not there are other things that could be done. There are permitted uses within County AG and Ms. Ross would probably still need to contact someone to legally determine what her options are to do that. Given there is something in writing, that would be enforceable. The Zoning Commission is not the arbitrator.

Chair Holston inquired if there was anyone else to speak in opposition to this request.

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Carlos Motley, 6 Hackberry Court, Brown Summit, advised he had the same issue as Ms. Ross with his property on the north side and close to the lake. No access is allowed into any of the land-locked properties and poses a problem for most of the residents. Mr. Motley has had conversations with individuals within the Planning Department regarding what the options were. No access through that property makes it very difficult. Mr. Motley is aligned with Ms. Ross and her position in terms of legal issues that need to be addressed to ensure they are locked in and would like to know more about those options. Chair Holston responded this is not the venue for zoning to provide legal advice and understood these were issues for the homeowners. Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Seeing none, Chair Holston inquired if the Commissioners had questions for those who spoke in opposition. Hearing none, Chair Holston inquired of the applicant for rebuttal.

Mr. Isaacson stated they understood and empathized with those who have spoken regarding the properties to the north. His client acquired the property as a parcel and did not create the boundary lines of the parcel. Lake Shore took the property as it was found and acquired it in good faith. There may be ways to approach this but agreed they probably should obtain legal counsel regarding the access issues and how their lots may be organized to provide reasonable access. The issue has been investigated with staff and Mr. Isaacson reviewed it as well. His client has applied for what they considered to be a very reasonable rezoning and original zoning. They have submitted a high-quality application for a great project that will fit in well with the area. Roberson Comer Road will be improved and there will be a lot of benefits with this project. Ms. O'Connor asked Mr. Isaacson if could repeat about widening and improving the road. Mr. Isaacson stated his client was asked by GDOT to take responsibility for widening and upgrading Roberson Comer from its terminus at this property up to the point as determined by GDOT that would be appropriate to provide reasonable access for vehicles in and out of the property. Chair Holston asked if that roadway improvement would go beyond the property line. Mr. Isaacson responded as he understood it, it would. They would be subject to GDOT's determination but his client has agreed to be responsible for those improvements up to a point where GDOT has determined. Mr. Isaacson understood that to mean that it would go up to the currently existing Roberson Comer Road where it is widened and improved to city standards and would connect to where it is currently improved. Mr. Tipton confirmed and advised the applicant did agree to widen beyond what is required of a normal site plan subdivision development, to a minimum width for safe ingress and egress for two way traffic on Roberson Comer to a point somewhere along where Roberson Comer turns and goes south with the property and is where the widening would stop. Mr. Tipton measured 14 and 17 feet in different places. It is a very narrow road currently. Chair Holston inquired if there were additional questions from the Commissioners for the applicant. Mr. Isaacson stated there is a real benefit to having this project annexed into the city and zoned RM-5. Mr. Rosa asked if Zoning approved the request, was there a chance to have access for those who do not have access currently or would it be too late at that point. Mr. Buansi advised without looking at the documentation for an easement, was unable to say. With respect to the Zoning Commission's charge in evaluating the use and impacts on surrounding properties, those are their considerations for rezoning decisions. Chair Holston inquired if there were additional questions for Mr. Isaacson. Seeing none, Chair Holston requested to hear rebuttal from those in opposition.

Carlos Motley, stated at this point, considering the fact there is still additional information that needs to be known, especially for those who are currently land-locked, there are legal issues that need to be determined for the best direction. Mr. Motley asked the Commission to put this on hold in order to obtain legal information and

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possibilities in regard to their land and ingress/egress. There are others blocked in who are not present at this meeting. Mr. Motley spoke on behalf of everyone who is land-locked currently. Chair Holston inquired if Mr. Motley knew if any others have taken any type of action. Mr. Motley responded it was hard to have everyone together at one time. People are attempting to determine what their options are individually.

Chair Holston stated it appeared Mr. Motley would like a continuance. This could go on to City Council and could then petition the Council for additional time. Chair Holston advised there were different avenues the applicant and those in opposition could take. It could be a request for a continuance of this meeting to be held at a later date. This request was going to City Council regardless of the outcome from this meeting for a hearing with City Council members on June 15, 2021. Chair Holston asked Mr. Motley if he was specifically requesting for a continuance or simply saying that there would be more time when this case goes to City Council and have the discussion there. Mr. Motley responded that would give them enough time to legally figure out what needs to be done. The June 15th date was good. Mr. Engle stated from a procedural standpoint, Zoning has gone through 15 minutes of presentation, 15 minutes of rebuttal, 5 minutes of rebuttal and now asking if they want a continuance. That option should have been asked at the beginning of the meeting. It's being heard now; it is an original zoning. There was a conversation regarding streamlining the meeting for other people that are present. Chair Holston responded in the past there have been cases where the cases went on and the request for a continuance came up, the request was listened and times when it was granted and voted on. Chair Holston stated he has asked those in opposition what they were asking for, more time or a formal continuance. Mr. Motley advised they were not asking for a continuance as this case will go before City Council and that would be enough time for them to do what was needed. Ms. Ross agreed with Mr. Motley to wait until June for time.

Chair Holston inquired if there were additional questions from the Commissioners for those in opposition during rebuttal. Seeing none, Chair Holston closed the public hearing and requested to hear from staff. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed original zoning and rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-5 zoning district allows low intensity residential uses that are compatible with the various uses located nearby. Staff recommended approval of the request.

Chair Holston inquired if there were questions for Mr. Kirkman, or discussion by the Commissioners. Mr. Kirkman advised the Commission there should be a motion on the annexation portion first and then a motion on the original zoning and the rezoning as a combined item. Ms. O'Connor made a motion to approve the annexation. Seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford and O'Connor. Nays: 0). Chair Holston stated the motion constitutes a favorable recommendation and subject to a public hearing at the June 15, 2021 City Council meeting.

Ms. O'Connor stated in regard to agenda item Z-21-05-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning and rezoning request for the properties described as 800 and 816 Roberson Comer Road from County AG (Agricultural) and City R-3 (Residential Single-family-3) to City

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CD-RM-5 (Conditional District-Residential Multi-family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-5 zoning district would allow low intensity residential uses that are compatible with the various residential uses located nearby; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation and is subject to a public hearing at the June 15, 2021 City Council meeting. Chair Holston advised Mr. Motley and Ms. Ross to seek legal advice in preparation for the public hearing on June 15, 2021.

Z-21-05-007: A rezoning from O (Office) to PUD (Planned Unit Development) for the properties identified as 3507-3511 West Market Street, generally described as south of West Market Street and west of Ashland Drive, (15.51 acres) (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the conditions related to the request. Mr. Kirkman also advised of the Unified Development Plan that is with the case, noting the Commission has two items to consider. Chair Holston inquired the Commissioners if there were any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to state their name, address, and case.

Michael S. Fox, 400 Bellemeade Street, Suite 800, represented the applicant, Koury Corporation. Present with Mr. Fox was Richard Vanore of Koury Corporation, John Davenport, Traffic Engineer, and Anthony Lester, Adams Engineering to answer any questions regarding the site plan. Mr. Fox advised this site is currently zoned O and they would like it changed to PUD to allow for the development of multifamily development and additional office development. The PUD allows a mixed-use development and internal setbacks, shared driveways, etc., which they felt makes the project work better as a whole. The goal is for a high quality, multi-family community between the existing office uses and the church. Additional medical office development on the undeveloped section that fronts Market Street along with a structured parking for the medical office development. This a great site for continued medical office development and multi-family in a very desirable area with many amenities. Attorney Fox further noted the development is supported by the Comprehensive Plan and the Lindley Park Neighborhood Plan. As outlined in the staff report, it also aligns with a number of the goals in the Comprehensive Plan, primarily those regarding infill in the Filling in our Framework and Creating Great Places Big Ideas. Conversations were held with neighbors of the property. Letters were sent out to everyone on the required list within 600 feet and encouraged to attend a Zoom meeting. There were approximately 15 neighbors at a meeting on May 4 with representatives from almost all sides of the property. There were specific meetings with the owners of the multi-family development and representatives of the church regarding concerns and questions specific to the church. There have been a number of emails and phone conversations with individual neighbors. The main questions and concerns were the potential for traffic increases and how the property would be accessed. After having that conversation, the impression was most people felt very good about their concerns and questions. The neighborhood meetings were very productive.

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Richard Vanore, President, Koury Corporation, 1807 Nottingham Road, stated this development has been years in the making and was acquired in the early '90s and immediately began preparing for the property development. The project was delayed while focusing on the development of Grandover Resort. Koury Corporation was proud of what has been accomplished in Guilford County and remains fully committed to enhancing this infill location with another landmark property. This will be a top tier project aiming to attract medical office and providing cutter edge upscale living opportunities. The medical office building in the northwest portion of the site plan will be a cutting-edge design and roughly 30,000 square feet, two floors, with a parking deck adjacent to it. The multi-family community will be a gated community consistent with 1, 2- and 3-bedroom dwelling units ranging in size from 600 to over 1500 square feet. The buildings will have elevators and state of the art amenities. Adjacent to the site is Starmount Country Club. Friendly Shopping Center is close by. Within minutes of the site is Downtown Greensboro, the Arboretum, and Four Seasons Shopping Center. Koury Corporation is confident in their ability to fulfill the goal for this infill location. It will be an asset and outstanding asset to the surrounding neighborhoods, increase Greensboro's tax base, and provide Greensboro with excellent housing options.

John Davenport, President, Davenport Engineering, 119 Brookstown Avenue, Winston-Salem, advised there was no indication of any adverse impacts from this project as far as traffic. There are two full access points with auxiliary lanes in place on Market Street that will facilitate access to the site. There is an exit only on Ardale Place and which is also an emergency gate. Turn lanes were developed when the site was originally graded and are sufficient to handle the traffic entering and exiting the site. Mr. Davenport stated this proposed land use is half of the potential traffic that would be produced if the site were developed as a medical office which is the current zoning. By approving the site as planned, traffic impact will be cut by about half.

Mr. Fox stated this project is supported by the Comprehensive Plan which supports the mixed-use infill type development and the Lindley Park Neighborhood Plan. The PUD meets all the applicable requirements of the Greensboro Lane Development Ordinance. Koury Corporation intends to complete the development on the site with high quality development consistent with the other recent projects and will be a great amenity for those who work there, those who visit there, and those who live there. Planning staff has recommended approval of this request and he respectfully asked the Zoning Commission to approve this request.

Chair Holston inquired if there were questions for Mr. Fox, Mr. Vanore, or Mr. Davenport from the Commissioners. Seeing none, Chair Holston inquired if there was anyone to speak in favor of the request. Seeing none, Chair Holston asked if there was anyone in opposition to the request.

Maury Schott, 3510 Parkwood Drive, spoke with Mr. Vanore shortly before the meeting. Mr. Schott's concern was allayed regarding the access from the development to Ardale Place and Ashland Drive, as this is a very winding street that goes along Greensboro Arboretum with no sidewalks much of the way. Mr. Schott felt their treatment of it would be exit only and allayed most of his fears. Chair Holston thanked Mr. Schott for working it out. Chair Holston inquired if there were any questions for Mr. Schott. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to the request.

David Wallace, 3703 Mossburr Drive, stated there are no questions regarding zoning but spoke with Mr. Vanore and was satisfied. Chair Holston inquired if there was anyone else wishing to speak. Seeing none, Chair Holston inquired if Mr. Fox and team had rebuttal. Mr. Fox responded they had no rebuttal. Chair Holston inquired if there

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were any questions from the Commissioners. Hearing none, Chair Holston closed the public hearing, and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map. The subject parcels are also designated as Mixed-Use Office within the Lindley Park Neighborhood Plan. The proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework Big Idea to encourage higher density, mixed-use, and walkable infill development and the Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The proposed PUD zoning designation, as conditioned, allows a mix of office and residential uses in immediate proximity to each other and similar uses in the immediate area. The zoning also encourages appropriate scaled development along a major thoroughfare while providing good transitions to nearby low intensity residential development. Staff recommended approval of the request.

Chair Holston asked the Commissioners for thoughts, comments, discussion, or a motion. Ms. Skenes advised she started having calls about this particular item the day after being appointed to the Zoning Commission. There was concern regarding traffic and height of the buildings. Ms. Skenes advised she applauded Mr. Fox and Mr. Davenport for addressing those concerns and making this a non-contentious process. Ms. Skenes was prepared to make a motion. Chair Holston inquired if any other Commissioners had comments before moving to the motion.

Ms. Skenes then stated in regard to agenda item Z-21-05-007, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3507-3511 West Market Street, from O (Office) to PUD (Planned Unit Development) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.)The proposed Planned Unit Development (PUD) zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.)The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such appeal.

Chair Holston then inquired if there was a request for a roll call on the UDP. Mr. Engle moved to approve the UDP. Seconded by Ms. O'Connor. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised it constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such appeal. Mr. Kirkman stated the UDP (Unified Development Plan) would only with the Planned Unit Development. If there is action on the one, the other one follows. Otherwise, they both would be final action.

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Z-21-05-008: A rezoning from CD-C-H (Conditional District-Commercial-High) to CD-LI (Conditional District – Light Industrial) for the properties identified as 4160 Near Pleasant Garden Road, 4150 R1 Pleasant Garden Road, and 121 Near East Emsley Drive, generally described as west of Pleasant Garden Road, east of East Elmsley Drive, and north of I-85, (114.21 Acres).

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the condition related to the request. Chair Holston inquired if the Commissioners had any questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to come forward and state their name, address, and case.

Michael Fox, 400 Bellemeade Street, representing Carroll Industrial Development. Paul Smith, Vice President of Legal Affairs at the General Counsel for Carroll Companies, Evan Stone, Vice President of Industrial Business Development for Carroll Industrial Development, and John Davenport, Traffic Engineer, Davenport Engineering were also present. Attorney Fox stated this site was zoned in the early 2000s for a shopping center and a movie theater which never materialized. Light industrial use is a very high demand and they were asking for this site to be changed to LI for industrial development. The proposed development, as conditioned, is consistent with the Development Ordinance, the Comprehensive Plan, and compatible with the general character of the surrounding area. He noted this site is adjacent to the interstate and in close proximity to a number of other industrial and commercial uses. Adding this back into the inventory for industrial sites will be critical for economic development. A slide was depicted highlighting the surrounding area of the site. Conditions were listed with the uses that were excluded. Notices were mailed to everyone within 600 feet with a description of what the rezoning would be and contact information to reach Mr. Fox. To date, there has been no contact. A traffic study has been done that showed no adverse impact from the traffic associated with this project. The two existing access points will be used on South Elm Eugene Street. There were minor signage recommendations to ensure tractor-trailer traffic does not go down the wrong street and minor improvements related to traffic. Mr. Fox stated the current zoning for the shopping center is a very high traffic generator. The proposed Industrial Development use is roughly 10% of what the commercial shopping use would have.

Paul Smith, Vice President and General Counsel for Carroll Companies noted that his company had invested in this general area for approximately 20 years starting with the Wynmere residential subdivision for single-family homes and the Treybrook Apartments. Around that same time before the I-85 bypass was put in place, Carroll Companies acquired approximately 60 acres of land at South Elm Eugene. An opportunity came to sell the 60 acres to Granite Development around 2002-2003. Granite was more experienced with heavy commercial and retail development and followed through with the heavy commercial development seen west of South Elm Eugene, including Walmart, Lowes, Cracker Barrell, and a lot of the other restaurants. Carroll companies undertook their own commercial development on the east side of South Elm Eugene Street called Brittway One, parcel lots with restaurants, and a Credit Union. A strip center retail that includes Verizon, Pizza Hut and other commercial development had also been development. There are other lot up for sale or lease, build to suit on the commercial side of Brittway One. This particular land was annexed into the City and acquired in 2007. The original zoning with that annexation included the commercial zoning allowing retail or heavy commercial shopping center use. Carroll have been actively marketing and seeking users for that use for a number of years but has more recently been studying and getting heavily into industrial development and job creation for the last number of years. A special division was created, Carroll Industrial Development, US. Evan Stone was hired is the

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Vice President of Industrial Development. Recent projects have been undertaken close to Greensboro that will benefit Greensboro, including Build to Suit a manufacturing facility that will employ several hundred employees. Carroll Companies is actively seeking other industrial development opportunities around the city. This particular property checks a lot of boxes and has an interesting layout, including bisected by a railroad as shown in one of the earlier slides. It provides an interesting opportunity for industrial development because it would allow for a potential spur to come off of the rail line and could be used to facilitate and support a manufacturing facility or industrial facility on this property. It also has great access and visibility to the interstate systems and I-85. The site has been identified as a prime industrial site, not only for Guilford County but also for the entire state. The future development with this zoning will increase the tax base, provide opportunities for economic development and growth, and provide the potential for job creation.

Evan Stone, VP of Carroll Industrial Development, 201 North Elm Street, stated Carroll Industrial is a subsidiary of the Carroll Companies. This site is fantastic for industrial and economic development. Greensboro and Guilford County are very much in need of industrial development and economic development sites that are properly prepared and ready to go for industrial uses, large employers, and things of that nature. This site was identified by Duke Energy as a potential Duke readiness site. The site was put through a very intensive, all level site study from GEO Technical Phase 1, Wetlands Delineation, archaeological sites, an endangered species site survey, a topography survey, soil borings, and all the things that go with an intensive civil site survey in getting all those studies prepared. Mr. Stone stated the zoning was one of the last steps in the Duke site readiness program. Site selectors were on the site reviewing the site leading to the final step. Things that make this site fantastic is there is a quarter mile of interstate frontage, access points from the east and west sides, rail running along the eastern corridor to bring in feed stock to any manufacturing. The site has 10 megawatts of power, probably more than ever could be used or put as use on the site for that much power. Carroll Developer is an active player in economic development in partner with the community. There have been several conversations with the economic development community. Not only is this a marquee site, it is probably one of four or five in the state and definitely will be the only one in the county to have the Duke site readiness certification. It will provide a great location for light manufacturing operations with significant impact in the jobs and capital expenditure realm. The site will be a great addition to the economic development spear of Greensboro and will bolster the economic development. Carroll has made significant investments into the site to get it to the point where it is ready for development. They are excited about this project and feel this is something that can be a great asset for Greensboro going forward.

Chair Holston inquired if the Commissioners had questions for Mr. Fox or his team. Hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Ms. O'Connor advised no one registered. Chair Holston closed the public hearing and requested to hear from city staff for a recommendation. The Commissioners will then discuss and vote.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial Campus on the Future Built Form Map and Industrial on the Future Land Use Map. The proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-LI zoning district allows a

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variety of warehouse, distribution and limited manufacturing and assembly uses that are adjacent to an interstate highway and in close proximity to a variety of heavy commercial and other industrial uses. Staff further noted that in dealing with the development care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval of the request.

Chair Holston stated he appreciated the outreach for the economic development, industrial development, and jobs in east Greensboro. An area that does not always see a lot of jobs coming in. This will be a great project. Chair Holston inquired if the Commissioners had other thoughts, comments, or a motion.

Ms. O'Connor stated in regard to agenda item Z-21-05-008, The Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 4160 Near Pleasant Garden Road, 4150-R1 Pleasant Garden Road, and 121 Near East Emsley Drive, from CD – CH (Conditional District – Commercial – High) to CD-LI (Conditional District – Light Industrial) to be consistent with the adopted Greensboro 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district, as conditioned, permits uses which fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the June 15, 2021, City Council meeting. All adjoining property owners will be notified of such an appeal.

TEXT AMENDMENTS:

PL(P) 21-14: Amending Sections 30-4-1.4 (Mailed Notice), 30-4-8.7 (District Boundaries), 30-7-8.2 (District Standards), and 30-13-9.2 (Owners Associations) of the Land Development Ordinance related to the Airport Overlay District.

Mr. Kirkman advised the first text amendment request will be making amendments to the City's airport overlay district.

Steve Galanti, Greensboro Planning, advised that city planners have two tools that can be used to guide development within their jurisdictions. First is the base zoning district; second is overlay districts. The base zoning district is a list of uses and dimensional standards applicable for property and applied across the entire city. Meaning if you have property zoned commercial on the north side of town, its dimensional standards, the setbacks and height alignments are the same as if the property was located on the south side of town. Overlay districts differ because they have additional regulations for a specific geographic area. Mr. Galanti wanted the Commissioners to know that because the change proposed to the Overlay District does not make any changes to the base zoning district. That means that if currently a piece of property inside the airport overlay district that does not permit residential uses, changes to the overlay district will still not allow residential unless the property is rezoned. It does not change the base zoning district or the uses currently permitted. Mr. Galanti advised the purpose for the Airport Overlay District is three-fold. To limit uses compatible with the airport operations; to

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offset the negative impacts that aircraft noise may have with residential uses; and prohibit large structures that will interfere with the airport's operation. The overlay district has a specific geographical area and a special set of regulations.

The current Airport Overlay District has two regulations. One is if a proposed structure exceed 50 feet in height, the airport has to approve. Second, residential single-family detached dwellings are prohibited unless located on lots exceeding 40,000 square feet. The current boundary being used, the specific geographic area, is from the Airport Area Plan adopted by the county and incorporated into the Land Development Ordinance in November of 2003. At that time, City Council decided to move from the 65 DNL outline to the 60 DNL outline. The 60 DNL line was determined by the Airport as part of their study and is the area that depending on its climate, topography, existing development, operations of the airport were over the averaged over 24 hours, the sound level will be 60 decibels. According to the FAA, all uses are compatible with sound at the 65 DNL line, the 65-decibel line. Since that time, the airport has updated the Part 150 study with a new boundary for the 60 DNL line. This occurred is because of airport operations, how planes are landing and taking off and the aircraft is using the airport at the time. City staff has been requested to look at updating the Overlay District.

In doing the update, city staff checked with the airport who raised concerns that significant changes would curtail future expansion for the airport. The Airport also wanted city staff to keep in mind aircraft are still taking off and landing and will still have noise impacts in the area even though the 60 DNL line decreased in size. Two other proposals staff was reviewing in making the changes were twofold. One was if a particular use is permitted in the overlay district it does not curtail use. The second goal was to not create any non-conforming issues. Staff is proposing that the current boundary of the Overlay District be divided into two sub-districts, District A and District B. District A would be the area from the 2007 study, the 60 DNL line and the staff proposal. Option A would mimic the two existing regulations pertinent to the Airport Overlay District. Those are the two regulations concerning structure height and prohibiting residential single family detached dwelling units on lots less than 40,000 square feet. District B will be the area between the 2007 line in the current boundary of the Overlay District, shown on the map depicted on the screen. The majority of that area is located north of Bryan Boulevard. In Option A, residential development will be allowed with two caveats. If that were to be done, there is a notification requirement. Landowners would need to notify potential buyers that there is the potential for impacts from aircraft noise in that area. The second caveat is if a residential dwelling unit is constructed inside B, they would need to use methods to incorporate noise level reductions. That entails using building design or materials to reduce the noise heard inside the dwelling unit itself and would have to be reduced to at least 30 decibels. In the text amendment it is incorporated and will be in the split parcel provision that says is if the parcel is split by the outer boundary of the district B line, the parcel would be considered outside of the Overlay District. Except you cannot have the effect of moving that line more than 600 feet and it cannot encroach into area A. Mr. Galanti provided an example. There was an overlay project off of Horse Pen Creek Road and the outer boundary at District B, the yellow line on the map. It splits the parcel and has shifted. The entire parcel cannot be considered outside of the overlay district since the line can only move 600 feet depicted by the blue line on the map. As part of this effort, there was extensive public outreach. The media covered this and there was a press release. There have been discussions with the airport major land owners and the Greensboro Chamber of Commerce. A web site was created dedicated solely to this effort. On that website there was a short video explaining the changes, information on the change in the form of frequently asked questions, and an interactive map where land owners

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could type in their address and find out if they are in district A or B, or were outside the Airport Overlay District. There were four informational sessions via Zoom, two in October of 2020 and two in April of 2021. With the text amendment process, notices are mailed to those affected by this change and notices published in the newspaper. This text amendment was before the Zoning Commission several months ago. On the way to City Council, the Airport raised concerns regarding the text amendment and asked City Council to instruct staff to look into requiring a noise level reduction and notification requirements in the entire Airport Overlay District. That is option B. Since that time, the airport has come back and, in an effort to not create any non-conforming uses, have offered vesting language to allow existing dwellings located inside the Airport Overlay District to be reconstructed if they become damaged. The changes to the Airport Overlay District have two options, Option A and Option B.

OPTION "A": The proposed overlay district would be divided into two parts: 1) Sub District-A: continues to allow single-family dwellings on lots greater than 40,000 square feet; and 2) Sub-District-B continues to allow single family dwellings on lots greater than 40,000 square feet, and allow other residential uses with notification and noise level requirements.

OPTION "B" : The current boundary of the Airport Overlay District will be divided into two parts: 1) Sub District-A would allow single-family dwellings on lots greater than 40,000 square feet with notification and noise level reduction requirements; and 2) Sub District-B allow all residential uses with notification and noise level reduction requirements.

There is a third component, the revision that would allow existing residential uses located within the Airport Overlay District to be rebuilt if they are damaged. Staff respectfully requested a public hearing be held to receive public comments and make a recommendation to City Council. This is the public hearing before the Zoning Commission to make a recommendation. This item is tentatively scheduled to be heard on June 15, 2021 at City Council where they will also have a public hearing and consider adoption of the ordinance.

Mr. Galanti asked if any of the Zoning Commissioners had questions. Mr. Engle stated existing single-family homes could be rebuilt and asked if that was the only thing that is in Option B. Were there any residential multi-family uses, light-industrial uses in that zone. Single-family detached and the multi-family under B if they became damaged would be able to be rebuilt. Under A, they would be rendered non-conforming and in order for them to be rebuilt, they would have to comply with the use notification and the noise level reduction requirements. Mr. Galanti stated the use regulations have no impact on non-residential uses located in the Airport Overlay District. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston requested to go down the list for speakers. Ms. O'Connor advised three neutrals and a variety of people in favor of Option B, all from the Airport Authority. Mr. Kirkman stated he would recommend going with counsel for the airport, Mr. Terrell or Mr. Cooke to begin with. Many of the parties are here in support or neutral to the request. Chair Holston requested Mr. Terrell to speak.

Tom Terrell, Fox Rothchild, 230 North Elm Street, representing the Piedmont Triad Airport Authority. The issue before the Zoning Commission is not whether there are protections but what those protections should be. Mr. Terrell stated that the Airport was asking to recommend Option B to City Council and to explain the differences

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between A and B, and how important it is to the Airport that Zoning recommend Option B. Mr. Terrell introduced Bill Cooke, General Counsel for the Airport Authority to explain.

Bill Cooke, 3 Stonecreek Court, stated the Airport Authority was asking for Option B to be recommended by the Zoning Commission to City Council versus Option A. The difference has to do with the requirement the Airport feels is very important for the protection of new residents in the Overlay District. The notification requirement is very important for anyone buying a house in the Overlay District. It informs the buyers that they are in an overlay district with aircraft overflights.. It is mentioned that there are flights at night. Most houses will be shown during the day when potential buyers may not be aware of the night traffic. The airport is growing and there will be future growth with over flights. The 30 decibel sound reduction is also very important so the Airport can provide extra sound insulation for dwellings against the outside noises. The disagreement starts with Option A, Planning proposal. The two requirements would not apply at all within the inner zone, District A. It would only apply in District B, the outer zone. The Airport feels very strongly about Option B because it made good sense.

As the planes head from B into A, they are progressing with lower elevations. It is very important that buyers within Zone A receive that notification and have the 30 decibel reduction standard for noise insulation for both Zone A and B. The Airport's proposal would have them be the same in both zones. The second difference is under Option A, the Planning Department proposes that the 30 decibel noise reduction would not apply even in Zone B if it is 40,000 square feet or greater. The Airport does not see why the 30 decibel reduction requirement applies to houses on lots less than 40,000 square feet, but not for houses on lots over 40,000 square feet. There is no reason the Airport can see for the distinction. The Airport's proposal would eliminate that distinction and the 30 decibel reduction requirement would apply to all lots.

Mr. Cooke emphasized the Airport did not introduce this change on the way to City Council. The amendment was passed through the Zoning Commission. In a letter to the Planning Department on August 31, 2020, it was stated that the Airport felt these requirements should apply in both Zone A and Zone B. In October of 2020, the Airport Board passed a resolution that the requirements should be applied in both zones. This is not something that was introduced at the last minute. The Airport has had to correct this misimpression before. This is a consistent position the Airport has taken all along. As mentioned by Mr. Galanti, they have added in their proposal a vesting requirement of rebuilding houses existing houses that are currently in place. If they were to suffer the misfortune of burning down or some other casualty. Mr. Cooke asked Mr. Terrell to explain what provision is being proposed to take care of that non-conformity issue.

Tom Terrell then stated what was being shown is something the Airport has only recently come up with because staff was making it clear they were concerned about non-conformities. Language was added to Option B to clear up any non-conforming issues. It was only to fix a problem that was raised. A power point presentation was shown indicating the language in the original 3B section. They have proposed to add six lines to the noise level reduction section in the Overlay. The language shown was the language proposed by the Airport to add making it a non-issue. If someone's home burns down, they are exempted. They are grandfathered and would not have to build back to the new standards. It could be built back to the standards that existed at the time the home was purchased. It is very simple and recommended the new language. The Airport Authority asked the Zoning Commission to recommend to City Council Option B.

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Chair Holston inquired if there were any other speakers.

Edward Lindsey, 600 and 602 Millwood School Road, stated it appeared his home fell into the AOD-A and was very confused. He has approximately 6 1/2 acres of land with two very old houses. Mr. Lindsey opted not to get the noise installation because if there were structure problems, he would receive \$1000. Mr. Lindsey was concerned if something happened to his property, he would have to bring it up to a standard where it meets the 30 decibels. It is an older house and there was no way it could. Mr. Lindsey's understanding was if his house burns down, he would not be required to build it back to a standard of a 30 decibel reduction. Mr. Terrell advised that was correct. Mr. Galanti stated that would be in Option A and Option B. Mr. Lindsey felt he was locked in-between. He is next door to the 6 story Hilton Garden Hotel. His property is A1 and commercial property. His has a perennial screen that goes through the middle of his 6 acres. Mr. Lindsey felt stuck with a situation of having two old houses there and if something happened to them, he would not be able to rebuild them.

Mr. Galanti stated under Option A and Option B, Mr. Lindsey would be allowed to rebuild those houses. Mr. Lindsey stated some time ago he was told that because of the location, he could not build a new house on the property. Based on the fact it was in an area where there was commercial property on both sides of his home and was stuck in the middle with an A1. Chair Holston asked if he was saying he had two existing residences on the property and if something happened to either of them, he wanted to know if he could rebuild those houses or was he saying that he wants to build an entirely new structure. Mr. Lindsey responded he has two lots with a home on one and a mobile home on the other. If something were to happen on either one of the properties, he is lost as to what he could do as a homeowner. The property has been in his family since 1950. Chair Holston asked Mr. Galanti if he was familiar with the treatment of the structures that Mr. Lindsey spoke of. Mr. Galanti responded it appears that the site is zoned R-3 which would allow single-family dwellings. Under both of the options, since it is in sub-district K, he would be permitted to build back the single-family dwelling. The only caveat would be if there is a mobile home on the site, he would not be able to replace the mobile home. Mr. Lindsey stated that is what he was told by the City because he is annexed into the City of Greensboro, not the county. He was grandfathered in because it has been there since 1970 but if the mobile home is removed, he cannot bring another one in and would have to put up home to code. Mr. Galanti stated the change to the Overlay District will not change any of that for him. Mr. Lindsey stated it is very confusing as to AOD-A and AOD-B. One says its 40,000 square feet which is the property size. It is just confusing to him as a property owner. His house is the closest to the airport. Other family homes were brought out about 5 years ago by the Airport Authority. The airport keeps expanding and the noise situation will not go away. He is in a Catch-22 and does not know what to do with the property in the event of catastrophe such as a tornado or fire. Chair Holston asked Mr. Galanti if this was a situation that Mr. Lindsey could benefit by having a conversation directly with him to look specifically at the address, the properties, and the like. Mr. Galanti responded he would be more than happy to meet with Mr. Lindsey or Mr. Lindsey could visit their Planner of the Day offices located in Development Services in the Municipal Building on UG level. Mr. Lindsey advised he lives in California but has Mr. Galanti's number and will call. Mr. Lindsey felt he had a better idea based on what has been stated.

Mr. Terrell advised no one else from the airport has anything to say. Chair Holston inquired if the Commissioners had any questions for anyone before closing the public hearing. Mr. Galanti stated as the discussion process with the Commissioners begins, he would like to bring up two items to add to the discussion. In the format of the Land Development Ordinance, the non-conforming regulations are all in Article 2, not actually in the regulations themselves. If the Commission were to recommend Option B, the Airport's revised submittal, he would request

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that as part of that motion, to have the non-conforming section moved to the non-conforming portion of the Ordinance. In addition, the Airport has the June 1 date as the date of when an existing residential unit had been constructed or a building permit was being issued. This item will be going to City Council on June 15 and Mr. Galanti would request that date be changed to June 15 to match the adopted date that Council will be discussing this item. Mr. Terrell advised those were acceptable to the Airport Authority. Mr. Engle asked how the City views the difference between a tiny house and a mobile home. Mr. Galanti stated there is not a definition of tiny house and it is not recognized as a term. In the Development Ordinance, there is not a limit on the square footage in a house and can build it as large or big as you want as long as it complies with the dimensional standards. As far as a mobile home, there is a definition that is in the Land Development Ordinance that has to do with the type of construction and the date that the unit was built. Mr. Engle asked if that could be emailed to the Commissioners. Chair Holston closed the public hearing. Mr. Kirkman stated at this point the Commission could discuss whether they would like to recommend Option A or Option B with the two changes Mr. Galanti suggested and the Airport seems to be consistent with. Ms. O'Connor moved to amend Option B, change the date from June 1 to June 15, and move the non-conforming use language into the non-conforming section of the LDO, Article 2. Second by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Ms. O'Connor moved to adopt amended Option B. Second by Ms. Skenes. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this was a favorable recommendation, subject to a public hearing on the June 15, 2021 City Council meeting.

Mr. Engle requested a short break as it had been two hours. A 5-minute break was taken at 9:52 and resumed at 9:58 p.m.

PL(P) 21-15: Amending Section 30-4-11.3 (Decision -Making -Criteria) and Section 30-8-11.1 (Accessory Uses and Structures) of the Land Development Ordinance to allow a Type 1 modification for separate utility connections to accessory structures.

Shayna Thiel, Greensboro Planning, stated agenda item PL(P) 21-15 is a proposed text amendment to the Land Development Ordinance related to separate utility connections for accessory structures. The Planning Department requests the Zoning Commission to hold a public hearing, receive public comments, and consider making a recommendation to City Council. Currently the Land Development Ordinance requires accessory structures to single-family, twin homes, duplexes, and traditional housing to take utility service by branching from the principal dwelling. If a property owner wants to install a separate electric meter, they must seek a variance from the Board of Adjustment. As part of the process, the research and review, all the separate meter requests that have been heard by the Board of Adjustment over the last 3 years have been approved unanimously by the Board. The Board directed staff to evaluate the current process and provide recommendations. Staff researched other municipalities ordinance requirements, solicited feedback from professional colleagues on the Professional listserv, and sought input from the Engineering and Inspections Department within the city. Draft text language was prepared for consideration and was shared with TREBIC, the Neighborhood Congress, and Land Use Attorneys throughout the city. From that sharing, there were no negative feedback. The process as proposed changes the review approval body from the Board of Adjustment through a variance to the Planning Director through a Type 1 modification. The process would be shortened. Property owners would not go before the Board of Adjustment seeking their request and wait a month for the Board to meet. The Type 1 modification would be

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handled directly by the Director of the Planning Department. Appeals to those decisions would be heard by the Zoning Commission. As a result, costs would be reduced for the applicants and staff time and money would be reduced. It still would be incumbent for the applicant to demonstrate practical difficulties from branching from the principal dwelling or what the need is for a separate utility connection. The change would also allow the city to continue monitoring for illegal home occupation, the establishment of additional principal uses on residential lots or new accessory dwelling units requiring additional permits. There would be checks for staff to review and a faster process for applicants.

Ms. Thiel thanked the Commission for their time and was ready to answer any questions. Mr. Engle asked if the Zoning Commission was going to hear appeals regarding utility connections. Ms. Thiel responded the Zoning Commission is the authorized body to hear appeals for Type 1 modifications. Chair Holston asked what percent of the cases coming through the Planning Director, would be appealed. Mr. Kirkman responded the Planning Department does not anticipate appeals on these items. The process is there, should someone wish to pursue it. Chair Holston asked if it was not a one to one and would not automatically come to the Zoning Commission. Mr. Kirkman responded it would be very rare that the Zoning Commission would receive an appeal request. Chair Holston inquired if there were any further questions from the Commissioners. Hearing none, Chair Holston inquired if there was anyone signed up to speak. Ms. O'Connor advised there was no one signed up to speak. Chair Holston inquired if there was anyone wishing to speak from the Zoom floor for this amendment. Seeing none, Chair Holston closed the public hearing and requested to have discussion and a recommendation for City Council. Ms. Skenes stated this amendment came from the Board of Adjustments. BOA had many cases regarding electric meters and this action has been needed for a long time. It saves applicants \$400.00 in application fees. It was a no brainer in her opinion. Ms. Skenes moved that the Zoning Commission recommend amending the Land Development Ordinance to allow the Type 1 modifications for staff to make a Type 1 modification regarding utility meters and connection. Second by Mr. Rosa. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the June 15, 2021, City Council meeting.

PL(P) 21-16: Amending Article 3 (Administration), Article 4 (Review and Approval Procedures), Article 7 (District Standards), and Article 12 (Natural Resources of the Land Development Ordinance to change the name of the Zoning Commission to the Planning and Zoning Commission, Section 30-4-15.4 (Coordination with Other Procedures) and Section 30-4-6.5 (Effect of Approval) related to Unified Development Plans.

Mr. Galanti stated this text amendment does two things; it changes the name of the Zoning Commission to Planning and Zoning Commission. Mr. Galanti was requesting to make that change to better reflect the items going to the Zoning Commission. When the Planning Board was dissolved, some of the responsibilities were moved from the Planning Board to the Zoning Commission. The name change will reflect not only reviewing and making recommendations on zoning cases, but also on some planning items that come before the Zoning Commission. The text amendment also updates two of the sections related to Unified Development Plans. When the Planning Board was dissolved and moved, there were two sections that needed to be updated to reflect that the Unified Development Plan was submitted with the rezoning application. Those two sections were missed with the text amendment previously when the responsibility was moved to Zoning. The changes to those two sections are needed so it is very clear in the Land Development Ordinance, Article 4 (Procedures) that the Unified Development Plan is submitted with the rezoning application. Those two sections actually say currently that it is

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submitted after the rezoning request is approved. The two sections need to be upgraded to reflect the current process.

Chair Holston inquired if there were comments or questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone wishing to speak on this item in the public hearing. Seeing none, Chair Holston closed the public hearing and requested to hear any discussion, comments, or a motion. Mr. Engle stated he would make a motion but would like to change the name from the Planning and Zoning Commission to Zoning and Planning Commission because most of the items heard are zoning cases. Chair Holston stated that comment has come up before and requested Mr. Kirkman to respond. Mr. Kirkman stated it is the purview of the Commission at the end of the day to make the recommendation. Mr. Rosa made a motion to accept the amendment to reflect the Zoning Commission name be changed from Planning and Zoning Commission to Zoning and Planning Commission, as that is what the Zoning Commission. Second by Mr. Engle. The Commission voted 8-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Rosa, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated the motion passed and constituted a favorable recommendation. Subject to a public hearing at the June 15, 2021, City Council meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

None

ITEMS FROM THE ZONING COMMISSION MEMBERS:

Chair Holston stated his appreciation to everyone. Chair Holston welcomed again Ms. Skenes to the Commission and wished Mr. Rosa good luck. Mr. Rosa thanked everyone for being patient and teaching him. Will miss everyone, but not the long meetings.

Mr. Bryson wished Mr. Rosa well. Mr. Bryson stated he was very upset at this meeting. It should not be this long. There were talks this evening about things that should have been taken care of a long time ago. Mr. Bryson guaranteed if this happens again, there will be one less Commissioner. Chair Holston responded the Commission did not want to lose him and were working on it. Mr. Bryson responded something needs to be done and needs to be fixed. It is not fair to the Commissioners or the taxpayers to be on a Zoom call until 10:00 p.m. waiting. There were a number of cases with no opposition and going through the motions was pointless. Chair Holston responded it is the current process. Everyone is working on to improve the process. Mr. Bryson stated it is imperative to work in an efficient manner. Chair Holston inquired if there were any other comments.

ADJOURNMENT:

There being no further business for the Commission, the meeting was adjourned at 10:14 p.m.
Respectfully submitted;

Hugh Holston, Chairperson
HH/cgs

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The regular meeting of the Greensboro Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site on June 21, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, and Vernal Alford. Present for City staff were Hart Crane, Mike Kirkman, Shayna Thiel and Steve Galanti, along with Noland Tipton (GDOT), and Alan Buansi, (City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online though the Commissioners themselves were in person. Chair Holston advised of the policies, procedures and updated instructions in place for the Zoning Commission and how the meeting would be conducted using the online format. Mr. Buansi, City Attorney, advised that the Zoning Commission determines land use and conditions within the zoning application, with respect to highest and best use of the property only. All other concerns not related to land use and conditions of the rezoning application, are not germane to the determinations made by the Zoning Commission but can be referred to Planning Department staff or the Technical Review Committee. Pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested each item be identified for comments to be made on and submit the comments to Planning staff.

APPROVAL OF THE May 17, 2021 REGULAR MEETING MINUTES: (Approved)

Mr. Engle made a motion to approve the May 17, 2021 minutes; seconded by Ms. Magid. The Commission voted 7-0. (Chair Holston, Skenes, Magid, Bryson, Engle, Alford and O'Connor. Nays: 0).

WITHDRAWALS OR CONTINUANCES

PL(P) 21-12 & Z-21-05-009: An annexation and original zoning from R-3 (Residential Single-family-3) to CD-RM-8 (Conditional District-Residential Multi-Family-8) for the properties identified as 5144-ZZ, 5119, 5121, 5164, and 5200 McConnell Road, 1360 Village Road, and 1801 Andrews Farm Road, generally described as north and south of McConnell Road and east of Andrews Farm Road, 372.83 acres. And
Z-21-06-006: An annexation and original zoning from County LI (Light Industrial) to City LI (Light Industrial) for the property identified as 1812-ZZ Andrews Farm Road, generally described as south of Millstream Road and off the end of Roosevelt Court, (12.68 acres).

Mr. Kirkman advised both items needed to be moved to the July 19 Zoning Commission meeting as more information is necessary for the applications to move forward. He noted that no action was needed by the

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Commission to move these items and staff was informing the public that those two cases would not be heard at this meeting and were moved to the July 19 meeting agenda.

Z-21-06-004: A rezoning from R-3 (Residential Single-family-3) to CD-O (Conditional District-Office) for the properties identified as 5307, 5313, and 5317 West Friendly Avenue and 724 Muirs Chapel Road, generally described as south of West Friendly Avenue and east of Muirs Chapel Road, (3.7 acres).

(Continued)

Mr. Kirkman advised the applicant was requesting a continuance to the August meeting.

Lauten Crow, 1401 Sunset Drive, advised that he represented the petitioner and was requesting a 60-day continuance to continue to work with the neighbors to further refine their plans.

Chair Holston inquired if there was anyone in opposition to the continuance request. Mr. Kirkman advised staff was unaware of any opposition to the continuance. Mr. Engle moved that the Commission continue case Z-21-06-004, for 60 days to the August 16, 2021 meeting. Second by Mr. Bryson. The Commission voted 7-0. (Chair Holston, Skenes, Magid, Bryson, Engle, Alford and O'Connor. Nays: 0).

Mr. Kirkman then advised that there were two cases on the Commission's agenda with no one signed up to speak opposition and were recommended by city staff. These cases were case Z-21-05-006 and case PL(P) 21-20/Z-21-06-005. Mr. Kirkman requested to have those items moved to the front of the agenda for consideration. Mr. Engle moved to approve the two cases to be moved to the beginning of the agenda. Seconded by Ms. O'Connor. The Commission voted 7-0. (Chair Holston, Skenes, Magid, Bryson, Engle, Alford and O'Connor. Nays: 0).

PUBLIC HEARINGS:

Z-21-05-006: A rezoning from RM-18 (Residential Multi-family-18) to CD-RM-26 (Conditional District-Residential Multi-Family-26) for the property identified as 2510 Hiatt Street, generally described as north of Hiatt Street and east of South Lindell Road. (3.01 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request and that the applicant was available for questions. Chair Holston inquired if there were questions from the Commissioners for staff or the applicant. Seeing none, Chair Holston closed the public hearing and inquired if there was a motion.

Mr. Engle stated in regard to agenda item Z-21-05-006, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the property identified as 2510 Hiatt Street, from RM-18

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(Residential Multi-family-18) to CD-RM-26 (Conditional District Residential Multi-family-26) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-26 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the July 20, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 21-20 and Z-21-06-005: An annexation and original zoning from County RS-20 (Residential Single-family) to City R-3 (Residential Single-family -3) for the property identified as 4103 South Rockingham Road, generally described as east of South Rockingham Road and north of Postbridge Drive, (0.613 acres) (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised there were no conditions related to the request. Chair Holston inquired if there were questions from the Commissioners for staff. Ms. O'Connor asked if this was essentially a water and sewer issue. Mr. Kirkman responded yes this property needs access to water and sewer and is being annexed as a result. Mr. Engle moved to close the public hearing, seconded by Mr. Bryson. Chair Holston asked if there were no questions or comments from Commissioners, was there a motion. Mr. Engle moved to annex the property. Seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised the vote constituted a favorable recommendation and would be subject to a public hearing at the July 20, 2021 City Council meeting.

Mr. Engle then stated in regard to agenda item Z-21-06-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 4103 South Rockingham Road, from County RS-20 (Residential Single-Family) to City R-3 (Residential Single-family-3) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed R-3 zoning district permits uses which fit

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the context of the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this constitutes a favorable recommendation and is subject to a public hearing at the July 20, 2021 City Council meeting.

OLD BUSINESS:

Z-21-05-003: A rezoning from CD-C-H (Conditional District-Commercial-High) and RM-12 (Residential-Multi-family-12) to CD-LI (Conditional District – Light Industrial) for the properties identified as 104-218 Guilford College Road, and 301 Hibler Road, generally described as west of Guilford College Road, south of West Market Street and east of Hibler Road, (57.39 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised that one condition had been submitted with the application and the applicant requested additional conditions be added to the request which were read into the record.

2. No building shall be erected on tax parcels 74497, known as 212 Guilford College Road and 74508, known as 218 Guilford College Road, and the southern portion of tax parcels 74560, 216 Guilford College Road, south of the line illustrated in the attached Exhibit C, which runs from the northeast corner of tax parcel 74495, 301 Hibler Road to the northwest corner of tax parcel 74497, 212 Guilford College Road, bends across the northern parcel portion of tax parcel 74497, Guilford College Road, to its northeast corner.
3. The applicant shall erect a 7-foot opaque fence along the western boundary of tax parcel 74560, 216 Guilford College Road, for a distance of 650 linear feet as measured from the northwestern corner of tax parcels 74560, 216 Guilford College Road.
4. Vegetation planted along the western boundary of tax parcel 74560, known as 216 Guilford College Road, for a distance of 650 linear feet measured from the northwestern corner of tax parcel 74560, 216 Guilford College Road, shall be of evergreen material.

Additionally, as part of this request, the applicant asked that a portion of the property be removed from the rezoning request, shown on the aerial zoning map, addressed as 301 Hibler Road and shown in the red-crossed hatched area. Mr. Bryson asked if the conditions had been reviewed TRC and approved. Mr. Kirkman responded the conditions had not gone through the full TRC body but they were reviewed with their urban designer/landscape architect and she was comfortable with the proposed wording. Chair Holston inquired if there were additional questions. Hearing none, a roll call vote accepting the conditions was requested by Chair Holston.

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Mr. Engle moved the Commission to accept the additional conditions as presented. Seconded by Ms. Magid. Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston inquired if there were questions for staff. Seeing none, Chair Holston requested the applicant to provide their name, address, and to state their case.

Attorney Tom Terrell, Fox Rothschild, representing Equus Capital, presented a power point presentation depicting the background of Equus Company. Mr. Terrell advised this subject properties had been dormant for many years. There is a railroad corridor with LI and HI Commercial zoning all around the property, and a large trailer park west of the property. The access points were removed from any residential use. Mr. Terrell advised there was LI on all sides of the property and they were also very close to Heavy Industrial and the Interstate corridor. Mr. Terrell depicted an architecturally designed industrial building that Equus intended to place on the property. An illustrative site plan was shown indicating where the intended building would be placed, the proximity to the adjacent trailer park, and where residential was located further south. Plans were shown depicting properties around the property. North of the property were gas stations and heavier commercial. West of the property was an industrial property.

Mr. Terrell advised the owner of the trailer park was offered a 7-foot opaque fence for 650 feet and a row of Evergreens intended to be 25-feet at maturity as screening from the new development. Mr. Nagle was unhappy with the offer but Mr. Terrell felt it was a very generous buffer offered. Mr. Terrell then noted the residential area to the southwest of the site was historically a 6th or 7th generation African-American neighborhood with most persons related to each other. At the virtual meeting it was only asked for confirmation that their property could still be used for residential purposes. Equus response was to remove 301 Hibler Road from the request and establish a no build area on the southern portion of the property. He noted Ms. Morgan was the spokesperson for the neighborhood, but was unable to be present to support this request. Chair Holston inquired of the Commissioners if any questions for Mr. Terrell. Mr. Bryson inquired how far back the no build area would be from the residential properties. Mr. Terrell responded by the zoning condition it could be nothing below the red line shown on the attachment. As a practical matter, looking at the site plan the only way to build on this site was to place the building up against West Market Street. The building could change hands and other things could happen but the attached conditions offer protection. Mr. Bryson expressed concern if standards of the residents would be maintained. Mr. Terrell responded that the residents were pleased with what had been offered.

Chair Holston inquired if there were additional questions for Mr. Terrell. Seeing none, Chair Holston inquired if there was anyone else wishing to speak in favor of the request.

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John Knott, Equus Capital Partners, 3843 West Chester Pike, Newtown Square, PA., stated that Equus was looking forward to making a positive investment. Mr. Terrell did a great job in helping them through the process. Chair Holston inquired if there were questions for Mr. Knott. Hearing none, Chair Holston requested those in opposition to speak.

Pierre Cote, 4119 Sherbrook St, West, Montreal, Quebec. Mr. Cote stated he would defer to Mr. Sheiner and Mr. Villeneuve to speak on behalf of the company. While addressing some connection issues the Commission heard from another opponent.

Edward Johnson, 4903 Golden Acres Road, Oak Ridge, stated he was not opposed to the use but had concerns. Mr. Johnson asked if there were three access points off Guilford College Road or two. Chair Holston advised that will be addressed during rebuttal. Mr. Kirkman advised the plan was not officially submitted and staff did not have any information regarding the access points. Mr. Tipton stated the traffic study studied two access points and both on Guilford College Road. No access on Market Street was studied, mainly due to the rail line. Mr. Johnson asked along the rail line, if there was a building erected there, would there be a property barrier similar to the residential neighborhood with evergreen trees along a portion on West Market Street going the length of the building in an east/west direction. Mr. Kirkman stated a 10-foot street yard is required any time property is developed along public streets. There would not be any other buffering required between the street and the building other than the 10-foot street yard. Mr. Johnson expressed his concern if there was a type of barrier between the track and the building, it may mitigate potential problems of undesirables at the access points after hours and things like that. Mr. Johnson inquired if there was a completion date for the intersection of Guilford College Road and West Market Street with the construction there currently. Mr. Tipton responded he did not have an exact completion date. It is behind schedule due to multiple reasons, but should be finished this current year. Mr. Kirkman suggested going back to Mr. Sheiner or Mr. Villeneuve as they had addressed their connection issues.

Lloyd Sheiner, 4119 Sherbrook Street, West, Montreal, Quebec, inquired if all of the Commissioners received their letter of objection. Mr. Kirkman confirmed the letter was received by the Zoning Commission members. Mr. Sheiner stated he has been in the real estate business for 30 years and this is the first time he has objected to a zoning of a neighbor. The Sheiner Group owns the property across the street on West Market, known as the Edgewater Village Apartments and two other multi-family properties, Ashley Oaks and Huntsview Apartments. Edgewater Village is 43 acres with 5 lakes, and 483 apartments. Over the past four or five years, renovations and improvements have been done to make it a better place for the residents of Greensboro. When the property was acquired, a comprehensive analysis was done of the neighborhood. Their attention was drawn to the 50-acre site

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adjacent to the largest intersection. The Comprehensive Plan adopted by the City indicated the site would be mixed development that could support uses of townhouses, twin homes, multi-family, office, hotel, restaurants, professional services, and all retail sales, to include grocers. The Sheiner Group felt the stated intention of the city to create and build communities in connections is very valid and very important. Sheiner Group was unhappy to learn a large conglomerate had tied up the property and was seeking to rezone to build a 350,000 square foot warehouse on a very important corner that should be developed to progress communities within Greensboro. Sheiner Group could see this was a demand that is in use and how certain aspects of the city financial benefits would come about by developing it, but did not believe the request was the highest and best use. As a result, Mr. Sheiner was for the first time in his 30-year career in real estate was objecting to what a fellow developer is proposing for a very important site in Greensboro.

Chair Holston inquired if there were questions for Mr. Sheiner from the Commissioners. Seeing none, Chair Holston requested Mr. Villeneuve to speak. Mr. Sheiner then advised he spoke on Mr. Villeneuve's behalf. Jim Nagel, 5207 Hedrick Drive, Greensboro. Mr. Nagel owns the Hidden Valley Mobile Home Park abutting the proposed warehouse. Mr. Nagel was very concerned with the location of the proposed building. With no dimensions to the building, Mr. Nagel guessed the building was roughly 600-feet x 1200-feet. The building would be directly on the property line which includes about 15 homeowners. Mr. Nagel stated as he understood, the building would be about 34 to 40 feet in height and the homeowners would be looking at a brick wall. The intention now is to provide foliage and trees to reduce the building impact facing those homeowners. Mr. Nagel stated he would like points to be included in the zoning request, such as to provide a suitable line screening of a 35-foot wide buffer zone to include wood panel fencing 8-feet high. Evergreen trees to grow up to 25 to 30 feet high and a row of Leyland Cypress trees. The trees should be at least 6-feet high at time of planting. The buffer zone should be designed to run from the railroad right of way to 20 yards beyond the last resident. The screening would minimize the size of the warehouse located on his property line.

Chair Holston inquired if the Commissioners had questions for Mr. Nagel. Seeing none, Chair Holston advised Ms. Pemberton of the time limit and advised she could speak during the rebuttal period after the applicant speaks. Mr. Terrell stated the buffer along the western property line would be approximately 700 feet to where the building would be. A site plan depicted the location of the Living Well Community, surrounded by LI on 3 sides. Colonial Pipeline tanks were shown and the interstate to the left. LI and HI zoning surrounds the community and a trailer park directly across the street. Traffic should head to Interstate 40 and not go in their direction. Mr. Terrell felt Mr. Nagel was asking for what is already proposed. Equus offered an opaque fence for the park and evergreens that would be at least 25 feet in height. Mr. Terrell stated the setback has been explained. The site plan

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is conceptual and not engineered or designed to date. It is unknown how far back from the property line the building would be, but it would not sit on Mr. Nagel's property line. It cannot sit on the property line as there is a setback imposed by law. Equus would either meet the setback that the city determines to be adequate or it would exceed the setback. Whether the setback meets or exceeds, it will be with an offered buffer for those homes on that side. Mr. Terrell advised evergreens along West Market Street have not been proposed, but will be whatever the City requires.

Chair Holston inquired if the Commissioners had questions for Mr. Terrell. Seeing none, Chair Holston requested Ms. Pemberton to speak on her behalf.

Rita Pemberton, stated it was hard to determine how far back 301 Hibler was from the property line and if it would be part of the zoning. It has a no build area in the back of 301 Hibler and Ms. Pemberton asked how far back was the red line depicted on the site plan. Chair Holston responded that the applicant had stated it would be approximately 700 some feet. Mr. Kirkman added if the case was approved as requested, 301 Hibler would not be part of the request and could only be included in the future as a separate rezoning request. The request at this meeting was to take that property completely out of the request. Ms. Pemberton asked about land values for the area. Chair Holston responded that was not something under the purview of the Zoning Commission. Ms. Magid stated she spoke directly to Ms. Morgan, who represented Mr. and Mrs. Morehead. Ms. Morgan stated the Moreheads advised they were very satisfied with the new additional conditions presented. Chair Holston inquired if there were questions for Ms. Pemberton. Hearing none, Chair Holston closed the public hearing and requested to hear from Mr. Kirkman. Mr. Kirkman noted there were still some other speakers wishing to speak in rebuttal Lloyd Sheiner requested to address Mr. Terrell's rebuttal. A slide depicting the Edgewater Building was shown. Mr. Shiner stated Mr. Terrell failed to reference two items. To the east of Sheiner Group's property, there was a 6-acre piece of land. Sheiner owns that piece of land and is zoned multi-family residential for 72 units. All of the single-family homes were not addressed that are closer to the subject property. There would be a residential neighborhood that would be facing a 350,000 square foot warehouse. Previously the city had anticipated that residential and commercial uses occupy the intersection. Mr. Sheiner reiterated he believed the community would be better served at this intersection to be developed in the way that the city originally intended. The city is waiting for the right developer and the right development would serve the city much better than a 50-foot high, 350,000 square foot warehouse.

Chair Holston inquired if there were questions for Mr. Sheiner from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else who had signed up to speak in the rebuttal period. Hearing none, the public hearing was closed and Chair Holston requested to hear the staff recommendation.

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Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General and a Neighborhood or District Scaled Activity Center on the Future Built Form Map and Commercial and Residential on the Future Land Use Map. If the request is approved, the Future Land Use Map is considered to be amended to Industrial. The proposed CD-LI request supports the Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites for corporate and industrial uses. The proposed request, as conditioned, allows uses that are complimentary to other nearby industrial and heavier commercial uses while limiting off-site impacts to existing nearby residential uses. Staff recommended approval of the request.

Chair Holston inquired if there were questions from the Commissioners to staff, discussion amongst the Commissioners, or a motion. Ms. Skenes noted that 301 Hibler Road had been removed from the request as part of her motion. Ms. Skenes stated in regard to Z-21-05-003, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 104-218 Guilford College Road, from CD-CH, (Conditional District – Commercial-High) and RM-12 (Residential Multi-family-12) to CD-LI (Conditional District – Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1). The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map because the proposed CD-LI zoning district, as conditioned, permits uses which fit the context of the surrounding area; (2). The proposed CD-LI zoning district, as conditioned, permits uses which fit the context of the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Magid.

Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O’Connor. Nays: 0), Chair Holston stated this constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All appeals will be subject to a public hearing at the July 20, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 21-14 & Z-21-05-010: An original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family-) to City CD-RM-26 (Conditional District - Residential Multi-Family-26) for the property identified as 206 Wolfetrail Road, generally described as north of Wolfetrail Road and east of Randleman Road, (9.985 acres). (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman also advised of the condition related to the request. Chair Holston inquired

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of Commissioners if there were any questions for Mr. Kirkman. Seeing none, Chair Holston requested the applicant to come forward to speak.

Chris Ogunrinde, 227 West Fourth Street, Charlotte, NC, is with Urban Trends Real Estate, Inc., and representing the petitioners regarding the project on Wolfetrail Road. Mr. Ogunrinde presented slides depicting the location of the proposed project. Mr. Ogunrinde discussed the considerations taken into account in deciding on a site and creating the plans such as the existing zoning, natural features, access, and transportation requirements. Mr. Ogunrinde reviewed the existing ordinance and the policies in place such as zoning and utilities. Mr. Ogunrinde also reviewed the adopted area plans, and discussed the growth plans for Greensboro. The proposed plan was depicted with nothing being finalized. The builder is very sensitive to the existing single-family fabric along Wolfetrail and made the conscious decision to locate the lower density townhome development to abut the street. The 3-story walkup units would be tucked in the back with all of the associated parking that would be mostly hidden from the street. There was a community meeting where concerns were expressed regarding security, buffers, and how this development would impact the local school district. It was mentioned to the residents that typically those are the questions that should be raised to the City. Mr. Ogunrinde provided slides indicating examples of projects that have been completed within the Charlotte area and all over the country. The community will have a swimming pool, clubhouse, exercise rooms and lobby. Buffers will be provided for the adjacent property owners. The process was shared with the community to seek rezoning from Agricultural to R-26, allowing up to 280 residential units. There will be easy access to transportation, the interstate, retail services, and employment. The proposed development would be 6 miles from downtown Greensboro.

Mr. Engle stated the presentation noted that up to 280 units would be built but there was a request for RM-26 and a parcel of 10.23 acres which would make the maximum that could be built would be 260 plus units. Mr. Ogunrinde advised it was a typo that was caught but too late to change the slides. Chair Holston inquired if there were additional questions for the applicant. Mr. Bryson stated he had not seen anything regarding mass transit and asked if a mass transit stop had been equated into the proposal. Mr. Ogunrinde responded they will collaborate with Greensboro Transit Authority. They were required to prepare a traffic impact study which was submitted to the Planning Department. All of that will come into play as they further the design and planning. If they are allowed to do that, they will.

Chair Holston requested Mr. Ogunrinde to explain how the meeting went with the community. Mr. Ogunrinde responded the meeting went very well. A gentleman stated he was not opposed to development, however wanted to make sure that there would be buffers against his land. Mr. Ogunrinde responded by code, there has to be 5 foot yard setbacks and all of that. It would not be approved without doing that. Another question regarded security and

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if this would be low-income housing. It will not be low-income. A concern was expressed regarding the capacity of the school system to handle additional density. Mr. Ogunrinde could not answer that question and advised it would be a question for the school system to address. There was a Zoom meeting with approximately 3 people attending. Chair Holston stated the illustrative drawings shown indicated very similar facades with the housing and asked if that was a type of façade being considered for this project. Mr. Ogunrinde responded the most popular façade treatment is Hardie board. A mixture of Hardie board and some masonry is what they hope to utilize on this project. Mr. Kirkman advised there were no conditions related to materials as part of this request. Chair Holston inquired if there were additional questions for Mr. Ogunrinde. Seeing none, Chair Holston inquired if there was anyone else speaking in favor. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request.

Harold Timmons, 906 James Stoke Parkway, Greensboro, was speaking on behalf of Sharon Watson, Charlene Falcon, and Regina Timmons. Mr. Timmons stated the family opposes this particular request. They have property abutting the western property line of this development. The request to annex the property into the City of Greensboro and change the zoning to CD-RM-26 should not be recommended for approval. CD-RM-26 allows approximately 268 units to be developed on the property. The magnitude of the development would have a significant impact on the livability, property values, and general welfare of the single-family properties and homes along this portion of Randleman Road. The proposed land use is not compatible with the existing single-family residences and should not be recommended for approval. A more compatible land use would involve multi-family development promoting home ownership. If the proposal was approved, the zoning request should be restricted to no more than CD-RM-15 or even less classification. The height of 50 feet will be permitted in terms of the structure built and would tower over the single-family homes, peering into yards and homes creating a general nuisance for the residents living there.

The proposed development will significantly increase traffic along Randleman Road where it is already difficult to turn or cross the road. The staff report made no mention of improvements based on an additional 1028 daily vehicle trips generated by this development. No mention was made of the developer providing any relief although the development would substantially impact the residents in existing vehicular travel. The staff report stated this particular development will have a traffic generation potential of 3,028 daily trips. With 181 trips in the morning peak hours, 206 in the evening peak hours and will definitely change the character of this particular area. There is already a significant amount of existing multi-family development along Wolfetrail Road currently. No insight has been provided to the city regarding why another multi-family development is the best land use for this area. The supply of housing in this area is described under the Comp Plan's Future Built Form Map as the developer

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considering the development of something other than multi-family apartments and steer the proposal more to the area of a project providing units for purchase and ownership; and would be more compatible with single-family development. Additional multi-family development is further changing the character of the area from where long-term sustained development occurred to one evolving high-density development that is transitional in nature and across the county many have become unstable and a detriment to the community if not managed at a high level. Local area police and crime data has not been taken into account in the area along Wolfetrail Road in the existing multi-family development. This development will share a property line with single-family homes. This development in this location provides no acceptable transition from high-density to medium-density to low-density development. A transition in uses should be made to minimize the impact from the development. There is emphasis on value on protecting vehicles traveling along I-85 corridor and apartment residents than protecting property owners in residences of the abutting properties. There was a report that stated a minimum buffer along the corridor was 40 feet to 75 feet in width with an average width of 50 feet and single-family residences are afforded an average buffer width of 15 feet with a minimum of 10 feet, along with additional plantings more designed for beautification than noise or visual obstruction. No mention has been made the developer will secure the property and residences of the development from anyone entering or crossing into the adjacent single-family properties as a shortcut to Randleman Road by foot. The developer did not reach out to residents of the community. Mr. Timmons stated his family was not made aware of any meetings and found out at the beginning of this meeting there was a community meeting held. There were no letters indicating any meeting was planned. Mr. Timmons made a request to have this application deferred until such time that a meeting is held. Mr. Timmons requested the Commission send a recommendation of denial to City Council.

Mr. Timmons stated conditions that should be made part of this request for consideration going forward; 1. The developed density should be limited to more than 15 units per acre; 2. A 15 foot landscape buffer provided shall also include an 8 foot tall masonry wall along the inside edge of the buffer area for the length of the western property line. A 30-foot landscape buffer could be substituted for the 15-foot buffer but must also contain an 8-foot-tall double-sided board fence for the entire length of the property. Any plantings in the buffer should be selected with noise and visual obstruction; 3. Only two story buildings should be constructed adjacent to or along the western side of the property; 4. There should be no building porches or patios above the first floor for buildings constructed along the western side of the property; 5. Buildings along the western edge of the property shall use colors and designs features, i.e., roof lines, exterior materials, to resemble existing single-family residences nearby; 6. Developer agrees to construct an additional turning lane from the development to the

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intersection of Randleman Road and said developer will not place vehicle parking within 15 feet of the western property line.

Chair Holston inquired if Commissioners had questions for Mr. Timmons. Seeing none, Chair Holston inquired if there was anyone else speaking in opposition.

Jeanne Dulin, 3437 Randleman Road, Greensboro, advised she was included in the presentation. Mr. Timmons said all that needed to be said.

Elreta Dickinson, 2618 West Fargo, Chicago, advised she and her sister own property at 3444 Randleman Road. Ms. Dickinson concurred and adopted the statements of the Mr. Timmons.

Chair Holston inquired if Mr. Ogunrinde would like to speak in rebuttal.

Chris Ogunrinde, thanked Mr. Timmons for his comments and apologized that he did not receive a letter. The list utilized was provided by the Planning Department and letters were sent to residents within 600 feet of this site. It could be the letter was lost in transit or his property was not within the radius of the site. Mr. Ogunrinde stated they were required to do a traffic impact study with one of the recommendations being to provide a turning lane to address the concern raised by Mr. Timmons. Mr. Ogunrinde stated every time there is a rezoning in an area that has not experienced this much growth, there is always concern with the residents being nervous about the unknown. Young people are looking to relocate to Greensboro and a lot of them are not crazy about single-family homes. They don't want to do the upkeep on homes and want to be able to live in a place where they can jump in the pool. There is fencing. If they want to go have a good time at night, they'll call Uber. The market is telling who developers/builders are designing for. The challenge is it affects the existing fabric of the community.

Mr. Ogunrinde stated there needs to be a dialog in how to best can they become to be good neighbors. Mr. Ogunrinde offered to send the presentation that was presented to the community if Mr. Timmons would like and would share his number if Mr. Timmons would like to speak to him. They will come to Greensboro and meet for further discussion. They are excited about the project and hope to be good neighbors.

Chair Holston inquired if there were questions or comments from the Commissioners. Ms. O'Connor asked if, since the neighbors objected to the RM-26, did the developers consider a plan for RM-18. Mr. Ogunrinde responded RM-18 was considered but it was felt RM-26 was necessary for this size community. Chair Holston inquired if there were additional questions. Hearing none, Chair Holston inquired if opposition had rebuttal.

Mr. Timmons stated he was not anti-development and is in the wireless industry involved in the development of cellular towers across the country. But at the same time, he felt this use adjacent to the property with minimum buffering, was incompatible. The City should do something to minimize the impact that would occur. Mr. Timmons appreciated the developers having to request a development density that they feel would

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allow them to have a return on their investment. The residents have an investment also which has been in place for over 100 years and want to protect that investment to the best of their ability. What is best for the particular property is for some other type of use or a lower density use in the neighborhood of RM-18 or RM-15.

Developments along Wolfetrail Road are RM-26 down to RM-18 and now looking to bump back up to RM-26. From a transitional standpoint, density should be getting lower as it gets close to single-family, not getting higher. Chair Holston inquired if Ms. Dulin or Ms. Dickinson had any additional comments to make. Both responded no. Chair Holston closed the public hearing and requested to hear the recommendation from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and a combination of Commercial and Residential on the Future Land Use Map. The proposed original zoning request does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro's city-wide network in neighborhoods offering residences of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-26 zoning district does allow expanding of residential options that are compatible with various residential uses located nearby. Staff recommended approval of the request.

Chair Holston inquired if there were any thoughts or comments amongst the Commissioners, or a motion. Chair Holston advised there were two issues, the annexation and the rezoning. Mr. Bryson felt he was very pro-development but felt the developer did not reach out to the public to receive input from the public. Transportation was not taken into consideration in the development of this idea. With a development of this size, transportation needed to be considered. Mr. Bryson stated he could not be in favor of this development at this time. Chair Holston advised the applicant did advise there was a public meeting and the opposition may not have been in the mailing zone. Chair Holston advised he would be voting for the annexation but the density question and the potential for RM-26 was a concern. In that community, there has been a proliferation of multi-family within the last five years. To add additional RM-26 density to the area, Chair Holston advised he could not support the application. Mr. Engle stated as a group, there was recent approval of a rezoning for a five-story apartment building next to single-family homes and also approved by City Council. More than ever, with building materials going where they are going, Mr. Engle completely understood what was said and believed there would be another 30 days for the applicant to work with the people present at this meeting. There are challenges, especially currently with getting in contact with people. Coming to this public meeting indicates communication was received, the staff report was read to include the traffic impact study and was very well versed. Mr. Engle would like to see more buffering but did not believe a masonry fence would be something the Zoning Commission would require from anybody. The two parties need to come together more. Mr. Engle was in support of the

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request and would make a motion. Ms. O'Connor stated she agreed with Mr. Engle. In looking at the materials provided, there was CD-RM-26 zoning not far from the subject property and CD-RM-18 and 12. The concerns regarding density were valid. Ms. O'Connor was inclined to support the request. Ms. Skenes stated she was in total agreement with Mr. Engle. The precedent was set for multi-family adjoining residential and was determined by Zoning and City Council. Based on testimony, the developer did have a community meeting that was done on Zoom attended by about 3 people. In looking at the address, the presenter of the opposition lives on James Stoke which is in Summerfield but his sister lives at 3444 Randleman. His sister would have received the notice and that is probably how he found out about the meeting. Ms. Skenes was in support of the request.

Chair Holston inquired if Mr. Engle had a motion.

Mr. Engle made a motion to annex the property. Seconded by Magid. Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised the vote constituted a favorable recommendation and subject to the public hearing at the July 20, 2021 City Council meeting.

Mr. Engle stated in regard to agenda item Z-21-05-010, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 206 Wolfetrail Road from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD RM-26 (Conditional District – Residential Multi-family-26) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-26 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Skenes. Commission voted 4-3. (Ayes: Skenes, Magid, Engle, and O'Connor. Nays: Chair Holston, Bryson and Alford). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the July 20, 2021 City Council meeting.

A break was taken at 7:18 pm. The meeting resumed at 7:25 p.m.

NEW BUSINESS:

PL(P) 21-17 & Z-21-06-001: An annexation and original zoning request from County RS-30 (Residential Single-family) to City R-3 (Residential Single-family-3) for the property identified as 3437 Randleman

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Road, generally described as east of Randleman Road and north of Wolfetrail Road, (1.77 acres).

(Favorable Recommendation)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions related to the request. Chair Holston asked the Commissioners if there were any questions for Mr. Kirkman. Mr. Engle asked if the reason for the request was due to city utilities. Mr. Kirkman responded he thought it was. The applicant would speak to that as well. Chair Holston requested the applicant to come forward.

Jeanne Dulin, 3437 Randleman Road, Greensboro advised she needs to hook up to city water and that is the reason for the annexation and original zoning.

Chair Holston inquired if Ms. Watson wished to speak in favor of the request.

Sharon Watson, 3439 Randleman Road, Greensboro advised she was in favor of the request to allow Ms. Dulin to be able to hook up to Greensboro city water.

Alberto Rodriguez, 3449 Randleman Road, Greensboro advised he was also in favor of the hookup to city utilities.

Chair Holston closed the public portion of the hearing and requested to hear from Mr. Kirkman for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Commercial on the Future Land Use Map. The proposed rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-3 zoning permits similar uses to the surrounding area. Staff recommended approval of the request. Mr. Engle moved to annex the property. Second by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford and O'Connor. Nays: 0). Chair Holston stated the motion constitutes a favorable recommendation and subject to a public hearing at the July 20, 2021 City Council meeting. Mr. Engle stated in regard to agenda item Z-21-06-001, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 3437 Randleman Road from County RS-30 (Residential Single-family) to City R-3 (Residential Single-family- 3) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed R-3 zoning district permits uses which fit the context of the

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surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021 City Council meeting.

PL(P) 21-18 & Z-21-06-002: An annexation and original zoning request from County AG (Agricultural) and County RS-40 (Residential Single-family) to City CD-RM-5 (Conditional District-Residential Multi-family-5) for the property identified as 1912 Trospen Road, generally described as north of Trospen Road and east of Bedstone Drive, (12.027 acres.) (Favorable Recommendation) and
Z-21-06-007: An original zoning request from County PI-WCA (Public and Institutional) in the Watershed Critical Area Overlay District to City PNR (Parkland and Natural Resource Areas) for the property identified as 1912-ZZ Trospen Road, generally described as north of Trospen Road and east of Bedstone Drive, (3.67 acres). (Favorable Recommendation)

Mr. Kirkman stated the request is for annexation and then two original zonings. Mr. Kirkman reviewed the zoning map for Z-21-06-002 and other summary information for the subject property and surrounding properties, and noted the conditions related to the request. Mr. Kirkman noted a separate portion of the site and advised per State law if the first property is annexed, then the other must come in as well and that is the reason for multiple actions this evening. Mr. Kirkman then reviewed the zoning map for Z-21-06-007 and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions related to the request. Chair Holston asked the Commissioners if there were any questions. Ms. O'Connor asked if the portion publicly owned that appears to be land locked was ever an issue. Mr. Kirkman responded potentially yes. In this case it will stay in its natural state in what was dedicated for that purpose. Jurisdictions are being changed and classifications have to be changed. The function of the land stays the same. Chair Holston inquired if there were additional questions. If not, Chair Holston requested to hear from the applicant.

David Stone, 2904 Lawndale Drive, Greensboro, spoke on behalf of D Stone Builders representing the property owner, Sheryl Glover. Currently the property is under contract. The intent is to develop the property and have a maintenance free townhome community similar to a number of other communities developed by D Stone across Greensboro and Guilford County. A sketch plan was shown depicting 30 twin townhome units with an access point on Trospen Road. A marketing brochure was shown depicting another community called Jordan Creek in Jamestown. The units proposed to be developed on Trospen Road will be very similar to what was shown in the

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pictures. Various floor plans were shown and Mr. Stone noted that the buyers of these townhomes typically are empty nesters looking to downsize and live in a community with less maintenance. There will be an HOA and the yards and landscaping will be maintained. Mr. Stone advised letters were sent out using the mailing list provided to the city. A Zoom meeting was held with the neighbors on June 17. There were few questions. The meeting lasted approximately half an hour with no objections noted at the meeting.

Mr. Bryson asked how many people attended the Zoom meeting. Mr. Stone responded there was approximately a dozen people on the call. Chair Holston inquired if there were additional questions for Mr. Stone. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition.

Steve Burns, 6212 Bedstone Drive, Greensboro, asked if the county property between Bedstone Drive and the proposed building had to be annexed. Mr. Kirkman advised that under State law if there is public property between a request for private property and the existing corporate limits of the city, the public property then comes in as part of that action. Mr. Burns stated Mr. Stone offered to purchase the property but did not know that it would be annexed. Part of his concern was to go back to him and see if he has changed his mind. Mr. Engle requested Mr. Kirkman to explain the State law regarding annexation of private property in particular in cases such as this. Mr. Kirkman stated annexation under current State law is done as a petition to the City to access city services. In this case it would be to access water and sewer in order to do residential development. The action is only for the property being requested to be annexed into the city. The additional property coming in that is publicly owned would be set aside as a water shed protection area and will remain as such. That would not be part of any development in terms of residential. In terms of adjacent properties currently in the county and the action with the Commission and City Council, this item will not impact whether or not those properties come into the city. They would have to petition to come into the city as well.

Mr. Burns asked if the project would be in the city or county. Mr. Kirkman advised the property that is the publicly owned property located in the back of this property and abuts existing watershed protection areas, was not eligible for development in the first place and was out of the zoning. Mr. Burns asked if it would be city or county. Mr. Kirkman responded it would be city jurisdiction if this was approved, but the purpose of the property will remain the same. Mr. Burns reiterated that Mr. Stone did not know it would be annexed and would not be in the county. Mr. Kirkman felt they were not talking about the same property and felt it may be better to have a discussion offline. The only property annexed at this meeting is what was submitted as part of the application and was shown earlier on the zoning map. Mr. Burns stated he was very pleased to see D Stone is the one that would be developing the property as they have a very good reputation and will build homes consistent with the neighborhood. Mr. Burns expressed his concern regarding adding traffic on the road. There is a traffic issue at

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Trosper Road and Lake Brandt Road currently. Generally, Mr. Burns advised he was in favor of the request. His only concern was this is the third piece of property annexed in the city creating large truck traffic and so forth for construction and likely to degrade the road more.

Chair Holston inquired if there were questions for Mr. Burns from the Commission. Seeing none, Chair Holston inquired if Mr. Stone would like to speak in rebuttal. Mr. Stone advised he did not have any else to add. Chair Holston inquired if Mr. Burns had any rebuttal. Mr. Burns advised he did not have any rebuttal. Chair Holston closed the public hearing and requested to hear the recommendation from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site generally as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed original zoning request for 1912 Trosper Road supports the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-5 zoning district allows uses similar to existing uses in the surrounding area. Staff recommended approval of the request.

The other area known as the publicly area owned area is currently designated as Reserve on the Future Built Form Map and the Future Land Use Map of the Comprehensive Plan. That original zoning request supports the Comprehensive Plan's Sustainability Goal to promote environmental stewardship by taking care of the natural resources and the natural systems that support all living things. The proposed PNR zoning district for that property is intended to preserve the area in its natural state for community benefit. Staff also recommended approval of the request.

Mr. Engle made a motion to annex both properties. Second by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021 City Council meeting.

Mr. Engle stated in regard to agenda item Z-21-06-002, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property located at 1912 Trosper Road from County AG (Agricultural) and County RS-40 (Residential Single-family) to City CD-RM-5 (Conditional District – Residential Multi Family -5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-5 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other

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attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021 City Council meeting.

Mr. Engle stated in regard to agenda item Z-21-06-007, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 1912-ZZ Trosper Road from County PI-WCA (Public and Institutional) in the watershed critical area overlay district to City PNR (Parkland and Natural Resource Areas) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed PNR zoning district permits use which fit the context of the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021 City Council meeting.

PL(P) 21-19 & Z-21-06-003: An annexation and original zoning request from County RS-40 (Residential Single-family) to City CD-RM-18 (Conditional District-Residential Multi-family-18) for the properties identified as 1815 Pleasant Ridge Road and 7201 Alcorn Road, generally described as west of Pleasant Ridge Road and south of Alcorn Road, (42.25 acres.) (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request. Chair Holston inquired if the Commissioners had any questions for staff. Seeing none, Chair Holston requested the applicant to speak.

Tom Terrell, Fox Rothschild, representing Leoterra Development, introduced. Kyle Bunker, Jay Clapp and Craig Nursey who were also with him. A short power point presentation was presented depicting the site located in Growth Tier 1 consistent with the Land Use Map and the Urban General designation on the Built Form Map. Mr. Terrell noted growth in this area is 1/3 of a mile from the closest property owned by the airport. The overview of the project was presented notating it was to be CD-RM-18 with a density cap of units per acre of 6.27. A traffic study was completed indicating traffic would be dispersed through three areas, with a fourth potential access providing good traffic flow. A north/south stream occupies approximately 20% of the western part. The decision has not been made regarding whether this project would be townhomes, single-family, or a combination.

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Conceptual site plans illustrated the stream going through the middle and takes the western portion out of the development. Another slide depicted what it would look like with townhomes and still have the western 20% taken out of the development. Mr. Terrell stated there were good serious communications with the community. Letters were sent out to everyone within the 600 feet radius. Everyone had Mr. Terrell's personal cell number and email. Primarily concerns were in regard to where their home was in relationship to the property. In the letter there was an insert depicting what the property was but Mr. Terrell had failed to make it broad enough for people to see where their home was. There were many comments regarding traffic issues but the traffic was not so high that the traffic study indicated that turn lanes would be needed. Buffers were discussed. Mr. Terrell stated the people were some of the nicest that Leoterra dealt with in contrast to other zoning cases. This is a place where growth is expected, growth has been called for by all the policy plans. This project meets all of those. Leoterra has a very good track record.

Chair Holston inquired if the Commissioners had questions for Mr. Terrell. Hearing none, Chair Holston inquired if there was anyone to speak in opposition to the request and advised there was a combined 10 minutes to speak. Jamie Brown stated she did not wish to speak. Mr. Castle did not respond.

Sandra Parkes, 7227 Alcorn Road, Greensboro, stated she was very sentimental about the land as there was a long family history involved. Their land was peaceful and they did not want their peace and privacy threatened. Ms. Parkes did not feel the traffic study was sufficient. There is a large development located on Alcorn Road, apartment buildings on Interstate 68 and construction being done across from that area. Wildlife has been displaced from their natural habitat. Copperheads have become a problem. For Ms. Parkes and her neighbor at 7229 Alcorn, they abut where the townhomes will be located and expressed concern regarding buffers for privacy as it was unclear. Ms. Parkes was concerned regarding the water runoff as that property goes up to her backyard. Richard Parkes, 7227 Alcorn Road, Greensboro, expressed concerns regarding losing the wildlife who have established homes in the back woods. The neighborhood will lose whatever peace they currently have in the country by having 285 homes as part of their community. Mr. Parkes advised he was opposed to this rezoning. Chair Holston inquired if there were questions for Mr. and Mrs. Parkes. Chair Holston requested Keith Price to speak.

Keith Price, 5204 Rambling Road, Greensboro, advised he appreciated the Commission's due diligence regarding decisions. Mr. Price advised he was opposed because of the density. Mr. Price could not reconcile the statement in the staff report regarding the compatibility, "density within the surrounding area with the RM-18". Even if conditioned down to 6.3 dwelling units per acres, the staff reports clearly stated "northeast, south and west of the request contains single-family dwellings zoned RS-40" which is 40,000 square feet lots, City R-3 is 3 dwelling

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units per acre. There was not a proposed condition where RM-18 was compatible with the context of the surrounding area. There have been cases where county zoning was discussed, AG, RS-40, RM-5, being a compatible transition to County RS-30 to City R-3 being a compatible transition. This application appears to be outside of what would be reasonably compatible in terms of density. Mr. Price stated there is inadequate public infrastructure and referred specifically to storm water infrastructure. On the western portion of the property is Moores Creek that drains into Lake Brandt. Moores Creek on a sunny day is a bucolic dream, but when it rains, there is a severe flooding issue. Moores Creek discharges underneath Alcorn Road. Mr. Price depicted photographs of Moores Creek from Mr. Price's back deck depicting a banana grove trees that are approximately 20-feet tall. Photographs were shown depicting the stream. This is a substantial 6 to 800-acre water shed draining from NC 68 over to Pleasant Ridge Road and back toward the new interstate. Mr. Price stated he has lived in this area for 3 1/2 years and have had these conditions over that time 7 or 8 times. Mr. Price stated greater density means increased runoffs, even with engineer BMP devices. BMP devices are designed to control 1, 2, 10 years, 24-hour storms and not for shorter storms of higher intensity and not the larger storms that produce more flooding. Mr. Price stated his opposition is based on the compatibility of density with the surrounding area. With 6.3 dwellings unit per acre, would create a density 6 times more of the surrounding area. The pictures speak for themselves in terms of flooding and increasing flood elevations, particularly in heavy storms.

Chair Holston inquired if there were questions for Mr. Price from the Commissioners. Hearing none, Chair Holston inquired if Mr. Terrell would like to speak in rebuttal.

Mr. Terrell stated with respect to animals, he had great sympathy for animals. In an urban area that is expanding internally, animals always will be displaced. The area to the western part of the site cannot be developed. All of the state and federal setbacks must be met for that. There is a corridor there for animals. The 295 unit is a maximum number done for the traffic study because the most maximum number must be used unless you can state precisely what will be done. There is a good chance that the number would decrease. Greensboro is a city that needs growth and density. Density is not something that is an enemy, especially in areas next to the airport. The airport needs places for people who work in those areas surrounding the Piedmont/Triad Airport. There has been \$200 million being used for the airport area to grow and to become a job creator. Having housing for that growth makes sense. Mr. Terrell stated storm water is not a land use issue, but is an engineering issue. The amount of storm water leaving this site, by all of the standards monitored and imposed by the City of Greensboro, do not change whether it is single-family versus multi-family. The detention pond size would be changed based upon how much impervious surface there is. The storm water will meet every standard. If the standards are not

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good, change the standards but do not penalize the developer who is doing everything they can to follow the law and will follow the law.

Mr. Terrell asked if Mr. Nursey wanted to add anything regarding storm water.

Craig Nursey, 2147 Sandy Village Drive, Colfax, responded Mr. Terrell covered it. They will meet all the state standard requirements for the storm water. There will not be any more runoff leaving the site than what currently does.

Mr. Terrell felt it was an important point regarding the state requirements. It is called the pre-post requirement, how much runoff you have pre-development is what you have to match for post development. It is not appropriate to intermix that with a density question. It is important to note, there are not neighbors coming in mass stating they think this type of growth is inappropriate. Mr. Terrell advised there was not a lot of opposition at their neighborhood meeting or in the calls and emails.

Chair Holston inquired if there were questions for Mr. Terrell from the Commissioners. Hearing none, Chair Holston inquired if those in opposition wished to speak in rebuttal.

Keith Price read into the record page 3 of the staff report regarding water quality control and stated it was a significant amount of water that calculated on the basis of an engineering calculation. The BMP facilities have the spill ways for a reason which is because it rains harder than that and quite often rains harder. There are other storms in the engineering vocabulary. The 100-year storm occurs once every 100 years. The Huntington has a 1% chance of occurring in any given year. Those types of storms occur more frequently. The BMP does not contain all of post development flow. Mr. Price stated he was not an enemy of growth or density, but is a proponent of compatible land use. The RMA team, even if conditioned down to as much as 6 times the density of the adjoining as being practical or compatible.

Chair Holston inquired if the Commissioners had questions for Mr. Price. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in rebuttal.

Sandra Parkes, stated she did not hear anything regarding tree barriers, how wide and how high the barrier would be. Chair Holston responded this request is a recommendation to City Council. There will be an opportunity to reach out to Mr. Terrell. Mr. Kirkman advised with single-family development, there is no specific buffer requirements or tree conversation requirements. Multi-family developments buffer requirements would depend on the type of multi-family. Townhomes would require a minimum 15-foot average width buffer between those townhomes and single-family. Basically, residential to residential is fairly small in regards to landscape buffers and typically increase when there is non-residential versus residential development. Multi-family development would require tree conservation. The area designated for the stream buffer would probably account for most of the

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tree preservation requirement. Ms. Magid thought Ms. Parkes may be looking for 15 feet. Mr. Kirkman responded that is the minimum required if multi-family is developed.

Chair Holston inquired if there were additional questions for those speaking in opposition. Hearing none, Chair Holston closed the public hearing and requested staff recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site generally as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed original zoning area request supports the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD RM-18 zoning district, as conditioned, allows for expanding residential uses similar that can complement other existing residential uses in the surrounding area. Staff recommended approval of the request. Chair Holston advised this is a recommendation for annexation and original zoning. Chair Holston inquired if there were comments, thoughts, questions or a motion from the Commissioners. Mr. Engle stated this appears to be a difficult piece of land to develop. Mr. Engle was comfortable with 6 units per acre. The positive thing for those living there is that with six units per acre and multi-family, there is a required buffer. Mr. Engle stated he shared everyone's concern regarding animals, but knows they are finding places to go. Mr. Engle also shared flooding issues and has had water issues and agreed with Mr. Terrell that the city shares the requirement in working with developers in how to deal with water runoff issues. Six units per acre is very reasonable for land use. Mr. Engle was in support of the application.

Chair Holston inquired if there were any other thoughts, comments, or a motion.

Mr. Engle made a motion to annex the property. Second by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021, City Council meeting. Mr. Engle stated in regard to agenda item Z-21-06-003, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 1815 Pleasant Ridge Road and 7201 Acorn Road from County RS-40 (Residential Single-family) to City CD-RM-18, (Conditional District – Residential Multi-family-18) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed City-RM-18 zoning district, as conditioned, permits use which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and

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other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes a favorable recommendation subject to a public hearing at the July 20, 2021, City Council meeting.

ITEMS FROM THE ZONING & PLANNING DEPARTMENT:

Mr. Kirkman stated his appreciation for everyone working with staff as they are transitioning back to a live and in person format.

ITEMS FROM THE ZONING COMMISSION MEMBERS:

None.

ADJOURNMENT:

There being no further business for the Commission, the meeting was adjourned at 8:30 p.m.

Respectfully submitted;

Hugh Holston, Chairperson

HH/cgs

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The regular meeting of the Greensboro Planning and Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site July 19, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Vice Chair Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, and Vernal Alford. Present for City staff were Lucas Carter, Mike Kirkman, Steve Galanti, Noland Tipton (GDOT), Sue Schwartz, Planning Director, and Alan Buansi, Assistant City Attorney. Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online. Chair Holston advised of the policies, procedures and updated instructions in place for the Planning and Zoning Commission and how the meeting would be conducted using the online format. He then noted all other concerns not related to land use and conditions of the rezoning application, would not be germane to the determinations made by the Planning and Zoning Commission but can be referred to the Planning Department or the Technical Review Board for follow up.

Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly, that anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested. Comments should be submitted to Planning staff. Mr. Buansi also reiterated that the Planning and Zoning Commission only determines land use and conditions within the zoning application, with respect to highest and best use of the property only. All other concerns not related to land use and conditions of the rezoning application are not germane to the determinations made by the Commission, but can be referred to the Planning Department or Technical Review Board.

Mr. Engle was not present at the beginning of the meeting so Vice Chair O'Connor moved to excuse Mr. Engle; seconded by Ms. Magid. The Commission voted 6-0. (Chair Holston, O'Connor, Skenes, Magid, Bryson, and Alford). Nays: 0).

APPROVAL OF THE JUNE 20, 2021 REGULAR MEETING MINUTES: (Approved)

Ms. Magid made a motion to approve the June 20, 2021 minutes; seconded by Ms. O'Connor. The Commission voted 6-0. (Chair Holston, O'Connor, Skenes, Magid, Bryson, and Alford). Nays: 0).

WITHDRAWALS OR CONTINUANCES:

Mr. Kirkman advised there were two requests for a continuance. The first one was Z-21-07-007 (204 North Mendenhall Street).

Z-21-07-007: A rezoning from R-5 (Residential Single-family-5) to CD-C-N (Conditional District-Commercial Neighborhood) for the properties identified as 204 North Mendenhall Street, generally described as east of North Mendenhall Street and north of West Friendly Avenue, (0.54 acres). (Continued)

Chair Holston requested the applicant to come forward and state his name and address for the record.

Dr. James Keith, 204 North Mendenhall Street, stated his request for a continuance was based on multiple conversations with numerous interested parties throughout the neighborhood. Dr. Keith and his wife are owners and operators of Double Oaks and would like to be a positive part of their neighborhood. There have been

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numerous questions that arose from the zoning request and they would like to speak more with their neighbors and their counsel and City staff. Dr. Keith requested more time to ensure their due diligence is right before making the final decision on how to proceed. Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston inquired if there was anyone wishing to speak in opposition to the request for a continuance. Hearing, none, Chair Holston inquired if there was a motion for the continuance. Ms. Skenes made a motion to grant the request for a continuance of item Z-21-07-007, 204 North Mendenhall Street, to the August 16, 2021 meeting. Seconded by Ms. Magid. The Commission voted 6-0. (Ayes: Chair Holston, O'Connor, Skenes, Magid, Bryson, and Alford). Nays: 0)

Z-21-07-004: A rezoning from R-3 (Residential Single-Family-3) to PUD (Planned Unit Development) for the property identified as 3205-3211 West Friendly Avenue, generally described as south of West Friendly Avenue and east of West Avondale Drive, (1,924 acres). (Favorable Recommendation)

Chair Holston inquired about the second case requesting a continuance. Mr. Kirkman responded that persons in opposition to the case were requesting a continuance to the August 16 meeting. Chair Holston inquired for those speaking in favor of the request to provide their name and address and purpose for the request.

Terry Meyer, 405 West Avondale Drive, Greensboro. Mr. Meyer advised the neighborhood was requesting a continuance based on insufficient notice. A significant amount of people within the neighborhood have been on vacation and unable to talk about the rezoning. There had not been a meeting with the community and the developer until recently. Multiple homes border the property that either have a contract on the house, moved into the house, or in the process of moving into the house. They have not had a chance to digest the impact rezoning would have. At the meeting on this past Thursday with the developer, the neighborhood learned storm water captured on the property would directly drain into their neighborhood creek that already had a lot of drainage issues that the City is aware of and has tried to address. The developer is working with the neighborhood in attempting to find reasonable solutions should this rezoning go through but the neighborhood respectfully requested a continuance until the next meeting.

Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Chair Holston requested the applicant to speak.

Marc Isaacson, 804 Green Valley Road, Greensboro, was representing the applicants, Will Yearns of Granville Homes and the heirs of the estate of Henry Profenius. Mr. Isaacson advised the applicants object to the request for a continuance. There have been two neighborhood meetings. One in June conducted by staff via Zoom and the one this past Thursday in person. Invitations to the meetings were sent to a broader range than the 600-foot radius typically utilized for rezoning matters. Each meeting had approximately 45-50 participants. Mr. Yearns and Mr. Isaacson have had numerous conversations together or separately with various owners within the area to discuss

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questions. The applicant has been very transparent and open with their plans. There is a website created by Mr. Yearns and a link was sent to anyone interested. There has been ample information distributed regarding this project for several months to assist people to understand the request and the project. Mr. Yearns has a contract to buy this property which needs to be honored and there is a timeline involved that needs to be honored. This matter will go before City Council in August. By the requirements of the Friendly Avenue Corridor Plan, City Council has the final decision-making authority. Ms. Isaacson advised the applicant is ready to discuss the project with anyone who was interested. There are 30 days to be able to discuss this with anyone who is interested and also have further meetings with Mr. Meyer and others for further discussion, questions and concerns. It has come down to a couple of issues and the applicant looks forward to further conversations. Mr. Isaacson advised the August agenda for Planning & Zoning is starting to appear to be very lengthy and he would like this matter to be heard at this meeting. Chair Holston inquired if the Commissioners had questions for Mr. Isaacson or Mr. Meyer regarding the request for a continuance or was there a motion. Ms. Skenes stated she would make a motion not to grant the continuance. As pointed out by Mr. Isaacson, there have been several meetings held. It has been discussed on Next Door Starmount for at least two months. As of this morning, Next Door Starmount had 965 neighbors onboard, so people should have known about it. In Wedgewood, the notice was sent out 45 days ago on the neighborhood website; 134 houses were notified and are aware. Ms. Skenes stated she thought the communication has been much more than other cases the Commission has heard. Ms. Skenes advised she felt the Commission needed to hear the case at this meeting. Ms. Skenes made a motion to deny the request for a continuance. Seconded by Mr. Alford. The Commission voted 6-0. (Ayes: Chair Holston, O'Connor, Skenes, Magid, Bryson, and Alford. Nays: 0) Chair Holston advised the request for a continuance was denied. Chair Holston inquired if there were additional cases for withdrawals or continuances. If not, Chair Holston moved to those cases that were without opposition and recommended for approval by City staff. Mr. Kirkman advised there were no other withdrawals or continuances.

Mr. Kirkman then advised there were two cases before the Commission with no opposition and recommended by city staff. The first was **PL(P) 21-21 & Z-21-07-001**. The second case was **PL(P)-21-22 & Z-21-07-005**. Mr. Kirkman requested a motion to amend the agenda and move those two items to the front of the agenda for consideration. Ms. O'Connor moved to amend the agenda to advance case PL(P) 21-21 & Z-21-07-001 and case PL(P)-21-22 & Z-21-07-005 to the front of the agenda. Seconded by Mr. Bryson. The Commission voted 6-0. (Ayes: Chair Holston, O'Connor, Skenes, Magid, Bryson, and Alford. Nays: 0).

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PL(P)21-21 and Z21-07-001: An annexation and original zoning from County CU-PD-R-SP (Conditional Use-Planned Development-Residential with a Special Use Permit) to City R-5 (Residential Single-Family-5) for the property identified as 2808 York House Drive, generally described as west of York House Drive and north of I-73, (0.24 acres). (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map for Z-21-07-001 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions related to the request. The applicant was available for questions. Chair Holston inquired if there were questions from the Commissioners for staff. Seeing none, Chair Holston closed the public hearing and inquired if there were comments or a motion. Mr. Bryson moved to approve the annexation of the property. Seconded by Ms. Magid. The Commission voted 6-0. (Chair Holston, Skenes, Magid, Bryson, Alford and O'Connor, Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at August 17, 2021 City Council meeting.

Mr. Bryson then stated in regard to agenda item Z-21-07-001, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for an annexation and original zoning from County CU-PD-R-SP (Conditional Use-Planned Development-Residential with a Special Use Permit) to City R-5 (Residential Single-Family-5) for the property identified as 2808 York House Drive, generally described as west of York House Drive and north of I-73 to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed R-5 zoning district permits uses which fit the context of the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval is in the public interest. Seconded by Alford. The Commission voted 6-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Alford and O'Connor, Nays: 0). Chair Holston stated this approval constituted a favorable recommendation and subject to a public hearing at August 17, 2021 City Council meeting.

PL(P) 21-22 and Z-21-07-005: An annexation and original zoning request from County AG (Agricultural) to City LI (Light Industrial), for the property identified as 5963 Summit Avenue, generally described as east of Summit Avenue and US Highway 29, (8.5 acres). (Favorable Recommendation)

Mr. Kirkman reviewed the zoning map for Z-21-07-005 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions related to the request. Chair Holston inquired if there were questions from the Commissioners for staff. Seeing none, Chair Holston inquired if there was a motion. Ms. Magid moved to approve the annexation for the property. Seconded by Vice Chair O'Connor.

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The Commission voted 6-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Alford and O'Connor, Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at August 17, 2021 City Council meeting. Ms. Magid stated in regard to agenda item Z-21-07-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 5963 Summit Avenue, from County AG (Agricultural) to City LI (Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed LI zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 6-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Alford and Vice Chair O'Connor, Nays: 0). Chair Holston advised the motion passed 6-0 and constituted a favorable recommendation and subject to a public hearing at the August 17, 2021 City Council meeting. Mr. Engle then joined the meeting already in progress.

PUBLIC HEARINGS

OLD BUSINESS:

Mr. Kirkman advised there would be one motion for annexation that will cover both of the next two cases and two separate motions to cover the individual zoning requests.

PL(P) 21-12 and Z-21-05-009: An annexation and original zoning from County AG (Agricultural) to City PUD (Planned Unit Development), for the properties identified as 5144-ZZ, 5119, 4121, 5164, and 5200 McConnell Road, 1360 Village Road, and 1801 Andrews Farm Road, generally described as north and south of McConnell Road and east of Andrews Farm Road, (372.32 acres). (Recommended Approval) and Z-21-06-006: An annexation and original zoning request from County LI (Light Industrial) to City LI (Light Industrial), for the property identified as 1812-ZZ Andrews Park Road, generally described as south of Millstream Road and off the end of Roosevelt Court, (12.68 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map for cases Z-21-06-009 and Z-21-06-006 and other summary information for the subject properties and surrounding properties. Mr. Kirkman advised of the conditions related to the request for Z-21-05-009.

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Chair Holston inquired if there were questions from the Commissioners for staff. Mr. Alford stated in looking at the acreage, the tract slides are two different sizes and asked what was the tract size for Z-21-05-009. Mr. Kirkman responded he believed it was 373.32 acres. Mr. Alford stated in the write-up it was 371 and now it is 373. Mr. Kirkman responded staff received an updated legal description shortly before this went to public notification so the request was reduced slightly and that was the difference. Chair Holston stated if there were no additional questions, the applicant could come forward and provide their name and address, and share the request with the Commission.

Amanda Hodierno, 804 Green Valley Road, Greensboro is attorney for the applicant and agent for the property owners. Ms. Hodierno stated this project was her client's first project in Greensboro. Ms. Hodierno introduced her client, Diamond Back Investment Group, the contract purchaser and the would-be developer if successful. Zach Tran, one of the principals and founder of the company then spoke.

Zach Tran, 701 Green Valley Road, Greensboro, stated over the past five years they have developed property from Wilmington to Charlotte. Diamond Back Investment Company looks forward to the chance of becoming a part of the community and work closely with the residents and business owners. As a local company they want to be a good partner. Mr. Tran thanked the Commissioners and stated they were looking forward to the next steps. Ms. Hodierno advised there were Traffic and Design Engineers from the Timmons Group if needed for questions. Ms. Hodierno provided a brief overview of the nature of the request. It is for PUD rezoning and a residential only PUD. As shown in the use conditions, they were asking for only single-family and townhomes.

She noted there would be no more than 1400 residential units when fully built out. Currently the project is in the design and feasibility phase. The project is an expensive and comprehensive residential PUD. In addition to the housing units there would be many amenities. The project will span both sides of McConnell Road. The south side of the road would be Phase 1 of the project and Phase 2 would be on the north side. They would be developed independently and function as almost two separate neighborhoods. However there will be a cohesive community with the same quality and amenities on both sides, but independent of each other functionally with separate entrances, separate amenity support, clubhouse, pool, and recreation spaces. There will be pocket parks throughout the neighborhood on both sides, sidewalks on both sides of the street, and walking trails throughout. A map was depicted indicating the land use and how they would be laid out.

Ms. Hodierno noted this project had been in the works for 11 months with the City of Greensboro. The applicant began assembly of the property early on and worked throughout the year to have it come together. Once the size and breath of it was realized, the applicant went to the City and spoke with then City Manager, David Parrish and several other assistant city managers and all of the department heads. The question the applicant had was if it was

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within Greensboro's ETJ and they saw it as a Greensboro project. She further noted the city is facing a serious housing situation and east Greensboro does have more of a struggle for housing supply than other parts of the city. This is a burgeoning employment center and there are a lot of new high-volume employers coming to this area and there is nowhere for those employees to live within a nice, close proximity to their work. This project meets a lot of needs that are timely for the community. Ms. Hodieme applauded the city recognizing this could become a viable project. Sue Swartz and Steve Galanti did a great job of taking the inquiry through the process. Water and Sewer were readily available, fire service took longer. The fire chief ensured this could happen and took extra steps to have things put in place. This was a big effort put into play to place a high quality, high impact outpost at the edge of the City and then allow that to have critical mass all of the services.

Chair Holston inquired if there were questions from the Commissioners. Ms. Skenes asked Ms. Hodieme to address that staff and TRC had issues with transportation infrastructure. There have been comments about NCDOT moving this interchange up on the TIP but there has been no documentation. Ms. Hodieme responded as they worked through the process, there were a lot of great strides on big elements. Currently there is a logistical wrinkle in terms of transportation planning and the local improvements that are needed as the project develops. This necessary improvements will happen, but there was a question on getting the assurances to make the City comfortable with the timing of everything with NCDOT. Ms. Hodieme asked the Commission to focus on the proposed land use and the Comp plan issues with the understanding that this will go to City Council who is very capable of making the final determination on whether or the timing issue with GDOT have been appropriately addressed. Chair Holston thanked Ms. Hodieme and stated unless there were additional questions they would move to those who were in opposition to this request. Chair Holston advised there was a maximum of 10 minutes combined for all speakers in opposition and requested the person to provide their name and address.

Janet Harrelson, 5149 McConnell Road, Whitsett, advised her opposition was because her property will be surrounded by the proposed development and will be too much, too quick. Traffic was one of the largest concerns expressed on Next Door. She also noted current residents enjoy their well water and the beautiful natural habitat already in the neighborhood. Ms. Harrelson has a long line of family history within the community. She stated traffic is already overloaded on McConnell Road, Rock Creek, Judge Adams, Stoney Creek, and Burlington Road at the highway. There will be a much higher noise level with this project with heavy duty equipment and disruption. She added the change is concerning as current residents all still enjoy a natural park and a trail that can be walked on. Currently there is one grocery store in the area and other smaller stores such as Dollar General to be accessed. This project would cause overcrowded roads and schools. Ms. Harrelson felt there were other options that are up and down Highway 70, Burlington Road that are closer or may have water and sewer. There are huge

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tracts of vacant land on US 70 and near Rock Creek and Dairy Road that are not as residential and natural. The Community enjoys the quietness of the country setting. There is 2.49 people in a household in Guilford County with an average of 2 cars going back to traffic and noise. The very reason for being in the county is being taken away because they will be completely surrounded by the construction and eventually homes in the neighborhood. Ms. Harrelson stated there are too many other options and too much, too quick for this area at this time. Chair Holston inquired if there were questions from the Commissioners. Ms. Harrelson stated she did have questions and expressed concern regarding amenities and pools for the current residents and those who own property there, but does nothing for her community. When surveying was taking place, it was very upsetting with people crossing property that had nothing to do with the land that needed the survey. Ms. Harrelson stated her concern was what may happen in the future. It all sounds good, but will it really be that good for those already there.

Petronia Johnson, 5106 Zante Road, Whitsett, stated she did not have an opposition to the property being developed or annexed. Her concern was the Zante Road was currently a dead-end road with only 8 residents with 1.2 acres to 2 acre lots. There are custom mailboxes on the road and Guilford County maintains the road as best they can. The residents do not want their property to be accessed and a road cut through on Zante Road to the annexed properties. The residents would like the road to remain a dead-end road. Ms. Johnson understood the need and logic of having smart access but because Zante Road is a small road and adding possibly up to 1400 cars coming through that road would be horrendous for the neighborhood. She then noted the project is still in the design phase. Ms. Johnson stated she was pleading that the designers find other access roads and create enough access road for EMS so they would not have to go through Zante Road. Currently most people in this neighborhood work from home and enjoy looking out and seeing families, young mothers, running, jogging, pushing a baby carriage, or kids walking with the grandparents and parents. It is a safe street. Her family calls it the park because everyone walks down to the end of street and walk back with children on bicycles. If the entry roadway is constructed to connect Zante Road to the annexed property, all of that will go away. Ms. Johnson would not be able to get out of her driveway. Ms. Johnston stated her request was for Zante Road be left as a dead-end road and not a cut through for everyone to have access to the other property. Chair Holston inquired if the Commissioners had questions. Mr. Bryson asked staff if TRC has taken the dead end into consideration. Mr. Tipton from GDOT responded it would be reviewed as part of the site plan evaluation. City Council does have a street connectivity policy and typically GDOT extends the public right of way when possible. Mr. Bryson asked Ms. Johnson if that answered here question. Ms. Johnson responded it did. She had contacted the City and that was the answer she received, but that is not her desire. The neighborhood does not want their street cut through.

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The State does not even want the road because of the custom mailboxes on a narrow street and now allowing 1400 plus cars coming through the neighborhood would be a big problem.

JoAnn Gauldin, 5155 McConnell Road, Whitsett, was the next speaker but Ms. Harrelson advised Ms. Gauldin was not able to hear well. Ms. Harrelson advised her mother wanted to speak but she was called first. They both had similar concerns, although her mother has more property and it affects her on a greater level. Ms. Gauldin wanted to point out the land has continued to be farmed under a lease. If some of the proposed land for development passes, that would go away and the farmer who leases will not farm the smaller area. Ms. Gauldin would have a loss of income and would be personally impacted. Ms. Gauldin agreed with the traffic concerns and what annexation will do. Ms. Gauldin enjoys the wildlife and country setting. Chair Holston advised there would be an up to 5-minute rebuttal period.

Speaking in rebuttal, Ms. Hodierne stated the developer designed the project in the feasibility sketches because of the connectivity policy mentioned by Mr. Tipton. If this moves forward, it will have to go through TRC with a full site planning approval process. They are happy to look at the access question in order to determine that because of the small number of existing homes or any other circumstance, it didn't make sense to connect. The developer would have to abide by the TRC process on that. If they did have to connect to Zante Road Ms. Hodierne was unsure regarding the mailboxes or what the property owners would want done with the mailboxes. The developer understands and appreciates it is a change to the area and will be a different landscape, if this project goes forward. The developer wants to be sensitive to mitigate impacts and be as good a neighbor as they possible could be. Diamondback is a local company and a local developer. It is important because it means he is a developer who lives and makes his living in Greensboro and employs people. The developer wants to be able to put his name of this project proudly. The Developer can become a part of this community. Diamondback could look at partnering opportunities with existing residents, existing business owners and ways to add to the community, not come in, build something, and move on. They would like ways to create a community that the existing residents may want to move into or might want to tell others about the development. Something that could grow the community and be an asset. She added that they are happy to continue conversations on some of these micro-issues such as buffering and lighting plans and connecting walking trails to other walking trails that may exist that the current residents can use. Diamondback will talk with their service providers, surveyors and anyone else to ensure the residential properties are not disturbed. Ms. Hodierne stated Ms. Gaulden's property borders Phase 2. Ms. Hodierne will be speaking to her client and felt confident the farming leases could stay in place for quite some time. It will be 4 or 5 years before work would start on that phase and would allow Ms. Gauldin time to plan for any impact that would have on her if the leases were to go away. Chair Holston inquired

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if there were questions from the Commissioners for Ms. Hodiernne. Hearing none, Chair Holston moved to those wishing to speak in opposition for up to the 5-minute rebuttal period.

Renee Murphy, 1904 Porter Hill Drive, Whitsett, agreed with the others regarding traffic and was not in favor because there is a large amount of traffic in this area. Ms. Murphy was opposed to the loss of trees and nature. Ms. Murphy would be looking in the backyard of the proposed development and was not in favor. Ms. Murphy stated she agreed with all that has been stated by the others and opposed this project. Chair Holston inquired if there were questions from the Commissioners. Seeing none, Chair Holston requested the next speaker in opposition.

Timothy Boone, 1906 Porter Hill Drive, Whitsett, stated he moved to this neighborhood for the country life. His concern with the project was traffic. Currently he has issues getting on the highway, especially if there is an accident and people have to use the country road behind McConnell Road to get to work in Greensboro. Another concern was with more people, there could be more crime in the area. In this neighborhood there have been concerns with people committing crimes. Mr. Boone stated he very much enjoys the country life he is in and does not want it taken away. Mr. Boone grew up in Whitsett and has watched it grow over the years and agrees there are plenty of places close to 70 that the development could be.

Chair Holston inquired if there were any questions from the Commissioners for Mr. Boone. Hearing none, Chair Holston inquired if anyone had further comments during the rebuttal period. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from city staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Exurban on the Future Built Form Map and Residential on the Future Land Use Map. If the request is approved, the Future Built Form Map is considered to be amended to Urban General. The proposed PUD, with the uses proposed, are generally consistent with the Comprehensive Plan's Creating Great Place goal to offer residents of all walks of life a variety of housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live. Though the proposed land uses are generally consistent with those called for in the Comp Plan and surrounding areas, questions remain on timing of necessary infrastructure improvements to accommodate full build out of the project and impacts on adjacent properties. Based on those concerns, staff recommended denial of the request at this point in time.

Mr. Kirkman reminded the Commission this request was an annexation, two original zonings and because it is a Planning and Development, there is also a Unified Development Plan. All of those different items would need to have motions. Mr. Engle asked Mr. Tipton and Mr. Kirkman to confirm what Attorney Hodiernne had said regarding the interstate exchange and asked if that was the major hold up. It's the bridge, the interchange. Mr.

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Tipton responded it was the Traffic Impact Study that indicated it did not meet the city's ordinance levels. Mr. Tipton added that the traffic study does show that phase 2 is what causes problems with the PM level of service for this project. Chair Holston inquired if there were additional questions or comments from the Commissioners. Mr. Bryson asked how this could be fixed as the Commission can't do anything to fix it and that was out of their hands. Mr. Kirkman responded that before answering that question, Ms. Sue Schwartz, Planning Director, wanted to speak. However due to technical issues Mr. Kirkman went back to Mr. Bryson's question. Mr. Kirkman advised it is a question of timing and when this builds out in the broader phase is ultimately where the challenge is. Mr. Tipton advised GDOT did request the developer to add a note to their Unified Development Plan that tied Phase 2 to the interchange improvements timing. Mr. Bryson stated was there nothing the Commission could do or the developer do except wait until NCDOT got their stuff together. Mr. Tipton responded that was correct, until there is a timeline for that. Vice Chair O'Connor asked if the Commission took positive action on this recommendation, would it still be bound to wait until the state DOT took action. Mr. Tipton responded no. Ms. Skenes stated her understanding in conversations was because of the potential 1400 units, it would cause the plan to be moved up on the TIP and asked if it would be the 5 year TIP or was there any information as to when it would be moved up. It appeared the first phase will take 4 or 5 years to build out and they would not get to the second phase for at least that long. Any insight provided by Mr. Tipton on the timing of moving up the improvements on the TIP would be appreciated. Mr. Tipton responded that would be a question for NCDOT. Mr. Tipton thought currently it sits on the 10-year plan. The last he heard it showed going to right of way acquisition in 2028, and would still put construction several years away from completion. Ms. Skenes assumed moving it up on the TIP would also be moving it up to the 5-year plan from the 10-year plan. Mr. Tipton responded he would assume that too but it is not known as this time and a decision would have to be based on what they have for the recommendation. Mr. Bryson stated he was thinking at the 30,000 feet level and things like Publix, Amazon, and all of those projects were still going on and would increase traffic there too and asked if those projects would be stopped to fix this or would they be stopped as well to get the TIP taken care of. Mr. Tipton responded typically traffic studies include projects that are already in the works and that traffic should be included if it was something already approved or being constructed. GDOT would look at each project individually and would look at what traffic they would generate through the network and what recommendations they may make to get that back to a level of service that would be better. Mr. Kirkman added the applicants tried to get some of this resolved. At this point in time, the evaluation has to be made based on the information available to the Commission. All of the pieces of information are not yet available. The residential piece fits well with the Comprehensive Plan and Ms. Hodieme touched on several reasons with the need to support employment and other things. It is tricky for staff

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and a big project. He noted there have not been very big residential subdivisions in Greensboro in the last few years. This is a big change and staff had to go with what information available to them at the time that led them to the recommendation against the request, understanding that staff supports the broader uses. It is a question of timing. Mr. Engle stated with 3.8 units per acre, there were many places in Greensboro who would like that density. This could easily be heavy multi-family in 5 years. Greensboro needs housing in this area. Mr. Engle was in support of the application. There is another 30-days to do work on this. It's an annexation. A favorable recommendation is doable at this time.

Sue Schwartz, Planning Director was able to connect at this time and stated she appreciated the thoughtful deliberation and comments that had been made. This is a complicated case and one of the biggest rezonings in recent years as an annexation with 1,400 units. It doesn't follow the normal analysis when looking at a zoning case and trying to see if it would work for Greensboro. Ms. Hodieme mentioned that staff has been working with the developer for 11 months and they has been very supportive with Water Resources, Fire Department, Public Safety, and the City Manager's Office. There has been a lot of attention and thought going through this and attempting to line up all the complicated pieces that come together. There are things that this hits 100% positive. There is a housing shortage in Greensboro. There is a variety of price points and housing types. This is a big drop in that bucket. It is housing for employees near employment centers. Moving more housing closer to jobs such as Rock Creek and Publix and the other developments out there will provide a lot of different choices coming together. Ms. Schwartz stated there have been conversations with the Chair of the Board of Transportation and the District Engineer of NCDOT, understanding it is not only this development but because the city has been successful with the industrial development at Rock Creek, the traffic and bridge work has to be accelerated. This development is not the tipping point. The tipping point is the continued development of industrial properties. Transportation's recommendation is based on not having evidence in hand, but it is the hope the evidence will be forthcoming shortly and well before the City Council hearing on this. The recommendation is to make a recommendation one way or the other so it can move forward to City Council. This could be a great project and she was hopeful the transportation issues can be handled. It is a risk. City Council will have the choice to make if transportation issues are not resolved in the next month by the time it gets to their public hearing. Chair Holston inquired if there were questions from the Commissioners for Ms. Schwartz. Seeing none, Chair Holston inquired if there were further deliberations. Mr. Bryson stated he agreed with Mr. Engle. Mr. Bryson stated he hated to have a situation where the Commissioners impede, in any way, development in Greensboro. Mr. Bryson is in the real estate business and is aware how the low inventory of housing. People are moving to this area and not able to find housing in a great place to live. Mr. Bryson would hate to see the Commission stop the process because they

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were not able to figure out how to make this work, not only for east Greensboro who needs development but also for the region that needs to be prepared now. Mr. Bryson felt the Commission should go ahead and do what needs to be done and have GDOT do what they have to do. Chair Holston advised there are two cases of annexation and the original zoning for each. Mr. Kirkman suggested take the annexation first, then the original zoning for the large tract, the original zoning for the small tract, and then finally the Unified Development Plan that is part of the Planned Unit Development zoning. Vice Chair O'Connor moved for annexation. Seconded by Mr. Engle. The Commission voted 7-0. (Ayes: Chair Holston, O'Connor, Skenes, Magid, Bryson, Engle, and Alford Nays: 0). Chair Holston stated the vote constituted a favorable recommendation and was subject to public hearing at the August 17, 2021 City Council meeting. Vice Chair O'Connor then moved annexation for Andrews Farm. Mr. Kirkman advised it was not necessary as that piece will come in automatically if the other portion is annexed into the city. The annexation will cover both parcels.

Vice Chair O'Connor then stated in regard to agenda item Z-21-05-009, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 5144-ZZ, 5119, 5121, 5164, and 5200 McConnell Road, 1360 Village Road, and 1801 Andrews Farm Road from County AG (Agricultural) and County RS-30 (Residential Single Family) to City PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford and Vice Chair O'Connor Nays: 0). Chair Holston advised the motion passed 7-0 and constituted a favorable recommendation and was subject to a public hearing at the August 17, 2021 City Council meeting. Vice Chair O'Connor then moved for approval of the Unified Development Plan. Second by Mr. Engle. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford and Vice Chair O'Connor, Nays: 0). Chair Holston advised the motion passed 7-0 and constituted a favorable recommendation, subject to a public hearing at the August 17, 2021 City Council meeting. Vice Chair O'Connor then moved that in regard to case Z-21-06-006 the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the property described for the property identified as 1812-ZZ Andrews Farm Road, from County AG (Agricultural) to City LI (Light Industrial) to be consistent with the adopted GSO 2040

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Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed LI zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 7-0. (Chair Holston, Skenes, Magid, Bryson, Engle, Alford and Vice Chair O'Connor, Nays: 0). Chair Holston advised the motion constituted a favorable recommendation and was subject to a public hearing at the August 17, 2021 City Council meeting. Chair Holston requested to take a break before the next case at 7:15 and resumed at 7:29 p.m.

Z-21-07-002: A rezoning from R-5 (Residential Single-Family-5) to PUD (Planned Unit Development) for the property identified as 1601 East Gate City Boulevard, generally described as north of East Gate City Boulevard and south of Gorrell Street, (4.763 acres). (APPROVED)

Mr. Kirkman reviewed the zoning map for Z-21-07-002 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the conditions associated with the request and the applicant was available for questions. Chair Holston inquired if there were questions from the Commissioners for staff. Seeing none, Chair Holston requested Ms. Tillery to speak.

Shawna Tillery, Greensboro Parks and Recreation, 300 N. Greene Street stated she currently serves as the Planning and Project Development Manager for Greensboro Parks and Recreation. This rezoning request was in regard to the Windsor Recreation Center and Nocho Park in combination with the Windsor Nocho development project. In 2016 the residents of Greensboro approved a \$2 million bond referendum to support the planning and design of a new joint facility complex combining Windsor Recreation Center and the Vance Chavis Library and also included improvements and upgrades to Nocho Park. On March 29, an online virtual engagement session was held between Greensboro Parks and Recreation Department, Greensboro Public Libraries, and residents surrounding the community to provide them updates on the planning efforts. Information was provided at the meeting regarding the next steps for the projects, including the rezoning of the Windsor Community Recreation Center and Nocho Park. Letters were sent out jointly between the libraries and the Greensboro Parks and Recreation Department, notifying the citizens directly of this meeting. A specific email address was setup and dedicated to questions for the Windsor/Chavis project. No direct emails or questions were received regarding the proposed rezoning of this project. All of the information was included for the potential uses outlined within the rezoning request. The reach was expanded outside of the normal 600-foot notification area and also the planning efforts associated with this project. In 2019, there was an extensive public engagement process for the redesign of

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this specific facility. Because it was pre-Covid, they were able to do a lot of in- person engagements and touched over 3,000 residents receiving input about amenities and programming that residents would like to see in this specific area. Over the past couple of years there has been a significant amount of outreach specific to this project. Ms. Tillery advised Brigitte Blanton, Director of Greensboro Public Libraries, was also on the call. Staff was also available from the design team.

Chair Holston inquired if the Commissioners had any questions for Ms. Tillery. Mr. Engle asked if the meeting was after the zoning request was submitted. Ms. Tillery responded the meeting was in March before the request for the Zoning Commission was submitted. It had been a while since the fall of 2019 and in early 2020 they were reaching out to residents to provide them an update on the project. At the presentation the residents were told that the rezoning request would be coming up but there was not a specific date at that time. Mr. Engle asked if after the mailing went out, if there was any further outreach to the residents. Ms. Tillery responded no. The specific mailing to the residents asked if they had any specific questions to reach out to them. Mr. Engle asked if there was any sort of virtual meeting. Ms. Tillery responded no. Mr. Engle felt there was a gap, as the Commission encourages people to do outreach after zoning requests. Mr. Engle deferred to hear what may be said in opposition if that was covered. Mr. Bryson asked for more details about the plans and would the pool be taken away from the children. Ms. Tillery responded they would not take a pool away from kids. With the public engagement process and the design development for this specific site, aquatics came up as one of the number one amenities to remain at this particular site. There will be an aquatics component to it that will include a pool with the funding that was available through the design development phase. Currently they are in the process of looking at opportunities to support the funding of this specific project since it is a significant investment within the neighborhood and the larger Greensboro community. They are working through that and determining different revenues to be able to support the funding for this particular project. Mr. Bryson stated he wanted to make sure there would be no impact or a negative in the community. Ms. Tillery responded they have been very intentional in how they approached this project. There was a stakeholder group developed back in 2018 that included representatives from the surrounding community, the school system, and A&T representatives to assist when going through the process of selecting consultants that would work on the project. They were able to hire a prime consultant that was the largest minority owned project for that particular year for professional services with the architectural firm. There were significant engagements with the community. Chair Holston inquired with Ms. Tillery if there was anyone else from her team that were scheduled to speak. Ms. Tillery responded Brigitte Blanton was available, along with a representative from the design team to answer any specific questions. Chair Holston requested Ms. Blanton to speak.

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Bridgette Blanton, 219 North Church Street, stated she has been with the library system 33 years but one of the places she had worked at was the Vance Chavis Library. This project came out of the fact that the location had been somewhat inadequate to meet the needs of the community. For many years the interaction between families and children with the Windsor and Chavis facilities was watched and it was determined the best thing for the community was to find a way to bring in a project that combined both. Libraries and parks and recreation are the most trusted institutions within any city or county. They are putting together a facility allowing a hopeful family experience. She stated there was not another project similar to it in North Carolina and probably not in the US because of the way library services, parks and rec services, and other amenities would be integrated with this project. As this project moves forward, even with zoning, it will be something not only great for this area but great for Greensboro, Guilford and beyond. Mr. Kirkman advised Mr. Brakenbury and Mr. Waller were both part of the Development Group if there were questions for either one. If not. Chair Holston could inquire if there were any other speakers. There was a neutral party listed and Chair Holston requested to hear from Paulette Evans. Paulette Evans, 1111 Eastside Drive, stated she lived behind the Nocho Park area. Ms. Evans wanted to know what would be done during the rezoning and requested more detailed information. Mr. Engle asked if Ms. Evans was contacted by anyone from the Parks Department of the City prior to this meeting and did they go through this presentation with her. Ms. Evans responded she received mail notification, not personal notification. Ms. Evans called to request to be in attendance during the meeting.

Chair Holston advised that completed the speakers for this case and requested to hear rebuttal from Ms. Tillery of up to 5 minutes and perhaps sharing information that Ms. Evans would like to hear. Ms. Tillery responded with the virtual update community meeting about this particular project, not specifically regarding rezoning, the same letters were sent regarding the rezoning notification back in March. The updated presentation to the neighborhood was held in March and included the updates on this particular project to include specific programming that would be available at the site, conceptual renderings of the aquatics component, Nocho Parkside, and an overview of the engagement that had been done up to that point. Chair Holston stated Mr. Bryson had said it earlier that the Windsor Center and Nocho Park had been strong foundational places in the Greensboro community for a very long time. There are a lot of residents who have played there and enjoyed it there. Chair Holston asked if there were any more specifics Ms. Tillery could share on what would happen at these locations to help those who may be listening or watching to understand the kinds of things that will be changing at that location or upgrades or whatever it might be. Mr. Kirkman advised the second case that will be coming up would cover the park properties and it may be better to wait to delve into some of those details with the second zoning request. Ms. Tillery stated she could speak to the combination of the facility because as Ms. Blanton had said earlier, this is a

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unique project not only for Greensboro, but also for North Carolina and the United States. There are very few facilities that combine this type of programmatic aspect of recreation and libraries. This facility will bring those programmatic aspects into such things as senior programming, youth programming, library component collections that are specific to the programming available within the site. Health and wellness will be a component of that. The aquatics component of this particular site, not only just a traditional aquatics component but an interactive water component. There would also be the ability to have city services within this specific site whether it be through examples such as paying water bills or getting housing counseling services. Parking will be included within this site. The tunnel existing between both sites will be expanded, heightened, and create a more welcoming than what exists currently. The community was reached out to regarding the design of this particular site and having places that could hold specific festivals such as family cookouts, outdoor programming from the recreation and library sides that combine education and environmental education and the important components of that, and have been included within the specific design of the facility. When this facility is talked about as being a beacon of hope within the community, it brings together the history of the particular site which is also something they went through and were very cognizant with the design. They have worked very closely with Councilwoman Wells and Councilwoman Hightower on this particular project because it is within District 2 and very close to District 1 also. Both are very supportive of this project and the impact it will have on the community, not only surrounding one recreation center but the larger Greensboro community. This is being marketed and determined as a beacon of hope and light within the community.

Mr. Bryson advised he was in favor of this project but was asking the city to do a better job of outreach. Mr. Bryson knows this community and 600 feet from this site is not the whole community. From McConnell Road up to Wendover down to US 29. It is a large space and a lot of people in that area and may have to go further and stretch in reaching out to those individuals. Instead of emails, the information may have to be sent out to the churches, i.e., Mt. Zion, New Light, East White Oak. All of the different places where a lot of people congregate and different organizations within that area. Masonic, Eastern Star organization to get information out to these people if you want to reach them. Mr. Bryson encouraged Ms. Tillery to reach out and if he could help, to let him know. This is a great opportunity but not everyone knows about it. Mr. Engle asked if the last meeting that was held on this issue was in March of 2021. Ms. Tillery responded that was correct. The update meetings and specific contact regarding the rezoning was beyond 600 feet. Mr. Engle stated he understood but would like to call out the follow-up. When someone receives mail and looks at it and it says “uses limited to the following principal groups, cultural community, government facilities, indoor recreation, outdoor theater, daycare center, retail sales and service without drive-through.” they have no idea of what that could be and what is going and confusion sets in.

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Mr. Engle stated the Commission holds most of the people before the Commission to a very high standard of community outreach when it comes to planning and zoning issues. Mr. Engle echoed what Mr. Bryson said. Zoning had a case that was a UDP for a PUD which really confused people. Mr. Engle stated he was in support of this project, however the communication on this project was lacking. Mr. Engle advised he was not blaming Ms. Tillery as she had a whole group of people to help her do that and meet the expectations. It didn't matter if it was a big developer, City of Greensboro, or a non-profit. In talking about equality and equity in Greensboro, that means everyone has the responsibility to do outreach to the public and ensure that the Zoning Commission, who has a very short amount of time to go over it, is not the space to bring this out. It is important to go out into the community to do outreach. Ms. Blanton stated she felt this project was different than many that the Zoning Commission sees. This project started initially from the community and they have been engaged with this process. There were over several thousand people that participated in the planning and design of this project that was based on the community input. Ms. Blanton did not want that to be lost, that the community has been involved from the very beginning until now and this project was based on the community input. When the rezoning information was sent out, there was not a chance to do outreach then, but it has been done all along. Mr. Engle appreciated that. Chair Holston advised the rebuttal period was completed for the City. Ms. Skenes inquired if the Commission would see any renderings or drawings of what the project will look like. Ms. Skenes felt the Commission was being asked to approve something that everyone knows is good but the Commission has no clue on how close it would be to neighbors or what it will look like. Ms. Skenes was very surprised at not having any drawings or anything and noted that would be the same thing with the other piece of this project. Ms. Tiller responded they have been working very intentionally regarding the specific marketing of the project between the departments involved. When things are revealed and shown, it is not always the specific concept that might be placed on the ground. They are close to being at that point in time, but are not at the point to reveal it as there may be adjustments happen as they go further along into the design. Vice Chair O'Connor stated it sounded like this was off from the ground up with a lot of community involvement based on what the Commission has heard. Vice Chair O'Connor asked if Ms. Tillery could provide an estimate of how many people were involved in the whole project. Ms. Tillery responded there was over 3,000 in votes that were counted through 11 events. Those events were specific to the Chavis Library and Windsor Recreation Center. Some events were at the downtown library and they did community engagement events regarding the design. Some of those events were the Folk Festival, Dudley High School football game to obtain input from a programmatic and design standpoint of what residents who would be using a particular facility would like to see. Ms. Tillery advised that was done with project and contract was awarded back in 2019 for the architecture firm and then moved into the community engagements

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phase, in the fall of 2019 or late summer 2019. There was also engagement with the Greensboro Housing Authority through some of their summer programming they had going on during the course of the time. Ms. Tillery stated in the next session, some of those specific renderings could be seen. Chair Holston moved to those wishing to speak in the rebuttal period for the opposition. Chair Holston inquired if Ms. Evans had additional comments. Hearing none, Chair Holston encouraged Ms. Evans to reach out to city staff and Ms. Tillery for additional updates and information. Mr. Engle encouraged City staff to reach out to Ms. Evans. Chair Holston closed the public portion of the hearing and requested to hear from Mr. Kirkman.

Mr. Kirkman stated regarding the case at 1601 East Gate City Boulevard, the GSO 2040 Comprehensive Plan designates this site as Reserve in a high frequency transit service corridor on the Future Built Form Map and Reserve on the Future Land Use Map. The proposed zoning does support the Comprehensive Plan's Community Connections goal to enhance Greensboro's quality of life, culture, arts, and places that bind people together as a community and the Building Community Connections goal to maintain stable, attractive and health places to live and raise families. The proposed PUD zoning district allows a variety of recreational, governmental, and supportive services compatible with the various residential uses located nearby. Staff recommended approval of the request. Chair Holston advised this would be final action and inquired if there were any thoughts or conversation. Mr. Kirkman advised to be clear, there would be action on the zoning piece of it and then the action to approve the associated Unified Development Plan. Mr. Engle inquired if the Commission has to decide on this issue before hearing the next part of this request. Chair Holston stated the Commission would make this determination now.

Mr. Bryson stated in regard to agenda item Z-21-07-002, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the property identified as 1601 East Gate City Boulevard, from R-5 (Residential Single-Family-5) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the August 17, 2021 City Council

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meeting. All adjoining property owners will be notified of any such appeal. Mr. Bryson made a motion to approve the Unified Development Plan. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the August 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-07-003: A rezoning from R-5 (Residential Single-Family-5) to PUD (Planned Unit Development), for the properties identified as a portion of 1101-1019 East Side Drive, generally described as east of East Side Drive and south of East Gate City Boulevard, (8.05 acres). (APPROVED)

Mr. Kirkman reviewed the zoning map for Z-21-07-003 and other summary information for the subject property and surrounding properties and advised of the conditions related to the request. Mr. Kirkman also advised the applicant was available for questions. Chair Holston inquired if there were no questions for Mr. Kirkman, requested to hear from the applicant.

Shawna Tillery, Greensboro Parks and Recreations, 300 N. Greene Street, stated this site is what they consider the south side of this site; intersected by East Gate City Boulevard between Windsor Recreation Center and Nocho Park. Currently this site includes some parking, a baseball field, and recreational fields. On this side there would be more of a park development with additional recreational amenities. The stakeholder and community engagement were significant for this particular project in working through the fall of 2019. Specific conversations with the neighborhood and specific events downtown. It was very important that they continued to develop a unified complex, not three separate facilities, to create the Windsor/Nocho/Chavis complex. This project will bring together the connections to those sites across the intersection. Specific components were brought in to create a strong connection with both the recreation and the library side. These were the specific programmatic components discussed previously and the complex being approximately 65,000 square feet. The subject parcels are a part of the south parcel, to include the region of the tunnel, outdoor play components, multi-purpose field, parking, and some pavilion spaces, along with a playground element with kinds of innovative ways to play, and not a traditional playground. The multi-purpose field to be used for various athletic components, expansive parking, an outdoor basketball component, and landscaping. The streetscape has been a significant consideration in creating a project tying to the north side that would bring together the site and create something that was not overbearing within the existing neighborhood. The design was taken into the site for specific consideration. The collection pieces were not the traditional library or recreation center. There are abilities to program or intertwine

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with the way the facility is designed, how it will function and the way that the facility be used. The aquatics component was shown, the pool will have an element of an aquatics piece in it. This will be specific to a vision and a concept of what the aquatics component will look like within this site and bringing in the elements of the programmatic components that combine both the recreation side and the library side. A photograph was shown depicting coming from I-40, where the specific site will be visible. Another photograph depicted the Nocho Park rendering and what that would look like. A conceptual rendering was then shown going further back from East Side Drive, depicting a building on the north and the multi-purpose spaces on the right. Chair Holston stated he was blown away from the drawings. Ms. Magid stated this is a very exciting project and thanked Ms. Tillery for showing the images. Mr. Bryson stated this is a beautiful project, everyone did a great job, and stated during the implementation of the project, to ensure that there are alternative places for children to play football since football teams practice on Nocho Field. Ms. Tillery responded nothing will be taken away. When they get to the point of implementation there will be community involvement regarding this particular project, providing updates as they have them and know what the next steps will look like. From a programmatic standpoint, they will take alternative locations whether it be through specific partnerships or recreational components for the particular site and programming and will do their very best to create those partnerships. That is what Parks and Recreation and the Library do. They work very well with each and work collaboratively with their partners within the community. Chair Holston advised if there were no additional questions, moved to those to speak in opposition. George Dunham, Sr., 1016 East Side Drive. Mr. Dunham stated since seeing the rendering, he had a better understanding. This is the first time he received any information of what was going on in Nocho Park and Windsor Center. Mr. Dunham would like to have more information. The renderings were very good. Chair Holston inquired if there was anyone else to speak in opposition.

Paulette Evans stated she had not heard of any visual arts. She has been on East Side Drive for 32 years. Ms. Evans advised she was excited from what was shown. Chair Holston closed the public portion of the hearing and requested to hear from Mr. Kirkman.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Reserve and a high frequency transit service corridor on the Future Built Form Map and Reserve on the Future Land Use Map. The proposed zoning does support the Comprehensive Plan's Community Connections goals to enhance Greensboro's quality of life, culture, arts, and places that bind people together as a community and to maintain stable, attractive and healthy places to live and raise families. The proposed PUD zoning district allows a variety of recreational, governmental, and supportive services compatible with the various residential uses located nearby. Staff recommended approval of the request. Chair Holston inquired if there were comments from the Commissioners.

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Vice Chair O'Connor stated she saw this as a tremendous project and could understand why so many people were involved in the development of the entire concept. It is overwhelmingly beautiful. Chair Holston stated he felt some of the comments heard earlier that when the city has something like this and does not share with the people, people would have probably been marching the streets insisting this happen. It was absolutely fantastic and could not think of a better way to zone this property. Mr. Engle totally agreed, but hoped they talk to people about it so that they know. This should be on a bond referendum so that they know to vote for it. Mr. Bryson stated in regard to agenda item Z-21-07-003, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the property identified as a portion of 1101 – 1019 East Side Drive, from R-5 (Residential Single-Family-5) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the August 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal. Mr. Bryson then made a motion to approve the Unified Development Plan. Seconded by Ms. O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constitutes final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All zoning appeals will be subject to a public hearing at the August 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-07-004: A rezoning from R-3 (Residential Single-Family-3) to PUD (Planned Unit Development), for the properties identified as 3205-3211 West Friendly Avenue, generally described as south of West Friendly Avenue and east of West Avondale Drive, (1,924 acres). (RECOMMEND APPROVAL)

Mr. Kirkman reviewed the zoning map for Z-21-07-005 and other summary information for the subject property and surrounding properties and advised of the conditions related to the request. Chair Holston inquired if there

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were questions from the Commissioners for staff. Hearing none, Chair Holston requested the applicant to share their case.

Marc Isaacson, 804 Green Valley Road, Greensboro, advised he was representing Will Yearn and Granville Homes, a local home builder and the family members of the Profenius estate. Mr. Isaacson requested to add a condition to their application. The application should be modified to say “the property shall be limited to a maximum of 23 dwelling units.” Mr. Engle moved the Commission accept the additional condition as offered. Seconded by Ms. O’Connor, The Commission voted 7-0 to accept the additional condition. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O’Connor. Nays: 0).

Mr. Isaacson stated Granville Homes had built several high-quality developments in the Greensboro area previously. A vicinity map was then projected indicating where the proposed rezoning site was located in close proximity to the Friendly Shopping Center, and across the street from Chick Fil A, Truliant Bank and other stores and restaurants. Mr. Isaacson also noted this site abuts the homes facing Edgewater to the south. Mr. Isaacson advised the purchase of the property originally was in 1946 by Henry Profenius who built a home and raised a family in this area. A lot has changed to the area since that time. He further noted staff identified this property in the West Friendly Corridor Plan as “in transition.” That is what attracted Mr. Yearn to look at this property and the development options in determining what would be the highest and best use for this site.

An illustrative site plan was shown that had been presented at two neighborhood meetings and on the website of Hayden Park Homes, which Mr. Yearn built previously and publicized. The access point for the development was shown on Avondale Drive. Mr. Isaacson noted the concept for this development was taken in part from an architect in Cary that designed a project approved in Cary, which is known for being a very strict community regarding zoning approvals. The townhomes facing Friendly Avenue would be slightly higher than the duplexes that would adjoin the properties to the south. Those on Friendly Avenue would have access of a door to Friendly Avenue and a door at the garage on the south side of the units. The duplexes are configured so that the sides of those dwellings would be adjoining the back yards of the homes fronting onto Edgewater. The concept was to take the land as found. There is a gradient of slope to the south so they wanted to make the highest and best use of the properties that front onto Friendly and then sort of downsize those units on the other side of the access drive so they would be more aligned with the nature of the properties moving further back into the neighborhood along Avondale. The architect and Mr. Yearn came up with this concept and it is very creative and will be well received. Elevation renderings were shown and Mr. Isaacson offered them for illustrative purposes. The homes would face Friendly Avenue and are unique for Greensboro. These homes would have a garage. The living levels would have a balcony facing Friendly and a small patio area up on the top that would be available for the

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residents in each unit to enjoy being outside with a great view and take advantage of the location. Per the conditions, these homes would have high quality building materials such as brick, stone, glass, and more. Mr. Isaacson felt the buildings would have a great appearance on Friendly Avenue and set a very high standard for Friendly Avenue and for this area. Slides of the duplex homes were shown on the other side of the access point. These would adjoin the detached single-family homes facing Edgewater. They are reduced in height and laid out so the sides would be adjoining the backyards of the adjacent single family homes. These homes are designed to address the common concern of noise.

Mr. Isaacson then advised there were two neighborhood meetings. One was called by staff because this property is in the West Friendly Corridor area and was studied in 2016 when City Council adopted a plan that required a neighborhood meeting be held and conducted by the staff if a zoning change would require a Plan amendment. The past Thursday, July 15, 2021, there was also an in-person meeting near the property. At each meeting approximately 45-50 people attended. Several people in the area were contacted or Mr. Isaacson was contacted by several people in the area. There have been extensive discussions with people who had questions and concerns directed to both Mr. Yearnis and Mr. Isaacson. The concerns were addressed and Mr. Yearnis and Mr. Isaacson were as transparent as possible. Without being required to do so, Mr. Yearnis also engaged Davenport Engineering to do a transportation impact analysis or TIA and Ms. Brown was available to speak on that topic. The analysis basically showed no impact from this project on the transportation system. The levels of service would remain at a level A at the intersection of Avondale and West Friendly. The count was in the single digits of the impact at peak a.m. and p.m. They are aware of there is a lot of concern with transportation in the area, and are committed to join those that have that concern and address the concerns with City Council and City staff. There were also concerns regarding storm water runoff and Chuck Truby, Civil Engineer, was present to address those concerns. Mr. Isaacson then requested Mr. Yearnis to speak.

Will Yearnis, 532 Hillwood Court, Greensboro, stated he is President of Granville Homes. Mr. Yearnis advised he grew up in the Wedgewood community near the subject property. This property came to him by the Profenius family who contacted him to see if it was a project he wanted to pursue which he did. He noted they will be required to control all the rain falling on their site and will capture, treat, and then dissipate it at a rate of a normal rain. Some of the rain falling on the site currently is running off into the back yards of the houses that front Edgewater that will be captured and redirected around the new development. Granville will stand behind the community to do what they can to push City Council and City staff to address some of the other existing flooding issues and traffic problems. Chair Holston advised the time had run out for those speaking in favor. Chair Holston then advised for those speaking in opposition that it was a combined 10 minutes and there are a lot of people who

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have signed up to speak and requested everyone to be judicious of their time. Mr. Kirkman advised Mr. Fersner and Mr. Meyer were the main speakers for the opposition based upon communications with staff. Chair Holston requested Mr. Fersner to provide his name and address.

John Fersner, 102 Beverly Place, Greensboro, noted he is currently is the chief design engineer for the City of Greensboro in the Engineering and Inspections Department and had spent over 10 years solely on storm water. Mr. Fersner respectively disagreed they had been given ample opportunity to interface with the developers. Mr. Fersner noted he had only been aware of this project for approximately a week or 10 days. Mr. Fersner commended staff for the development of the Friendly Avenue Corridor Plan. The plan is very focused and he was aware this property was noted to be in transition. Looking at the Plan, the land use recommendation for this property is low residential which equates to 3-5 units per acre. That was a recommendation made by staff, and the Planning and Zoning Commission, and approved by City Council. There is a resolution identifying that. This is individual property owners and a developer seeking to increase that density from low residential and move it to the moderate residential which is 5-12 units per acre. Those in the neighborhood feel the proposed density is grossly excessive for two acres of property at that location. The slide that was shown appeared to have been oriented to Friendly Center directly across the street but three sides of the subject property are basically R-3 Residential.

Mr. Fersner stated there will be an excessive amount of water generated and released over a longer period of time. The City of Greensboro fully acknowledges there is a major flooding issue along Edgewater. So much so that a study was completed, analyzed, and did the math. It was decided it was too expensive to fix the system and so instead the City brought a house on Avondale and then tore it down. There is acknowledgement on the City's part that there is an existing problem. It is reckless and irresponsible on staff's part, this Commission, and City Council to approve a high-density development knowing there is a flooding problem at the bottom of the hill. What is being proposed to address is to have underground detention. It would be out of sight, out of mind. At this meeting and the one with the neighborhood, it was advised it would be inspected every year. Mr. Fersner asserted this facility would not be maintained, inspection or not, and eventually fail. Those who will be part of an HOA would not have the knowledge or financial means to maintain that facility. Mr. Fersner referred to the recent collapse in Florida of a condo complex that had previous inspections and nothing was done. This would be the same type of situation with a problem that is ignored.

Terry Meyer, 405 West Avondale Drive, Greensboro, stated the first conversation that was had with anyone regarding the development was on or around June 5, 2021. The specific proposal was not sent out until June 11, with the first meeting on June 24. Traffic measures have been discussed and Mr. Meyer would like the right turn

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lane discussed coming out of the development be added as a condition. Additionally, based on information from Mr. Fersner, the storm water not be directed to the stream on Edgewater due to the concerns of the City and the neighborhood. If the City decides to be irresponsible and allow that to happen, that Mr. Yearns and his development be required to have a 25 to 50-year flood service agreement. Storms now are monthly, weekly, and at times daily.

Valarie Amsterdam, 205 West Avondale Drive, Greensboro, referred to the values listed in the Comprehensive Plan that spoke about aspirations that are most important to the community that were taken through public input and developed from that input. Some of the input in the Comprehensive Plan was to listen about growth, traffic, greenery, and affordable housing. There were more than 900 posts regarding this on Next Door and she would like to know how many of those posts were for this development. Public input is a decision that drives forward. The public input here is that this is too dense for this property and does not make the best use of the land. Chair Holston inquired if there were questions for Ms. Amsterdam. Seeing none, Chair Holston inquired if there were other speakers.

Walter Salinger, 113 Homewood Avenue, Greensboro, stated as he understood the plan, there would be no remote parking to accommodate multiple guests in the surrounding neighborhood and none is provided in this project as planned. Mr. Salinger would like to know if he misstated the facts. Chair Holston advised the applicant would have to address that during the rebuttal period. Chair Holston inquired if there were additional speakers.

Carol Staley, 200 Homewood Avenue, Greensboro, stated there has always been a huge flooding problem with the creek. This particular project brings up the problem that Greensboro is not facing with storm water. The creek has flooded just within the past week. Her neighbors had water almost to their living room and the City actually called her neighbors to ask how they were. Until Greensboro is willing to address the storm water issue on Edgewater, the amount of water coming down the street continues. There are adjacent properties to these properties the developer is attempting to develop. Ms. Staley would like to know if the developer attempted to buy them and if able to buy them, would the egress of the development be there in front of the Friendly Shopping Center where there is a stop light rather than sending down Avondale which will affect all of the community. Chair Holston advised the opposition time was up and the applicant had up to 5 minutes for rebuttal.

Mr. Isaacson responded overall the developer continues to stand ready to have discussions with Mr. Fersner, Mr. Meyer and others who spoke and others who are stakeholders in this area. The developer has not been shy about putting their names and numbers out there to have those discussions and would look forward to having those discussions. If there are solutions or ways to address the issues that are perceived here, they would be glad to address those. Mr. Isaacson requested Chuck Truby to address some of the specifics just mentioned.

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Chuck Truby, 502 Waycross Drive, Greensboro, advised he was a registered professional engineer and had been practicing engineering for 37 years. Mr. Truby acknowledged there is an issue with the stream currently but noted most of the development within the watershed occurred prior to any kind of storm control measures being required so all of the runoff makes it to the creek. Mr. Truby has seen the videos and acknowledged them. Mr. Truby stated where the creek goes under Green Valley Road, the drainage area to that point is approximately 284 acres, which equates to about 1,120 CFS during the 10 year storm event. This site is 2 acres, which is less than 7% of the total drainage area that feeds that creek and their runoff prior to any kind of storm water controls is 7 CFS, roughly 6% of the flow entering that stream. This development would not result in any negative effects to the creek. The creek is a problem now. The runoff will be controlled to the required City standards. Mr. Truby did not feel the City would allow these systems to be installed if they would fail. Mr. Truby was not aware in the 37 years he has been in this field of any system that he designed that failed. The HOA would be responsible for maintaining that system. The water will be diverted around the housing on the southern property line right into the creek. The City will have to do something to either upsize culverts or put in some type of massive detention system to control the storm water. That is not the responsibility of this developer trying to get this property rezoned. The runoff will be controlled appropriately.

Mr. Isaacson stated this request meets or exceeds several principles set forth in the 2040 Comprehensive Plan. Goal A states “that we should encourage higher density, mixed use walkable infill development, and should bring world class development to transform underutilized sites.” This proposal does that. The City has made major investments in this infrastructure along Friendly Avenue and this area in general. This infill project takes advantage of those investments in infrastructure and delivers a huge return to the City in terms of high-quality housing to meet a high demand now being experienced. Another goal of the plan is to become car optional. This is located at a signalized intersection allowing pedestrian access to cross the street to a major retail center with restaurants, grocery stores, other shopping stores, again taking advantage of the investment in the infrastructure in this area. This area is designated on the smaller corridor plan as “in transition” indicating a likelihood of higher density where logically it belongs on a major thoroughfare at a signalized intersection across from a major retail center. There are similar developments all along the major thoroughfares in Greensboro, including the nearby Friendly West townhomes. This is a well-established pattern of development in the City that has worked well for many decades. Mr. Isaacson submitted the request for the Commissioners consideration and noted they were available to answer any questions. Chair Holston inquired if there were questions for Mr. Isaacson. Seeing none, Chair Holston advised those speaking in opposition had up to 5 minutes combined for rebuttal.

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Ms. Staley stated she understood everything said and felt it was a very good thing for the City. The City of Greensboro has been remiss in handling storm water. Greensboro should say they were willing to upgrade the four culverts across major streets to allow the flow of water, which should have already been done. Ms. Staley was happy for the development but the City has to take responsibility for storm water. Ms. Staley asked how much money the City was collecting for storm water on the water bills. How much money was spent for storm water and cleaning out culverts. If the issue of storm water was corrected, Ms. Staley would be happy for the development. Chair Holston inquired if there were questions for Ms. Staley. Seeing none, Chair Holston inquired if there were others wishing to speak in opposition. Mr. Carter advised Valarie Amsterdam, John Fersner and Walter Salinger wished to speak.

Valarie Amsterdam referred to quotes taken out of the 2040 Comprehensive Plan that said “you protect and enhance the unique character of every neighborhood”. The neighborhood does not feel this is in good character. Cut through traffic needs to be minimized and the neighborhood does not feel that will happen with the entrance being on West Avondale Drive. Transitions between neighborhoods and new land uses provide continuity and scale of density. This density does not promote their neighborhood. New housing as additional and appropriately scaled density, does not. Prioritizing sustainability and recognizing global change with an acknowledgement of older sewer systems unable to handle increased storms. Page 74 of the plan was a list of questions the Commission must ask prior to approving rezoning. In reading the questions, it was clear the answer to this request should be a unanimous no. Any other decision by the Commission would show that the Comprehensive Plan is nothing more than a colorful beautiful book of well thought out empty promises and untruths. Chair Holston inquired if there were any questions or comments for Ms. Amsterdam. Hearing none, requested Mr. Fersner to speak.

John Fersner respectively disagreed with Mr. Truby. Mr. Truby had indicated there would be no negative impacts. Mr. Fersner stated that was a lie. The Commission approved the rezoning at Hobbs and Friendly that has not been developed yet and that water would go in the same creek. Mr. Fersner can protect his home, treat it and fend off the elements; but he never thought he would be defending his home against the City of Greensboro. It is falling on deaf ears. Mr. Fersner asked that the Commission draw a line in the sand and say no. Mr. Meyer stated he did not have anything else to add. Ms. Hayes would be the next speaker.

Tammy Hayes, 3101 Madison Avenue, stated she had talked to Mr. Yearn's extensively regarding this project. Ms. Hayes understands this land has to be developed at some time. The buildings proposed were not attractive in any way and do not have any green spaces. Fifty feet is way too high for these buildings. Ms. Hayes would like to see a less dense plan, a better-looking building. To have something the neighborhood could have a say so in and be

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proud to have within the neighborhood. The land will be developed but she would rather it be under the conditions that the neighborhood has a say so in. The stormwater rain runoff is a huge concern. Ms. Hayes requested consideration regarding the design of the buildings and more green space in the development. Chair Holston then requested Ms. Staley to speak.

Carol Staley stated the developer had contacted the owners of the two properties that have houses on undeveloped property. Ms. Staley was concerned that would be an additional extension of this development. If those properties are added to this property, Ms. Staley would like the entrance on Avondale be closed. There is a stop light at Friendly Shopping Center which should be the main entrance into this property. Chair Holston inquired if there were questions for Ms. Staley. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from Mr. Kirkman for a recommendation and then the Commission would discuss and deliberate. Mr. Engle asked if Mr. Kirkman could state the height currently permitted in the zoning district currently. Mr. Kirkman responded in the R-3 district, structures are allowed to go up to 50 feet in height or 3 stories.

Mr. Kirkman stated regarding the request, the Friendly Area Avenue Plan does designate this site currently as Low -Residential on the Future Built Form Map and the applicant is requesting a change to the Moderate Residential classification as part of this request. The site is designated as Urban General in an urban mixed-use corridor on the Future Built Form Map of the GSO 2040 Comprehensive Plan. The proposed rezoning request does support the Comprehensive Plan's creating Great Places goal to expand Greensboro city wide network of unique neighborhoods, offering residents of all walks of a life a variety of quality housing choices and the Building Community Connections goal to maintain stable attractive and healthy places to live and raise a family. The proposed PUD zoning district does allow uses along a major thoroughfare that are complimentary to the existing uses in the surrounding area. Staff recommended approval of the request.

Chair Holston inquired if there were questions for staff from the Commissioners. Ms. Magid stated she would like to make a motion. Mr. Engle requested to make some comments before the motion. Mr. Engle stated he lived in a legitimate floodplain for 13 years where water came up to the top of the steps of his porch. Mr. Engle is sensitive to those issues and heard what was said. Mr. Engle stated 2 acres at the corner of Friendly and Avondale is not their enemy. The neighborhood really needs to reach out to the City. Election time is ahead and infrastructure is needed in the City. This water in his old neighborhood drained into the creek bed that took out his car sitting in front of his house. Mr. Engle encouraged the neighbors to meet with their council member, both At Large and District, tell them that you absolutely want them to do something about this. He noted he had very good experiences working with the City's Storm Water Department. Ms. Staley mentioned the saplings in the BMTs. The Water Department has taken out dead trees and tree limbs. Working with the Water Department on

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management of their parks and water sheds is extremely important. There has to be involvement. Mr. Engle stated if they had someone in his neighborhood willing to put in a storm water retention, he would have jumped for joy. It is expensive but will be something that helps. Mr. Engle advised he was in support of the request. Chair Holston inquired if there were any additional questions or comments from the other Commissioners. Seeing none, Chair Holston requested Ms. Magid to make her motion. Ms. Magid stated in regard to agenda item Z-21-07-004, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning request for the properties identified 3205-3211 West Friendly Avenue, from R-3 (Residential Single-Family-3) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Build Form Map and Future Land Use Map; (2). The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest.

Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constituted a favorable recommendation and is subject to a public hearing at the August 17, 2021, City Council meeting. Ms. Magid then made a motion to amend the Friendly Avenue Area Plan from the Low Residential to Moderate Residential designation. Seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0) and Chair Holston also noted this constituted a favorable recommendation and subject to a public hearing at the August 17, 2021 City Council meeting. Then Ms. Magid made a motion to approve the Unified Development Plan tied to this request, seconded by Vice Chair O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0).

Chair Holston advised there would be a 5-minute break at 9:10 p.m. and the meeting resumed at 9:15 p.m.

Z-21-07-006: A rezoning request from R-5 (Residential Single-family-5) to CD-RM-18 (Conditional District-Residential Multi-family-18) for the properties identified as a portion of 903 and 905 West Wendover Avenue, generally described as south of West Wendover Avenue and West of Hill Street, (.083 acres.) (APPROVED)

Mr. Kirkman reviewed the zoning map for Z-21-07-006 and other summary information for the subject property and surrounding properties and advised of the condition related to the request. Mr. Engle asked if the remaining portions of the two properties that are there would be enough land to still be legal under R-5 or would they be

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non-conforming. Mr. Kirkman responded they would still be considered legal lots if the rezoning was approved. Chair Holston requested the applicant to come forward and state their case.

Laura Krantz, 400 Bellemeade Street, Greensboro, stated she was the attorney for the applicant. Ms. Krantz advised Jason Austin was also present and he is one of the Officers of Mortgage Investment Corporation, owners of the adjacent property. The request is to rezone from R-5 to CD-RM-18 to be in conformity with the adjacent lots to the south. The applicant intends to eventually combine the parcels and have a more unified development that would provide some additional room to enhance buffers and setbacks to make it the best development possible. Letters were sent out to 101 neighbors based on the address list provided by the City, encouraging any neighbors to reach out for any questions and detailing the project. There was no response from anyone to them directly but she was advised by staff a few had reached out to the City. Ms. Krantz was unable to get in touch with anyone before the hearing, but remained open to speaking with anyone and going over any questions or concerns they may have. This request is consistent with the Future Land Use Plan and conforms with many of the principles set out in the GS 2040 plan in that it will conform with all of the requirements from the ordinance. Ms. Krantz was available for any questions.

Jason Austin, 1808 Spring Garden Street, Greensboro, stated he was with Mortgage Investment Corporation. They had acquired the 903 and 905 Wendover houses along with the 1007 and 1009 Hill Street properties. The back sliver is approximately 30 feet and they are requesting to have it rezoned to align the Hill Street properties that will be repositioned. Several non-conforming structures have been taken down as everything is in severe disrepair on the property. Mortgage Investment Corporation owns Latham Park Manor on Hill Street and it is very important to the Corporation to have this property cleaned up. There are no immediate plans to develop but are asking for this change so in the future if they do, everything would be aligned with RM-18. Chair Holston inquired if there were questions from the Commissioners. Hearing none Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none,

Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Chair Holston requested Myra Rutland to speak. Mr. Carter advised it appeared Ms. Rutland was not present. Chair Holston inquired if there was anyone else to speak in opposition. Seeing none, Chair Holston closed the public portion of the meeting and requested to hear from Mr. Kirkman for a recommendation.

Mr. Kirkman stated the GSO40 Comprehensive Plan designated this site as Urban Central on the Future Built Form Map and the Residential on the Future Lane Use Map. The request does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro city wide network of unique neighborhoods offering residents of all walks of a life a variety of quality housing choices and the Building Community Connections goal to

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maintain stable, attractive, and healthy places to live and raise a family. The proposed CD-RM-18 zoning permits uses that are compatible with the other residential uses in the surrounding area. Staff recommended approval of the request. Chair Holston inquired if there were questions for staff from the Commissioners. If not, Chair Holston inquired if there was deliberation, discussion or a motion.

Vice Chair O'Connor stated in regard to agenda item Z-21-07-006, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as a portion of 903 and 905 West Wendover Avenue, from R-5 (Residential Single-Family-5) to CD-RM-18 (Conditional District-Residential Multi-family-18) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2). The proposed CD-RM-18 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval was in the public interest. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston stated this approval constituted final action unless appealed in writing to the Planning Department with 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the August 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P)21-23: Zoning, Planning and Development Text Amendment: Amending Sections 30-1-11 (Annexation), 30-1-12 (Transitional Provisions), 30-3-1.5 (Extraterritorial Representation), 30-3-4.1 Authority and Establishment), 30-3-6.1 (Authority and Establishment), 30-3-7-1 (Establishment), 30-3-6.1 (Authority and Establishment), 30-3-7.1 (Authority and Establishment), 30-3-14.1 (Authority), 30-4-1.4 (Notice), 30-4-4.6 (Waiver of Procedure), 30-4-25 (Site Specific Development Plans), 30-4-27.1 (Applicability), 30- 5-4.3 (Available Remedies), 30-13-2.2 (Dedication of Right-of-Way), 30- 13-6 (Sites for Public Use), 30-15-6 (Terms Beginning with "E"), 30-15- 7 (Terms Beginning with "F"), 30-15-22 (Terms Beginning with "Y" and "Z") of the Land Development Ordinance to revise cross section references in accordance with NCGS 160D. (RECOMMEND APPROVAL)

Mr. Galanti stated the text amendment before the Commission are a change to the Land Development Ordinance. The statutory authority for staff to do development regulations, which are related to Planning, Zoning, and Sub-division are in the General Statutes of North Carolina. For cities, they were in Chapter 160A and for counties they

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were in 153A. The General Assembly adopted two Session Laws in 2019 and 2020. The Session Laws consolidated the city and counties enabling statutes into one new chapter. The new chapter is 160D. That was done so that the organization would be more logical and have a coherent organization for enabling of the legislation for both cities and counties. As a result, the cross references needed to be updated in the Greensboro Land Development Ordinance. That is what this text amendment does. The text amendment only changes the references to the new sections and does not make any policy changes or modify the scope or authority for any Boards or Commissions of the City of Greensboro. It is only housekeeping to update the cross references to the new State enabling legislation, which is 160D. This is a public hearing before the Planning and Zoning Commission that will receive public comments and make a recommendation to go on to City Council. This is also scheduled to go before the City Council at their meeting on August 17, 2021. Mr. Galanti inquired if there were any questions. Chair Holston inquired if there were questions from the Commissioners for Mr. Galanti. Mr. Engle asked if Mr. Galanti could talk about how this was advertised and promoted the public hearing at this hearing. Mr. Galanti responded that according to the Land Development Ordinance, since text amendments are city-wide, there is not a specific public notification requirement. There is no advertising in the newspaper or letters sent to adjacent property owners. That is done because there are no adjacent property owners to this request. When this request goes on the public hearing before City Council, an advertisement will be placed in a public newspaper for 2 consecutive weeks. Mr. Engle asked if the public hearing would be reconvened for anyone walking by or happen to be on the Zoom call. Mr. Kirkman added this is part of the public agenda which was published as part of this meeting. There is some advertising with this, but this is a city-wide change and is a different beast than items like rezonings. Chair Holston opened the public hearing and inquired if there was anyone who wished to speak in favor or opposition to the text amendment update. Seeing none, Chair Holston closed the public hearing and requested to hear from City staff. Mr. Kirkman advised there were 3 options with a text amendment; to approve as presented, recommend denial as presented, or recommend changes as part of an approval. Mr. Bryson made a motion to approve the text amendment as presented. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0). Chair Holston advised it represented a favorable recommendation and will be subject to a hearing at the August 17, 2021 City Council meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Kirkman thanked the Commission for getting through another long meeting. Mr. Bryson asked if there was a long agenda in August. Mr. Kirkman responded he thought there was either 8 or 9 items.

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ITEMS FROM THE ZONING COMMISSION MEMBERS:

None.

ADJOURNMENT:

There being no further business for the Commission, the meeting was adjourned at 9:31 p.m.

Respectfully submitted;

Hugh Holston, Chairperson
HH/c

**MEETING OF THE
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AUGUST 16, 2021**

The regular meeting of the Greensboro Planning and Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on August 16, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Vice Chair Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, and Vernal Alford. Present for City staff were Lucas Carter, Mike Kirkman, and Steve Galanti and Sue Schwartz (Planning), Noland Tipton (GDOT) and Alan Buansi (City Attorney's Office).

Chair Holston welcomed everyone to the meeting and then advised of the policies, procedures and updated instructions in place for the Commission and how the meeting would be conducted using the online format. Mr. Buansi stated the Planning and Zoning Commission determines land use and conditions within the zoning application, with respect to highest and best use of the property only. All other concerns not related to land use and conditions of the rezoning application, are not germane to the determinations made by the Planning and Zoning Commission but can be referred to the Planning Department or the City's Technical Review Committee. Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly in 2020, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested each item be identified for comments to be made on and submit the comments to Planning staff.

APPROVAL OF THE JULY 19, 2021 REGULAR MEETING MINUTES: (Approved)

Ms. Skenes made a motion to approve the July 19, 2021 minutes; seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and O'Connor. Nays: 0).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised there were a couple of items on the agenda requesting continuances.

Z-21-08-004: A rezoning from R-3 (Residential Single-family-3) to CD-C-M (Conditional District-Commercial Medium) for the properties identified as 3521 Battleground Avenue and 2210 Tennyson Drive, generally described as southwest of Battleground Avenue and north of Tennyson Drive, (10.21 acres).

Mr. Kirkman advised this request would not be heard at this meeting. An issue arose related to their traffic study and therefore, there is not a completed application and it cannot be heard at this meeting. This agenda item will automatically move to the September meeting agenda and no action was needed from the Commission.

Z-21-07-007: A rezoning from R-5 (Residential Single-family-5) to CD-C-N- (Conditional District – Commercial Neighborhood, for the property identified as 204 North Mendenhall Street, generally described as east of North Mendenhall Street and north of West Friendly Avenue, (0.54 acres).

Mr. Kirkman advised the request was to continue for 60 days to the October Zoning Commission meeting to allow for more time to discuss development options between the applicant and the neighborhood. Vice Chair O'Connor moved this item be continued for 60 days; seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor). Nays: 0).

Mr. Kirkman then advised there were three items before the Commission that had no speakers signed up in opposition and staff recommended approval of the requests. Per the Commission's policy, Mr. Kirkman asked the Commission to move these items to the front of the agenda. He stated the items on the agenda with no opposition were PL(P)-21-25 and Z-21-08-003 for Carroll Avenue Right of Way; Z-21-08-005 for 4215 Cox Plan; and PL(P) 21-26 and 21-08-006 for 6124 Bedstone Drive. Mr. Engle made a motion to move all three cases to the front of

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the agenda per the policy of the Commission; seconded by Vice Chair O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor. Nays: 0).

PUBLIC HEARINGS:

PL(P)-21-25: An annexation for the property identified as the Carol Avenue right of way, generally described as north of Carol Avenue and west of Sumner Church Road, (1.6 acres) and

Z-21-08-003: An original zoning from County RS-30 (Residential Single-family) to City R-5 (Residential Single-family-5), for the property identified as the Carol Avenue Right of Way, generally described as north of Carol Avenue and west of Sumner Church Road, (1.6 acres). (Recommended Approval)

Mr. Kirkman reviewed the annexation and zoning map and other summary information for the subject property and surrounding properties and advised there were no conditions related to the request. Chair Holston inquired if there were questions from the Commissioners for staff. Chair Holston inquired if there was anyone to speak in favor of this request. Seeing none and having no opposition to the request, Chair Holston closed the public hearing and requested to hear from staff for a recommendation. Mr. Kirkman advised this should be a motion to recommend the annexation and a separate motion to recommend the original zoning. Mr. Engle moved that the property be annexed; seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford and Vice Chair O'Connor. Nays: 0). Chair Holston advised this constituted a favorable recommendation and would be subject to public hearing at the September 21, 2021 City Council meeting. Mr. Engle stated in regards to agenda item Z-21-08-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as Carol Avenue Right of Way from County RS-30 (Residential Single-family) to City R-5 (Residential Single Family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City R-5 zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor. Nays: 0). Chair Holston advised this constituted a favorable recommendation and was subject to public hearing at the September 21, 2021 City Council meeting.

Z-21-08-005: A rezoning from R-3 (Residential Single-family-3) to R-5 (Residential Single-family-5) for the property identified as 4215 Cox Place, generally described as south of Cox Place and east of Pilgrims Church Road. (0.48 acres). (Approved)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties and advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston inquired if there was anyone to speak in favor of the request. Hearing none, Chair Holston closed the public hearing and asked for a motion. Ms. Magid stated in regards to agenda item Z-21-08-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 4215 Cox Place from R-3 (Residential Single-family-3) to R-5 (Residential Single Family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed R-5 zoning district permits uses which fit the context of the surrounding area and

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limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Engle. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor. Nays: 0). Chair Holston advised this constituted a final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal, and all such appeals would be subject to a public hearing at the September 21, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-08-006: An original zoning request from County CZ-RS-3 (Residential Single-family) to City R-3 (Residential Single-family-3) for the property identified as 6124 Bedstone Drive, generally described as south of Troser Road and east of Bedstone Drive, (0.3 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman advised there were no conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston inquired if there was anyone to speak in favor of the request. Hearing none, Chair Holston closed the public hearing and inquired if there was a motion. Mr. Engle moved to approve the annexation of 4215 Cox Place. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor. Nays: 0). Chair Holston stated the approval constituted a favorable recommendation and was subject to a public hearing at the September 21, 2021 City Council meeting. Mr. Engle stated in regards to agenda item Z-21-08-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 6124 Bedstone Drive from County CZ-RS-3 (Residential Single-family) to City R-3 (Residential Single-family-3) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City R-3 zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community and approval is in the public interest. Seconded by Vice Chair O'Connor. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor, Nays: 0). Chair Holston advised this constituted a favorable recommendation and subject to a public hearing at the September 21, 2021 City Council meeting.

Z-21-06-004: A rezoning request from R-3 (Residential Single-family-3) to CD-O (Conditional District – Office) for the properties identified as 5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 724 Muirs Chapel Road, generally described as south of West Friendly Avenue and east of Muirs Chapel Road, (3.07 acres).

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman then advised of the conditions associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to provide their name and address and state their request.

Marc Isaacson, 804 Green Valley Road, stated he was speaking on behalf of the applicants John Lomax, Robert Cannon and their family members who are property owners of the subject properties for this rezoning request. Mr. Kirkman read into the record new conditions:

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3. Hours of operation shall be limited to no later than 11:00 p.m., except any such restriction on hours of operation shall not include those specific overnight accommodations permitted pursuant to condition 2 and any requested activities associated therewith.
4. Building height shall be limited to a maximum of 43-feet, excluding architectural design features, roof top equipment (e.g., HVAC equipment and the like) and other non-structural components (e.g., screening materials).
5. No drive through use shall be permitted except for any such drive through uses associated with a “built-in pharmacy” that may operate out of the property’s principal structure.

Mr. Engle provided clarification regarding the adding of conditions for those attending the Zoom meeting. This applicant was offering additional conditions and the Commissioners will vote to accept or deny those. Mr. Engle made a motion to accept the additional conditions as presented. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O’Connor, Nays: 0).

Mr. Isaacson stated the new conditions were added after attending neighborhood meetings and receiving communications expressing concerns regarding the operation of the proposed office building. The rezoning was intended to be and will be a medical office building. The applicants have a proposed local medical care provider they are in discussions with and have contracted for the development of this property as a medical office. Mr. Isaacson referred to a slide depicting an aerial view of the subject property and surrounding properties. A yellow star indicated the subject properties wedged into the intersection of West Friendly Avenue and Muirs Chapel Road. Mr. Isaacson referred to the various medical offices in other non-residential uses and the higher density of residential uses in the immediate area. He noted that Muirs Chapel Road has been widened and with the introduction of non-residential and higher density residential, the applicants feel this property is no longer suitable for low density single-family residential. The families that own these properties want to sell to a single medical care provider that would develop the property for a medical office. An illustrative site plan was presented depicting the proposed medical office building in the middle of the property, surrounded by a 25-foot vegetative buffer. Mr. Isaacson stated the site plan was presented for a site plan review and traffic impact study with GDOT. There is full access movement on Friendly Avenue at the eastern edge of the property, per GDOT requirements after the site plan review. An illustrative elevation rendering of the medical office building was presented.

Mr. Isaacson then stated that the medical office would be operating Monday-Friday from 8:00 a.m. to 5:00 p.m. The concept is to consolidate various physicians and other specialists’ practices in one building for easy patient access, and take medical care into the community as medical care campuses have become very busy. Mr. Isaacson stated the applicants felt it would be helpful for the Commission to consider that in the history of Greensboro, office uses and residential uses have been compatible, well accepted and embraced over decades of development. Photographs were shown depicting the VF headquarters that adjoins single-family homes in New Irving Park. Aerial photographs were also shown depicting professional and other office uses near single-family residential indicating the pattern of development with a combination of uses. Brassfield Avenue was also shown indicating professional offices and single-family residential homes. Mr. Isaacson added that these were examples of the compatibility of higher standards and professional offices with higher value single-family residential well embraced in Greensboro for many years.

Mr. Isaacson then advised there were two neighborhood meetings. Notices were sent out to a wider area for the second meeting with approximately 30 people attending the second meeting at Trinity Church. Mr. Isaacson advised Rynal Stephenson, Transportation Engineer, and others were available to answer questions regarding the property. Mr. Isaacson stated the staff report and their materials highlighted the development potential of these properties. The GSO2040 Plan designates this area as Urban-General. Pursuant to the plan, Urban General is

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intended to provide opportunity for “walkable mixed-use development on larger sites by creating more access from surrounding neighborhoods and increasing development intensity along existing corridors.” The applicants proposed use meets all of the objectives by making the highest and best use of this under-utilized property along one of the city’s busiest thoroughfares; and improving access to health care in the surrounding area by bringing a state-of-the-art facility out into the community. New development and growth in Urban General will be focused in activity centers. According to the plan, activity centers arise organically from the interaction of people and activities at the crossroads of two or more corridors and naturally have direction or mode of ingress and egress. The plan is designed and intended to be flexible and updated from time to time as things changed. An increase in walkable mixed-use development is anticipated. The property is at a signalized intersection along one of most heavily traveled thoroughfares in the city, on the edge of an activity center and within a designated mixed-use corridor.

Chair Holston inquired if there were questions for Mr. Isaacson. Vice Chair O’Connor inquired if there was any historical property and any restrictions regarding historic property as part of this request. Mr. Isaacson advised Mr. Canon was the owner of the property with a house listed on the National Historic Register. Mr. Isaacson advised Mr. Canon was the owner and was present for further background or context. The State Historic Preservation Office was contacted and discussed the request. Two officers of the Preservation Office in Raleigh confirmed there were no restrictions on any changes that would occur, because this is on the National Registry. The background and purpose was to prevent any federal dollars from being spent on any changes to this property. Mr. Canon placed this property on the Register to avoid Painter Boulevard from coming through or nearby this property. The Outer Loop is located significantly further west from this property and that has worked out well. Chair Holston inquired if there were additional questions from Commissioners for Mr. Isaacson. Hearing none, Chair Holston advised there was a combined 10-minute timeframe for all speakers in opposition.

Candida Yoshikai, 5306 West Friendly Avenue, Greensboro noted she was speaking together with Mr. Ned Bryan for many in their neighborhood in opposition. She then noted Mr. McNeil would represent the neighborhood from the historical aspect and on behalf of the New Garden/Guilford College Area Alliance, She noted the 2040 Comprehensive map shows this block of Friendly Avenue as Residential. She noted the currently zoning of residential R-3 east of the subject properties and that west of Muirs Chapel are two blocks of smaller enterprises in older homes and newer structures on single and double lots. In Quaker Village there were smaller neighborhood oriented businesses with approximately 130 parking spots. The Walmart has approximately 160 parking spots. There are medical offices available for lease in that area. In the eastern residential side of Muirs Chapel, the zoning application to Office would take 3 of the 5 residential properties, more than half of 5300 Friendly Avenue and one on Muirs Chapel. They would also pave over 3 acres for 179 vehicle parking spaces. Almost 3 times more than the parking at the largest nearest businesses across the street and directly touching the front, backs, and sides of 10 properties on the three streets involved. The bulk of a 40,000 square foot building equals approximately 20 of the homes and would dwarf any other business on surrounding blocks. This project would not blend or maintain the character of the neighborhood. The office scale and intensity are uncharacteristic and incompatible while taking 25% of the neighborhood and imposing an office quality of life in R-3 residential zoned. Almost 1,400 vehicles would turn in and out daily, hugely increasing traffic and accidents for all of the surrounding homes and streets. Traffic would increase heat and urban island heat effects, air, noise, water, light, run off pollution, and ground water absorption problems for the residential zone. The size almost approaches that of Quaker Village in the commercial zone. Numerous city ordinances are in direct conflict with this plan. Preserving the overall quality of life for residents and protecting character appears to be high on the city government’s list of importance. Considered a major thoroughfare, Friendly Avenue has a special history and character with in-kind development to protect it from the difficulties of Market or Battleground. The precedent for

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commercial zoning to creep eastward down Friendly Avenue and allowing for the demolition of notable historic, rare properties through rezoning approval, concerns many. The neighborhood wishes their good faith investments in their residential zoned homes and the promise of the 2040 Comprehensive Plan would be preserved. Chair Holston inquired if there were questions from the Commissioners. Hearing none, Chair Holston requested the next speaker.

Bill McNeil, 1014 Gretchen Lane, Greensboro. Mr. McNeil is the Co-Clerk of the New Garden/Guilford College Area Alliance, the purpose of which is to preserve the historic fabric of this area that connects institutions and residential neighborhoods to promote the sound development of that area. Mr. McNeil stated this case was unique as it involves property on the National Register of Historic Places, in one of two designated heritage communities in the city, and is adjacent to an activity center designated in the GSO 2040 Comprehensive Plan. The proposed zoning is opposed because it will harm the historic fabric of the area, one of two designated heritage communities. Destroying the Kimrey Haworth house and nearby homes built in the 1920s. There is no compelling need for more office space in this area. There is a need to retain the existing residential quality of walkable neighborhoods within the Friendly corridor. The Alliance was asking the Commission to uphold the character of the greater and historic Guilford College community and deny this request. Approving the request would go against the goal in the GSO 2040 Comprehensive Plan for creating great places by treasuring and protecting Greensboro's historic places. Mr. McNeil urged the Commissioners to vote against this request and leave the properties zones as is. Chair Holston inquired if there were questions from the Commissioners. Hearing none, Chair Holston requested the next speaker.

Edwin L. Bryan, Jr., 5301 W. Friendly Avenue, advised he has owned two corner lots at Friendly Avenue and Cannon for approximately 23 years. Muirs Chapel and Foxwood were always the dividing line for residential and commercial and should remain the same. If that end of the block is rezoned, Mr. Bryan would have to list his house commercial if he were to sell. The developers had an informational meeting with the neighbors on August 3. Concerns were expressed by many regarding the proposed development. The developers do want to do residential and could sell as residential but made no effort to do so. The developers want this to be a commercial corner for their benefit. The sheer size and scope of the development is very disturbing with approximately 25% of the land mass of the neighborhood would be leveled. The construction project will probably be two years and the neighborhood disturbed by all of the construction noises. Mr. Bryan requested the Commission to consider what was stated. Lives will be disrupted. Mr. Bryan stated there he has heard of no support for this rezoning from anyone other than the developers, their attorney, and one of the developer's friends who spoke at the meeting. Change is sometimes inevitable but he asked the Zoning Commission to deny this request and help the surrounding neighbors to preserve the residential integrity of their neighborhood and all of the established residential neighborhoods in Greensboro.

Chair Holston inquired if the neighborhood meetings held were productive. Mr. Bryan responded the developer stated what they want to do. The neighborhood listened and the developer and attorney listened to the neighborhood. There was a lot of opposition from the audience at the meeting. No one spoke in favor of this proposal other than the attorney and the developer. Chair Holston then requested Mr. Feagins to speak. Mr. Engle stated there would be time for additional comments during the rebuttal period.

David Feagins, 1505A Nathan Hunt Road, Greensboro, a member of the New Garden Road/Guilford College Community Alliance, speaking as a private Greensboro citizen in opposition to this request. Mr. Feagins did not live in this neighborhood but was close enough to walk or bike to it with ease, as he did as child in the 1950s and early 1960s. He stated this will be destructive to the neighborhood's tranquility and community cohesion with the right to enjoy residentially zoned neighborhood. It should not be an issue of additional tax revenue, job creation,

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or medical services. It is an issue of fairness to the citizens who made the decision to locate their homes in a long-established Greensboro neighborhood zoned as residential. The Notary Service Organization has a four-way test that asks "is it fair to all concerned." This rezoning proposal, if approved, will be a decision that is not fair to their neighbors. Mr. Feagins asked the Commissioners to respect the right to live peacefully in their neighborhood and reject this proposal. Chair Holston inquired if the Commissioners had questions for Mr. Feagins. Hearing none, Chair Holston requested Mr. Isaacson to speak in rebuttal.

Mr. Isaacson addressed the remarks by Mr. McNeil who had mentioned this is a unique area. He agreed that this is unique and is a 3.7-acre area wedged in at a signalized intersection of two thoroughfares, West Friendly Avenue and Muirs Chapel Road have significantly grown in the city. Mr. Isaacson stated he felt the neighborhood meeting was productive in the sense that each side was heard and listened to. Three conditions were added as a result of that meeting and other communications that fine-tuned this project. This project is unique as it is a consolidation of several different medical practices operated by or for the benefit a hospital medical care provider. The approach is to take medical services into the community and a unique opportunity and property on which to do that. There are concerns regarding the construction, the development, and quality of life. This project is oriented toward Friendly Avenue and not oriented toward other residential areas. Greensboro is replete with other offices compatible and are near, next to, or across the street from single-family residential properties. The Commission needed and should, under ordinance and state law, look at their plans, the facts on the ground, look at what is proposed, and not look at speculation and theories on what might happen. The developer is keenly aware of the historic aspects of the property. History and things change affecting the future. The opposition is not about the next 5 or 10 years. It is about the next 50 to 100 years of this community and how medical services are to be effectively and efficiently delivered to the patients and those within this community. The project was walkable and carefully planned out by a very sophisticated organization that Mr. Isaacson hoped the Commission would recognize.

Mr. Alfred asked if Mr. Isaacson had renderings depicting, to scale, other buildings nearby that would allow the Commission to see how the proposed building compared. The opposition stated it is magnified compared to what is around the community. An illustrative site plan was shown depicting the building oriented toward Friendly Avenue. Required parking was indicated required by city code with heavy buffering all around the property. The conditions indicate the building will be two stories. Any residential property developed where it be multi-family or single-family would be two stories as well. The contention might be it is out of scale, but no higher than what a standard townhome or apartment complex would be. Single family could be higher than two story under the code. In terms of scale, there was a 60-foot water tower across Muirs Chapel Road, and three-story multi-family. Mr. Alford asked if in the condition it was 43-feet high. Mr. Isaacson responded that was correct; it would be two levels, to include equipment on the roof. Mr. Alford asked if that was excluding equipment. Mr. Isaacson responded the equipment itself is not considered but had to be screened. Mr. Alford asked if the roof height itself would be 43 feet and above that would be equipment. Mr. Isaacson responded the height was approximate and the equipment could be above that. The developer is providing for that possibility according to the architect. The architect advised the maximum height was 43 feet. Mr. Alford asked the expected floor to floor height. Mr. Isaacson responded each of those floors would be approximately 15 feet in height. Mr. Alford asked if it would be 15 feet because of the equipment. Mr. Isaacson responded that was correct and it was due to medical equipment, plumbing, electrical, other diagnostic equipment, lines and so forth. Chair Holston inquired if there were additional questions from the Commissioners. Hearing none, Chair Holston requested to hear from Ned Bryan to speak in rebuttal opposition.

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Ned Bryan, stated he was not an architect but was in the commercial construction business. Comparing a two-story medical office building with a two-story townhouse was a falsehood. There would be at least a 15-foot floor to floor, slab to slab, and then room in-between the floors for piping and mechanical things that go into a medical office building. This building would be 40-feet plus, with HVAC equipment on the roof with screening. In looking out his front window, Mr. Bryan could see all of the residential properties across Friendly Avenue, with nothing even close to 43-feet in height. The sheer size and scope of this proposed development was nothing less than disturbing. Twenty-five percent of the land mass would be leveled. The proposal was for a two-story, 40,000 square foot office building. A building of that magnitude would dwarf all other buildings in the area, including the commercial buildings off of West Friendly. The structure would be clearly visible to all of the families in this neighborhood with a height of 40 vertical feet. Mr. Bryan will be able to look directly into the back windows of the proposed building and they will be able to look into his home and backyard. This proposal also includes the parking lot of 179 cars. Mr. Bryan did not see how this proposed project was compatible in a residential neighborhood. Friendly Avenue is a busy street and many would not find that appealing at all. These are homes and investments in the neighborhood. Mr. Bryan asked for thoughtfulness regarding the request and for the Commissioners to not rubber-stamp the request and the neighborhood moving on. Chair Holston inquired if there were questions for Mr. Bryan from the Commissioners. Hearing none, Chair Holston requested Mr. Feagins to speak.

David Feagins stated when Cannon Crossing Apartments or townhomes becomes operational close by, it will be the residents on Cannon that would endure even more traffic in their neighborhood. Turning left off Muirs Chapel Road onto Friendly Avenue, beyond the apartments on left and observe a vacant medical office, or go left on Dolly Madison Road and view two large contemporary office buildings on the right. Both with large for sale signs or lease signs on their property. Mr. Feagins was very interested in the comment regarding looking to the future. It would be interesting to go back and talk to the developers who created those two large office buildings and ask questions regarding the fact those buildings are up for lease. There is an activity zone that needs to be approached and assessed as a possible alternative to this project which would be very intrusive on a well-established neighborhood. Chair Holston inquired if there were questions for Mr. Feagins from the Commissioners. Hearing none, Chair Holston requested Ms. Yoshikai to speak.

Candida Yoshikai, felt Mr. Feagins said what she would have said. Everyone wants medical care close by. There is availability down the street and there is no need to turn their residential block into a massive building that destroys their residential status when there is availability a couple of blocks to the west commercial zone. Chair Holston inquired if there were questions for Ms. Yoshikai from the Commissioners. Hearing none, Chair Holston closed the public portion of the hearing and requested to hear from staff for a recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as a Mixed-Use Urban Corridor and in close proximity to a Neighborhood Scaled Activity Center on the Future Built Form Map and Residential on the Future Land Use Map. The proposed CD-O zoning district is generally consistent with the Comprehensive Plan's Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development and the Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-O zoning designation, as conditioned, allows a mix of office and professional service uses generally compatible with adjacent residential uses and in close proximity to other office uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential uses on adjacent properties. Staff recommended approval of the request.

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Chair Holston inquired if there were questions from the Commissioners. Mr. Engle asked for the building height restriction in R-3 Residential zoning. Mr. Kirkman responded in R-3-Residential, you could go up to 50-feet in height and three stories. Chair Holston inquired if there were additional comments or questions from Commissioners. Ms. Skenes stated she was a realtor in Greensboro who listed, and sold houses within this area. Ms. Skenes reviewed the neighborhood plats, GIS, and looked at lots. The houses on Foxwood backing up to the commercial on Friendly have very shallow lots. The lots are only 150-160 deep, with the average lot depth being 155-feet and the land slopes down from Friendly to Foxwood. The people on Foxwood are on 155-foot lot with two stories on the backside. One story on the Friendly side gets two stories on the back-side towering over the backyard. The values have held well on Foxwood in a similar situation. On Cannon backing up to this proposed building the lot depth range was from 237-250 feet in depth and the average being 245 feet. The houses on Cannon have an additional 90 feet of depth. A lot of the letters stated it needs to stay residential. It could be a house that would be 7-feet taller than the proposed building. Change is hard and people do not like change, the days of residential single-family are fading in that stretch. Looking at the National Register report on the house, it is described as a heavily traveled east-west thoroughfare in Greensboro in which commercial and institutional developments are interspersed with residential. This is a mixed-use area and has been for a number of years. There is an abundance of vacant medical in the area, but not 8,000 square feet under one roof that is trying to be achieved for convenience with this project. It is convenient for patients and doctors. There is not a 40,000 square foot building equipped for medical in this area, identified as an area of need. Ms. Skenes stated in factoring everything around this property and what was sold, she was in support of the request.

Mr. Engle stated when he first moved to Greensboro, he met a man who at that time was in his 90's, by the name of Seth Macon. In listening to his stories about that area when he had his family farm on Stagecoach and the Jefferson Country Club which is now the New Garden shopping area and the swimming hole that was used by the community. Mr. Engle stated in looking at this case, he considered if this area could be ready for more density and was it happening at the right time and pattern. There is a five-lane intersection, a four-lane intersection signalized, a water tower, and an apartment complex. The sister cities in Raleigh and Charlotte have traffic calming initiatives. Mr. Engle urged the residents to work with council representative to obtain funding and work with GDOT. There are things that can be done in areas of high cut through to slow people down. Mr. Engle did not feel the office use proposed would be the highest intensity as far as traffic is concerned. If this was denied at this meeting and it comes back, it could come back as multi-family residential. In walking through the area, it appeared the houses had not been close to the street, the street had come closer to the homes. In looking at the surrounding zoning, there was a pattern of development at that intersection. Mr. Engle stated he felt comfortable with what was being proposed and was supporting the request for those reasons. Chair Holston inquired if there were any other comments or thoughts. Mr. Bryson stated in regards to agenda item Z-21-06-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 5307, 5307 Near, 5313, 5317 West Friendly Avenue and 724 Muirs Chapel Road, from R-3 (Residential Single-family-3) to CD-O (Conditional District-Office) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-O zoning district, as conditioned, limits negative impacts on the surrounding area and permits uses which fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Chair Holston, Skenes, Magid, Bryson, Engle, Alford, and Vice Chair O'Connor, Nays: 0). Chair Holston advised this approval constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the September 21, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-21-08-002: A rezoning from R-5 (Residential Single-Family-5) and CD-RM-12 (Conditional District – Residential Multi-family-12) to PUD (Planned Unit Development) for the property identified as 3721 South Elm-Eugene Street and 111 Vivian Lane, generally described as east of South Elm-Eugene Street and north of Vivian Lane, (13.06 acres). (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties and advised of the condition related to the request. Chair Holston inquired if there were questions for staff. Hearing none, Chair Holston requested the applicant to speak.

Tom Terrell, Fox, Rothschild, 230 North Elm Street, representing Mr. Divindrea Patel, a well-known developer. Mr. Terrell provided the site history of the property and photographs were shown depicting the property. He noted the property was originally intended for a manufactured home park and you could still see several dozen meter boxes and the pads on the site. The neighborhood to the west is separated by a four lane road and a median. This property adjoins an existing manufacturing home park north of the property going back decades. Commercial property was also shown south of the property, with multi-family in the northern part, adjacent to the manufacturing home park. There was a small amount of land between this property and the commercial bisected by local power lines and a creek. A global picture was shown depicting the site indicating it was close to Lowes, Walmart, and the major intersection at I-85. There was a lot of land east and southeast of this property that has the potential to grow consistently with the high-quality development proposed. Letters were sent, including photographs of the proposed convenience store at McConnell Road and I-85 previously done by Mr. Patel, to the neighbors. The convenience store would be made of dark brick, stucco, and stone. Inside the store would be work stations with USB ports for people to sit down and work. The character of this project was shown to the neighborhood. No one attended the neighborhood meeting despite the large number of letters and no one responded via email. A developer who owns property near the project was curious regarding the traffic study about left movements, but was not opposed to the project and did not sign up to speak in opposition. An owner of the property south and across the road from this project called asking if it could be developed. There has been no controversy with neighbors. Neighbors were reached out to and no one was in opposition. This is a great transitional zoning. This project is a location with multi-family to the north and quality commercial to the south. Chair Holston inquired if there were questions from the Commissioners for Mr. Terrell. Mr. Terrell introduced others associated with this project to the Commissioners. Chair Holston inquired if there other were speakers in favor of the request. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition to this request.

Cheryl McIvor, 404 West Montcastle Drive, stated she was a member of the Woodley and Southeast Coalition. Collectively both associations opposed the rezoning request of the 8 pumps/16 stations convenience store and the 168 apartment units. The current zoning was sufficient for the GSO 2040 plan and warranted no changes. The proposed gas station and apartment development did not align with the character of their neighborhoods. She noted the attorney provide visuals except of the single-family neighborhoods surrounding the property. This project would add to food insecurities already present and destroy the environment and green space necessary for area wildlife and natural springs running through the area. Ms. McIvor asked for the Commission to consider the GSO 2040 Creating Green Spaces, goal A, strategy 1, to protect and enhance the unique character of every neighborhood. There was a better use for this area such as a natural reserve or a Greenway park area that is not in this area of southeast Greensboro. Ms. McIvor asked if a site plan has been done and if that had been shared with the community. If not, Ms. McIvor asked for it to be shared before any final rezoning was considered. Ms. McIvor was unsure of how many letters were sent out, but she was unaware of any community meeting and requested to know the date of the meeting that was scheduled and where was it held. Chair Holston inquired if there were questions for Ms. McIvor from the Commissioners. Mr. Engle inquired if the Woodley and Southeast

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Coalition opposed this request. Ms. McIvor responded yes. Chair Holston inquired if there were additional questions for Ms. McIvor. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to the request. Ms. McIvor stated the scale of this request did not take into consideration previous rezonings that the Commission approved for large developments in this area that had not yet been built. Seeing one thing doesn't mean that something else has not been approved in the area. Chair Holston asked staff about the current zoning is, and the number of units that could be built. Mr. Kirkman responded this zoning had been in place for some time. It is currently limited to no more than 56 single-family and mobile home units, according to the approved conditions. Mr. Kirkman noted that could be either or both, but no more than 56 units based on that condition. Chair Holston asked about the gas station. Mr. Kirkman responded commercial uses were not part of the current zoning. The uses as currently zoned, are limited to only single-family dwelling, mobile homes, and accessory uses. Mr. Engle asked if it was because of the mobile home units that the zoning had to be designated as multi-family. Mr. Engle questioned why it was not an RM-5. Mr. Kirkman responded the original zoning was approved in 1990. Mr. Engle asked with the LDO approval, why was there conditional RM-12. Mr. Kirkman responded it had to do with the option of the manufactured homes. It would not have been allowed in single-family residential zoning when the Unified Development Ordinance was adopted in 1992. It went from conditional use Residential-120 and changed over to conditional use RM-12 at that point as part of that city-wide change. Ms. Magid inquired how many acres would it be under the RM-12. Mr. Kirkman responded the rezoning at the time was for 16.687 acres. Ms. Magid inquired if there were site drawings. Chair Holston stated they may be shown during rebuttal, unless staff has them. Mr. Kirkman stated the UDP would lay out the conventional standards and would not show exact building layouts and other things on there. Staff did not have that information. Mr. Terrell would be able to speak to that. Ms. Magid stated she wanted to know where the gas station reference came from and if something was shown. Mr. Kirkman stated the current request is to allow commercial and residential and that would be reflected as part of the Unified Development Plan.

Councilwoman Sharon M. Hightower, 6 Bells Court, Greensboro, asked when the community meeting was held and how did the notification go out to those in the 600 feet area. She noted Ms. McIvor lives a block or two away and some of the addresses on the sheet encompass Woodley. Ms. McIvor added there were a number of Hispanics in this area and she was curious if there was a letter in Spanish that also went out. Chair Holston inquired of staff if letters were translated in different languages and asked if it was part of the State statute or something that was done. Mr. Kirkman responded the standard notification is not translated in any other languages. The option is offered to translate if staff is made aware that someone needs that done. It is not mailed out in that format. Chair Holston requested Mr. Terrell to speak regarding gas stations, illustrative drawings and notifications.

Tom Terrell stated the meeting was held on June 3, 2021. Letters were sent out a couple of weeks prior to that date and sent to everyone within 600 feet. 404 Montcastle (Ms. McIvor's address) is approximately a mile away and definitely not within the 600-foot radius which explained why Ms. McIvor did not receive a letter. Everyone else owning property within 600 feet would have received the letter. The applicants want to be upfront and transparent in that this would be a high-quality convenience store like the one at McConnell Road and I-85 for everyone to see, comprised of dark brick, stucco, and stone. The store would not be a metal fabricated building. There would be work stations within the building not typically seen in a convenience store. The building would be smaller than almost all, if not all, of the commercial south, and not taller than a home could be for that site. There are laws that must be followed to protect streams. There is a north and south stream making the site difficult to develop and one of the reasons this site was on the market for so long. A 50-foot buffer is required by State statute. There may be wildlife within the site that may or may not be displaced. North of the site on South Elm is a constant rhythm of multifamily and single-family homes adjacent to each other typical on that corridor. This project will be as attractive, if not more so, than the Verizon building shown to the south. Mr. Terrell referred to

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the manufacturer home park north of the project that set the tone of this community for many decades. This project will enhance the aesthetic quality.

Chair Holston inquired if there were questions for Mr. Terrell. Mr. Bryson asked for the definition of an upscale convenience store. Mr. Terrell responded within the packet provided was the letter to the neighbors which had a photograph depicting what the convenience store developed by Mr. Patel would look like. It does not look like a typical convenience store built 35 or more years ago. Mr. Terrell stated it was comprised of brick, stucco, and stone, atypical of other convenience stores. A letter with the photograph was shown as a reference point. Chair Holston moved to the rebuttal period for those in opposition.

Ms. McIvor stated the trailers sit back on the road and can be seen on South Elm and was unsure what clearing would do to expose them more. Going up South Elm, it is saturated in apartments and multi-family units. On the side of her home there were approximately 6 different sets of multi-family units. A convenience store is not needed and she wished it would be a medical facility. The convenience store was conditional, green spaces are necessary. A stream runs through this project and supports a green space. Chair Holston inquired if there were questions for Ms. McIvor. Hearing none, Chair Holston inquired if there was anyone else to speak in opposition. Hearing none, Chair Holston closed the public hearing and requested to hear from Mr. Kirkman.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map of the Comprehensive Plan. The request is consistent with the Comprehensive Plan's Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development and the Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed PUD zoning designation, as conditioned, would allow a mix of residential and nonresidential uses in the immediate proximity to other commercial and residential uses. The request also provides an appropriate transition between heavier commercial uses located further to the south along a major thoroughfare and various residential uses and densities located further north and west. Staff recommend approval of the request. Chair Holston inquired if the Commissioners had questions for Mr. Kirkman or staff. Hearing none, Chair Holston inquired if there was discussion or comments from the Commissioners. Mr. Bryson stated in listening to arguments on both sides he did not understand having a convenience store/gas station and multi-family in this location and could not see how it would be beneficial for the neighborhood and community. Mr. Bryson felt this proposal was not thought out well on the planning portion of the request. Mr. Bryson only saw multi-family and did not know about the gas station which made a big difference in this process. Mr. Bryson hoped Mr. Patel would find another project to come back to the table and with a better plan for this area. This area needs development that will spur commercial, residential, and retail growth but did not feel a gas station would do that. Mr. Engle stated in looking at this site and what surrounded this site, Mr. Engle was comfortable with multi-family and the gas station. The Commission has approved much more intense uses in residential neighborhoods. Near to where he lived were two other apartment complexes and he specifically note a BP gas station next to an apartment complex, next to Kirkwood. These things do fit and work well together. Mr. Engle stated he could not do green space because he does not decide that, the city decides that. Land is brought by the city for the parks. This particular land has been vacant for a long time and is next to manufactured homes. Mr. Engle felt this request was a workable use in the area. The applicant has time to continue working and hoped Mr. Terrell wrote down the two associations to continue working with them and having those conversations, regardless of being within 600 feet or not. Chair Holston stated the challenge he had was the question of the density in looking at the lot itself and Ms. McIvor mentioned the promulgation of multi-family in that community. Chair Holston advised he was voting not to approve the request based upon the density issue. Ms. Magid stated the request reminded her of a community on New Garden where there was multi-family development, a

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McDonalds and Aldi. Everyone questioned the compatibility at the time and now it is something convenient for the community. Ms. Magid stated she would be voting in favor. Mr. Alford stated he had problems with the density and was not in support. Chair Holston inquired if there were additional comments. Chair Holston stated if there were no other comments, requested to have a motion. Mr. Engle stated in regard to agenda item Z-21-08-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 3721 South Elm-Eugene Street and 111 Vivian Lane from R-3 (Residential – Single-family-3) and CD-RM-12 (Conditional District – Residential Multi-family-12) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons; (1). The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2). The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3). The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 4-3. (Ayes: Skenes, Magid, Bryson, Engle, and O’Connor. Nays: Chair Holston, Bryson, and Alford). Chair Holston stated the motion passed and constituted a favorable recommendation and subject to a public hearing at the September 21, 2021 City Council meeting. Mr. Engle made a motion to approve the associated UDP, seconded by Ms. Magid. The Commission voted 4-3. (Ayes: Skenes, Magid, Engle, and O’Connor. Nays: Chair Holston, Bryson, and Alford). Chair Holston stated the motion passed and constituted a favorable recommendation and subject to a public hearing at the September 21, 2021 City Council meeting.

Chair Holston advised the Commission members he would be departing for another obligation and Vice Chair O’Connor would chair the remainder of the meeting. Chair Holston requested a motion to be excused and requested Vice Chair O’Connor make a decision to move forward or taking a break. Vice Chair O’Connor requested to have a 15-minute break. Vice Chair O’Connor moved approval of Chair Holston absence from the remainder of the meeting; seconded by Mr. Engle. The Commission voted 6-0. (Ayes: Vice Chair O’Connor, Skenes, Magid, Bryson, Alford, and Engle. Nays: 0.)

Chair Holston left the meeting in progress at 7:40 p.m.

A break of 15 minutes was taken at 7:40 pm. The meeting resumed at 7:55 p.m.

Z21-08-007: A rezoning request from R-3 (Residential Single-family-3) to CD-RM-18 (Conditional District-Residential Multi-family-18) for the property identified as 6009 Lucye Lane, generally described as southwest of Lucye Lane and west of College Road, (1.42 acres), (Recommended Approval)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request. Vice Chair O’Connor inquired if there were questions for staff. Hearing none, Vice Chair O’Connor requested the applicant to speak.

Aaron Zseltav, 1308 Clover Lane, Greensboro, advised this was a proposal to change the zoning to RM-18 as they are looking to build a small community of townhomes on the property. The condition was included to limit it to residential for the surrounding area. A concept design was in the packet provided to the Commissioners. There would be 3 buildings on the site, potentially up to 15 individual residences. Currently there are 14 on the drawing. There are currently 2 units of dilapidated housing that may or may not be condemned but will be torn down to make room for the new townhouses.

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All of the townhomes will face Lucye Lane, with driveways directed to Lucye Lane, and one or two car garages for parking. The townhomes will have a generous amount of green space and comfortably sized backyards as they sit on the property. The City's Development Ordinance requires sidewalks to be installed and he hopes to see them continue throughout the rest of the neighborhood. These homes will be an improvement to the property, with hopes for an overall addition to the neighborhood. Mr. Engle inquired if there was a Type C buffer yard built in with an average width of 15 feet. Mr. Zseltav responded the buffers will be between the units. Mr. Engle asked if it would be between and around the single family and these units. Mr. Zseltav responded that was correct. At the intersection one single family home is slightly closer. During a sketch plan review with the Technical Review Committee, it was requested for that to be extended. Mr. Engle asked since it will be a townhome community, would it have some form of an HOA associated with it. Mr. Zseltav responded yes. Vice Chair O'Connor inquired if there were any other questions for the applicant. Hearing none, Vice Chair O'Connor inquired if there was anyone else to speak in favor of this request. Hearing none, Vice Chair O'Connor inquired if there was anyone to speak in opposition to this request. Mr. Kirkman advised Jim Brown had signed up in opposition. Mr. Brown advised he had not planned to speak and had sent in his opposition comments to Luke Carter via email. Mr. Brown only wanted to attend the meeting and see the process. Vice Chair O'Connor stated there also that Lisa Crossley has signed up to speak. Mr. Kirkman advised Ms. Crossley had notified staff right before the meeting that she would not be in attendance. Vice Chair O'Connor inquired if there was anyone else to speak in opposition to this request. Seeing none, Vice Chair O'Connor advised Mr. Zseltav there was time for rebuttal and inquired if there was anything else to add.

Mr. Zseltav stated there would be improvements for the street and overall neighborhood. What will be built would be better than the dilapidated structures currently there. During a meeting with Ms. Crossley, it was expressed there were rental properties that were not the greatest situation from a safety standpoint. Overall, it would be an improvement to the area. Vice Chair O'Connor inquired if the Commissioners had questions for Mr. Zseltav. Vice Chair O'Connor advised the rebuttal was open for any in opposition. Hearing none, Vice Chair O'Connor closed the public hearing and requested staff's recommendation.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and both Residential and Commercial on the Future Land Use Map. The proposed request does support the Comprehensive Plan's Creating Great Places goal to expand Greensboro's city-wide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices, as well the Building Community Connections goal to maintain stable, attractive and healthy places to live and raise families. The proposed CD-RM-18 zoning district, as conditioned, does allow land uses that are compatible with a variety of residential uses in the surrounding area and expands housing choices in close proximity to a major thoroughfare. Staff recommend approval of the request. Vice Chair O'Connor inquired if the Commissioners had questions for Mr. Kirkman or staff. Hearing none, Vice Chair O'Connor inquired if there was discussion or comments from the Commissioners. Mr. Engle stated given the pattern in the area there are people who want to own a home but not maintain it such as yard work and things like that. This is a popular housing option because of that and does not have the same connotation as an apartment building or otherwise. It was a good transitional use near a school. Mr. Engle advised he was in support of the request and would make a motion if no one else wished to speak. Vice Chair O'Connor inquired if there were any further comments. Hearing none, Vice Chair O'Connor requested Mr. Engle to make the motion. Mr. Engle stated in regards to agenda item Z-21-08-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the properties described 6009 Lucye Lane from R-3 (Residential Single-family-3) to CD-RM-18 (Conditional District – Residential Multi-family- 18) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent

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with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-18 (Conditional District – Residential Multi-family-18) zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Magid. The Commission voted 5-1. (Vice Chair O'Connor, Skenes, Magid, Bryson, and Engle, Nays: 1, Alford). Vice Chair O'Connor advised this constituted a favorable recommendation and was subject to a public hearing at the September 21, 2021 City Council meeting. Vice Chair O'Connor inquired if there were any items from the Planning Department.

TEXT AMENDMENTS:

None

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Kirkman advised the Commission that annual voting for Chair and Vice Chair would need to be done at the September meeting and requested the Commissioners to be thinking of anyone who could be considered. Mr. Kirkman also noted that currently it appears to be a lighter agenda for the next meeting.

DISCUSSION:

Mr. Kirkman requested to transition into discussion regarding recent questions on communications for items considered by the Commission. As a reminder, Mr. Kirkman advised Ms. Schwartz, Planning Director, was online and would like to speak. Vice Chair O'Connor also had thoughts to share. Mr. Buansi would also be addressing questions or comments. Mr. Buansi reminded everyone when dealing with emails to ensure communications sent via email to blind copy membership to avoid running afoul of open meeting laws, Mr. Buansi strongly recommended that when emails going forward are sent, not to reply to all and make sure email addresses are in the b:cc box. Mr. Engle stated he understood he could send an email to everybody, but would have to blind carbon copy them. Mr. Engle did not understand the function of the differentiation that was being discussed. Mr. Buansi stated to avoid sending any communications by email when it is from a member to other members in general. If there is an announcement to make and not related to the Commission's business, Mr. Buansi recommended communicating in that fashion with email addresses in the b:cc box and placing Mike Kirkman's name in the To box. Generally speaking, Mr. Buansi did not recommend talking about any business over email, including doing it in the way it is recommended by b: cc. Mr. Engle stated the reason for his question was speaking with others on other boards and perhaps city council, they were not aware of this restriction. Mr. Engle stated what they had been trying to flush out was to avoid having this meeting now and just stating what everyone felt and gaining some consensus. Mr. Engle wanted to ensure consistency would be done from top to bottom.

Vice Chair O'Connor advised Chair Holston and herself discussed this issue and were both very concerned regarding not wanting in any way to circumvent public meeting laws. For that reason, it was their desire that any communications received regarding any matter before the Planning and Zoning Commission be directed to staff, specifically to Mike Kirkman and copied to Lucas Carter. Not a round robin discussion among all Commission members. If an individual communication from a member of the public, a developer, or someone about an item coming before the Commission was sent directly to them, it should be forwarded to staff. In turn staff should distribute that among all Commission members. Likewise, if staff receives any communications from the public, the person making the request, a developer, from anyone involved in one of the items that the Commissioners are transacting it is the obligation of staff to promptly deliver those to the Commissioners. At times there is a huge volume and Chair Holston and Vice Chair O'Connor have suggested it would be staff's discretion for emails to be assembled in the morning and sent out. A second afternoon mailing would be sent in bulk to the Commissioners.

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The Commissioners would then have all communications regarding any items coming before them. It was important to ensure that the Commissioners were not discussing any items coming before the Commission outside of general meeting times, which would be in violation as she understood the public meeting law. Mr. Engle stated he understood. The concern he raised and that was emailed to the group was a process question about the operations of staff with applicants and people who were concerned in general. Nothing to do with a specific case, it was how the Commission interact, especially in times of Covid. Mr. Engle stated when the meetings were held in the meeting room, there was a point in which someone could talk outside or otherwise have a conversation. That cannot be accomplished on Zoom. Anything that can be done to further facilitate communication between two sides is good. The Commission got “dinged” regarding the Friendly Avenue case in July that the meeting was not collaborative. The meetings are not collaborative and not designed to be that way. It is a legislative meeting with a public hearing consisting of two sides who argue their points, and the Commission makes a decision. Clarifying questions are asked if needed, but ultimately no one can say give a little here, give a little there. Anything that can be done to get people to talk to one another is good. Ms. McIvor had asked if things were written in Spanish and maybe that should be done, front page English, back page Spanish.

Ms. O’Connor advised the fair housing guidelines stated it had to do with percentage of population and so on. Ms. O’Connor felt sure staff was up on that as it would be required at a certain percentage. Ms. O’Connor agreed the function of the meeting and hearings was not conciliatory. It is to have a hearing and come to a conclusion. That is why the Commission can entertain presentations from either a member of the public or someone who is the developer or representing the developer. Commissioners should not be engaging in a dialog where point of views are committed, because Commissioners should be holding their point of view open until the public hearing has been conducted. In choosing to attend the public meeting regarding one of the items, it may be an information gathering and Commissioners should not be expressing opinions because those opinions should not be formed until the formal hearing is held. Mr. Engle concurred on conditional zonings; conditions can be added. Conditions can be added 5 minutes before the start of the meeting which could change the entire case. Ms. O’Connor stated she has been assured and believed staff would be certain to make sure the Commissioners have those lines of communication when items are sent to staff and are timely distributed to the Commissioners. Vice versa in should the Commission receive something, to forward it back to staff to become part of the public record. Ms. O’Connor advised a suggestion was made that the Commission make clear to the public that anything submitted is a matter of public record and their email address, phone number, or whatever contact information is provided, may be shared with other people involved in that matter. It needs to be clear to people so they are not caught off-guard by that. Ms. Magid asked if the applicant receives all of the emails that the Commission receives from the public regarding a case. Mr. Kirkman responded some are challenging because many of the emails cover the same topic from a lot of different perspectives; traffic, scale, etcetera. Staff tries to make the applicant aware when issues come in. At this point staff has not been forwarding every email to every applicant because many emails are duplicative and the issues are known already because there have been previous communications with the applicant. Staff is looking at options about a central collection place of some sort that everything can go to and possibly people could access. It is one option that has been discussed with IT staff. Mr. Engle advised Mr. Kirkman that it would put him (Mr. Kirkman) in a very tenuous position to be deciding what is relevant and what is not relevant. The easiest thing to do is to give everything. All documents must be turned over. Leaving out some accidentally, could create an accusation way one or another. Mr. Engle suggested it is being sent to the Commissioners in b:cc that he cannot see. Add in whatever the applicant group is and give it to them or staff’s repository. It should be all or nothing.

Ms. Schwartz stated it will be looked into and Mr. Engle’s point was well taken. Ms. Schwartz picked up that this topic became the conversation in emails the past week. Staff was working to determine what are batching options

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and reasonable amounts. If they are duplicative, it would be good to know how many people have the same idea. The mechanism has not been figured out exactly but staff has heard the Commissioners. Ms. Schwartz stated the part that went awry was Commissioners sending something directly to an applicant that staff did not know about. The safest thing is to send it to staff and staff will make sure the applicant receives it. Staff will be the clearing house and ensure they are batched. Staff's job is to protect the integrity of the process and ensure that both the public and Commissioners feel that staff provides an even playing field and everyone is receiving the information. Staff will be the repository and send all comments to staff and what staff receives will batch out to the Commissioners and the applicants. Neighbors will make sure they know what staff has received. Everybody will have the same information. Ms. O'Connor stated the goal was to create an atmosphere where there was confidence that information regarding one matter will be going to all parties' interest in that matter, and not place Commissioners in an awkward position of distributing or redistributing information and then making a misstep. Ms. Schwartz stated it was not a burden for staff, it is part of what staff should do. Ms. Skenes stated it was done until a few months ago. The applicant's attorney in most cases were getting all the emails, and as a result were able to add conditions or deal with some of the concerns prior to the hearing. If they don't know what the issues are, they would be walking in cold. There were upset people on Friendly and Muirs Chapel. Along those lines, time was spent time in June creating the guide for public hearings which appeared to have been well received. Contacting Commission members ahead of a hearing to communicate ahead of a public hearing and share conversations on the request could be emailed to staff and then sent on to the Commission members. Ms. Skenes felt it was critical at this point that the phrase "Please be aware that all communication with staff and Commission members are considered to be public record and will be disseminated to Commission members, as well as the applicant and/or their representatives."

Ms. Schwartz felt there was a plan of action. Mr. Bryson stated he was very much disturbed with the Commission not receiving all of the information on each case and receiving only part of it. Mr. Engle echoed Mr. Bryson. Ms. Schwartz asked what is needed. Mr. Engle stated the Commission received a partial on Mr. Terrell's neighborhood communication. Ms. Schwartz advised that was what staff had received. Mr. Engle stated that was the big example. Ms. Schwartz felt any information that the Commission felt would help to understand the proposal or whatever it may be, let staff know. Staff appreciates what the Commission does for the people of Greensboro and want to ensure the Commissioners have all the tools and information needed to feel comfortable about their decisions and conversations. Ms. Skenes stated in the past their contact information, emails and addresses were on the web site. That allowed everyone involved in cases to send emails, letters, or whatever their method of communication was. That no longer happens. Mr. Kirkman thought there were two things on why that happened. The city made a decision to pull email addresses off for the citizen volunteers across all the Boards and Commissions. Because they were not city email addresses themselves, at one-point security questions arose and that was one of the conversations staff had with IT personnel in asking if the city had the ability to address that now in finding a mechanism allowing non-city email addresses to interact with common city email or something else to make it easier for everyone. Addresses are out there but no email addresses which makes it more challenging for those who want to send something to the Commission as a whole. Staff is working on a solution. Positive feedback has been received from IT that it can be done now. Ms. Schwartz stated staff does know that other cities have assigned temporary email addresses to their Boards and Commissions. That has been suggested but was not received well. IT has thought of some other suggestions.

Switching subjects, Ms. Schwartz stated staff was asked to conduct public feedback on two proposed changes to the LDO. One request was to increase the notification parameters from 600 feet to 750 feet. Ms. Schwartz advised she noted they would still have an issue with the person at 751 feet state they did not get the letter. It will be before the Commission in September and then on to City Council. There will be a Zoom stakeholder drop-in to receive feedback on that request. The second was a request from two council members for the appeal process be

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looked at. Currently if someone appeals a rezoning decision from the Commission, but the applicant and person appealing work out the issues the appeal is withdrawn. The case is then final and not heard by Council. Staff has been asked to look at once the appeal has been filed, it must go to the City Council public hearing. Staff will be sending out the proposed language. Zoom drop-in meetings will be held to receive feedback and the Commissioners will have that at the public September meeting and City Council in October. This was requested by Council. Staff will be asking for stakeholder feedbacks, such as developers, TREBIC, attorneys, and neighborhood groups. Ms. Schwartz welcomed suggestions on who else should be notified to receive their input. Ms. Skenes asked why Council wanted to have longer meetings and why they feel compelled to place additional money into rezoning attorney pockets. If the attorneys do not have to appeal, then they do not bill their clients. Ms. Skenes did not feel this issue made good sense. Ms. Schwartz stated she thought it was the Vandalia case where a concern was expressed by the person who appealed the decision of the Zoning Commission and then withdrew the appeal. There were other neighbors that thought it was going to City Council who were upset that it was cancelled. Ms. Schwartz stated it may be a communication issue for when more than one person is appealing, to have a mechanism in place to cure that. People were concerned who thought they would have their say in front of Council and then they did not. Ms. Schwartz stated she will let the Commissioners know when the drop-in meetings will take place, if anyone wanted to listen in. Mr. Engle stated maybe there was a middle road for that issue in that the clock would start over if the appeal is withdrawn. Someone else would then have the option to make an appeal rather than automatically going to Council. Ms. Schwartz stated these were two significant amendments and wanted to have the Commissioners to be aware of. Even if a Commissioner cannot come to the meeting, there will be recordings of the meetings to view.

Vice Chair O'Connor inquired if there were further comments. Mr. Engle stated his appreciation in the thoroughness of the explanation. It was a good discussion and greatly appreciated. Ms. Schwartz thanked everyone for what they do for the people of Greensboro. This process from the Planning and Zoning Commission is a fundamental part of democracy with the ability to come together and make decisions. This Commission is a very important piece that is being done as volunteers. Ms. Schwartz stated her deep appreciation for the time, energy, and thoughtfulness all put into this.

Vice Chair O'Connor request a motion to adjoin. Mr. Engle made a motion to adjourn the meeting. Seconded by Ms. Magid. The meeting was adjourned at 8:36 p.m.

Respectfully submitted;

Hugh Holston, Chairperson
HH/cgs

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
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The regular meeting of the Greensboro Planning and Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site September 20, 2021, beginning at 5:30 p.m. Members present were: Chair Hugh Holston, Vice Chair Sandra O'Connor, Mary Skenes, Catherine Magid, Zac Engle, Richard Bryson, Vernal Alford, and Andrew Egbert. Present for City staff were Lucas Carter, Mike Kirkman, Russ Clegg, Sue Schwartz, (Zoning and Planning Director), and Alan Buansi, (City Attorney).

Chair Holston welcomed everyone to the meeting and noted the meeting was being conducted online. Chair Holston advised of the policies, procedures and updated instructions in place for the Commission and how the meeting would be conducted using the online format. Mr. Buansi stated the Planning and Zoning Commission determines land use and conditions within the zoning application, with respect to highest and best use of the property only. All other concerns not related to land use and conditions of the rezoning application, are not germane to the determinations made by the Planning and Zoning Commission but can be referred to the Planning Department or the Technical Review Committee. Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly in 2020, anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested. Each item needs be identified for comments to be made on and submit the comments to Planning staff. Roll Call for attendance was taken by Chair Holston. Chair Holston advised Mr. Engle had communicated previously that he would arrive later in the meeting. Mr. Alford moved to excuse Mr. Engle's absence until he arrived. Seconded by Vice Chair O'Connor. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0).

Chair Holston welcomed a new member, Mr. Andrew Egbert. Mr. Egbert stated he was excited to be a part of the Commission and looked forward to knowing everyone and making the city better. Mr. Egbert hoped to be helpful and advised anyone could feel free to reach out to him for anything they may need.

APPROVAL OF THE AUGUST 16, 2021, REGULAR MEETING MINUTES: (Approved)

Ms. Magid made a motion to approve the August 16, 2021 minutes; seconded by Mr. Bryson. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised there were no continuance requests. Mr. Kirkman then informed the Commission and the public that two items on the agenda were not able to be heard this evening. PL(P)21-29, a proposed text amendment related to mailed notice and communications for zoning changes and PL(P)21-30, a text amendment dealing with appeals to City Council. He noted staff is in the process of pulling together stakeholder groups for conversations on those amendments and those groups are not together yet, so there is no text amendment to bring to the Commission. The items will be moved to a future agenda and no action was needed by the Commission

Mr. Kirkman also advised there was no registered opposition for the three zoning public hearings on the agenda. Since there was no opposition registered for these cases they could move forward with an expedited review approval process. Mr. Kirkman recommended the agenda remain in its current order. Ms. Magid made a motion to move all three cases to the expedited format, per the policy of the Commission; Seconded by Mr. Egbert. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0).

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PUBLIC HEARINGS:

OLD BUSINESS:

PL(P)-21-26 and Z-21-08-001: An annexation and original zoning request from County RS-40 (Residential Single-family) to City CD-LI (Light Industrial) for the property identified as 3904 and 3904 ZZ Randleman Road, generally described as west of Randleman Road and north of Pitman Road, (0.887 acres). (Recommended Approval)

Mr. Kirkman reviewed the annexation and original zoning from County RS-40 (Residential Single-family) to City CD-LI (Conditional District – Light-Industrial) and other summary information for the subject property and surrounding properties. Mr. Kirkman also advised of the conditions related to the request. Chair Holston inquired if there were questions from the Commissioners for staff. Hearing none, Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a Mixed-Use Urban Corridor on the Future Built Form and Commercial on the Future Land Use Map. The proposed CD-LI zoning district is generally consistent with the Comprehensive Plan’s Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Comprehensive Plan’s Prioritizing Sustainability Goal to build economic resilience, expanding the local economy’s ability to withstand and adjust to disruptions and changes at the regional, national and global scales. Staff has concluded this request, as conditioned, will allow a variety of warehouse distribution and limited manufacturing and assembly uses which in their normal operations have little or no adverse effect upon adjoining properties. Staff noted care should be taken with respect to building orientation, materials, height, and visual buffers to ensure an appropriate transitions to nearby lower density residential uses. Staff recommended approval of the request. Mr. Kirkman then reminded the Commission there were two actions to take on this request. The annexation first and then the original zoning.

Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston inquired if there was anyone to speak in favor of this request. Hearing none and having no opposition to the request, Chair Holston closed the public hearing. Vice Chair O’Connor moved for the recommended approval of the annexation. Second by Mr. Bryson. The Commission voted 7-0. (Ayes: Chair Holston, Egbert, Skenes, Magid, Bryson, Alford, and Vice Chair O’Connor. Nays: 0). Chair Holston advised the vote constituted a favorable recommendation and was subject to a public hearing at the October 19, 2021 City Council meeting.

Vice Chair O’Connor stated in regards to agenda item Z-21-08-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 3904 and 3094-ZZ Randleman Road from County RS-40 (Residential Single-family) to City CD-LI (Light-Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O’Connor, and Chair Holston. Nays: 0). Chair Holston advised this constituted a favorable recommendation and was subject to a public hearing at the October 19, 2021 City Council meeting.

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NEW BUSINESS:

Z-21-09-001: A rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development) and associated UDP (Unified Development Plan) for the properties identified as 5201 Easter Lane, 600 Guilford College Road, and 930, 940, 950 Bridford Parkway, generally described as southwest of Bridford Parkway and northwest of Guilford College Road, (20.7 acres). (Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties. He then noted this request is to change a previously approved PUD zoning to increase the number of multi-family units that are allowed and decrease the square footage of office and retail uses allowed. There would be no other changes to the request other than adjusting the unit count and square footage. He noted there was also a previously approved Unified Development Plan (UDP) and the current UDP document accounts for the proposed changes in the multi-family units and the reduction in the non-residential square footage. He added the site was designated as Urban General within an Urban Mixed-Use Corridor on the Future Built Form Map and Commercial on the Future Land Use Map of the Comprehensive Plan. Staff concluded the request is consistent with the Comprehensive Plan's Filling in Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development and the Economic Competitiveness Big Idea to build a prosperous resilient economy that creates equitable opportunities to succeed. The proposed PUD zoning designation, as conditioned, allows a mix of residential and nonresidential uses in immediate proximity to manufacturing and other residential uses. The request also provides an appropriate transition between the adjacent industrial uses located to the west along a major thoroughfare and various residential uses and densities located further east along a thoroughfare. Staff recommended approval of the request. Mr. Kirkman reminded the Commission that they would need to approve the zoning case first and then move to approve the amended UDP.

Chair Holston inquired if there were questions from the Commissioners for staff. Hearing none and having no opposition to the request, Chair Holston closed the public hearing. Chair Holston inquired if there was a motion. Ms. Magid stated in regards to agenda item Z-21-09-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 5201 Easter Lane, 600 Guilford College Road, and 930, 940, 950 Bridford Parkway from PUD (Planned Unit Development) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston advised the approval constituted final action, unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the October 19, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal. Ms. Magid then moved to approve the UDP as amended. Seconded by Ms. Skenes. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston advised the motion constituted final action unless appealed in writing to the Planning Department with 10 days. Anyone may file such an appeal. All appeals will be subject to a public hearing at the October 19, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-21-09-002: A rezoning from R-3 (Residential Single-family-3) to CD-RM-5 (Conditional District - Residential Multi-family-5) for the properties identified as 3112 & 3118 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Brinton Drive, (7.50 acres). (Approved)

Mr. Kirkman reviewed the zoning map and provided other summary information for the subject property and surrounding properties. Mr. Kirkman also advised of the condition associated with this request. Chair Holston inquired if there were questions for Mr. Kirkman. Hearing none, Chair Holston inquired if there was anyone to speak in favor of the request. Hearing none, Chair Holston requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Lane Use Map. The proposed rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-5 zoning district, as conditioned, would allow land uses that are compatible with the variety of residential uses in the surrounding area and expanding housing choices in close proximity to a major thoroughfare. Staff recommended approval of this request.

Chair Holston inquired if there were questions for Mr. Kirkman, Hearing none, Chair Holston inquired if there was anyone wishing to speak in favor of the request. Chair Holston closed the public hearing for discussions by the Commissioners or hear a motion. Marc Isaacson 804 Green Valley Road, stated he was present to answer any questions and thanked Chair Holston for his service to the Commission as it was Chair Holston's last meeting. Chair Holston closed the public hearing for discussions by the Commissioners or a motion. Mr. Egbert stated in regards to agenda item Z-21-09-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 3112 and 3118 Horse Pen Creek Road from R-3 (Residential Single-family-3) to CD-RM-5 (Conditional District -Residential Multi Family-5) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-5 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Egbert, Skenes, Magid, Bryson, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston advised this constituted a final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal, all such appeals would be subject to a public hearing at the October 19, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Mr. Engle joined the meeting in progress at 6:10 p.m.

TEXT AMENDMENTS:

PL(P) 21-27: Amending sections 30-4-5 (Map Amendments), 30-4-15 (Plot Plans and Site Plans), 30-4-17 (Subdivisions), and 30-9-3 (Street Access) of the Land Development Ordinance related to Transportation Impact Studies and Cross Access Regulations. (Recommend Approval)

Mr. Kirkman stated the changes before the Commission for consideration did not result in any substantive changes to the actual provisions. Rather some provisions were being moved to different sections of the larger City Code of Ordinances and within the Land Development Ordinance to make them easier to use and ensure the correct authority was assigned with the provisions. He noted the provisions related to cross access would be

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moved out of Chapter 30, the Land Development Ordinance, and into Chapter 26 of the City Code of Ordinances, dealing with Streets and Sidewalks. The Transportation Impact Study, TIS thresholds provisions would be moved to the Site Plan Review section within the LDO. Nothing will change in terms of what the thresholds and requirements are and the change was being done to ensure it was very clear that a TIS could be required as part of a site plan review, separate from a rezoning request if the uses change after a property is rezoned. The change in the cross access provisions was to confirm that the determination for this public safety aspect of the ordinance is reviewed by a licensed transportation engineer, and any requests related to modifying the conclusions about a cross access will go to the Director of Transportation. That process will move it away from any kind of an appeal from an appointed board with non-licensed individuals since anything under Chapter 30 currently under the LDO will go to the Board of Adjustment. The Planning and Zoning Commission was being asked at this meeting to recommend approval of the changes to Chapter 30 of the City Code of the LDO. In making the recommendation, it will allow those provisions to be moved over to Chapter 26 of the City Code. Mr. Kirkman also noted the Commissioners were provided additional language to be added to Chapter 26 so they could better understand the final version that would be considered by City Council for approval. Mr. Kirkman concluded that the Commission could recommend approval of the text as presented, recommend approval with additional edits if needed for some reason, or recommend denial of the request. City Council would hear the proposed changes to both Chapter 30 and Chapter 26 at their October 19, 2021 meeting.

Ms. Skenes asked how the change would be communicated and if there would be references in the LDO stating “For information on cross parking and TIS, please refer to Chapter 26.” Ms. Skenes also asked if there would still be triggers to the TIS that would be presented to Planning and Zoning Commission. Mr. Kirkman responded that was correct. This current request did not change anything in terms of triggering a conversation on a traffic impact study for rezonings and that option would remain the same in the ordinance. It clarifies in the site plan review section, that thresholds in terms of the total amount of traffic in a 24-hour period or the peak hour thresholds could trigger that study. These provisions have always existed and could be triggered as either part of a rezoning or in the site plan review process. By moving the text to the site plan area, it would be clearer that the site plan could trigger a traffic study, separate from the rezoning conversation. It did not change anything from that perspective. He added that cross access will have a note there that it has been moved and a reference will be in the ordinance. A commentary box will probably be added saying the provisions have been moved to Chapter 26. Ms. Skenes thought that would be a good idea because people are used to it being in one place of the code and if it were to disappear, it needs to be understood that it has not been eliminated from being a requirement, but has been moved.

Chair Holston inquired if there were additional suggestions or comments from the Commissioners. Mr. Alford asked if the transportation engineers would need to have separate licensing; if the engineers became licensed as an engineer and then practiced in transportation. Mr. Kirkman deferred to Hannah Cockburn, Greensboro’s Director of Transportation.

Ms. Cockburn stated there was a wide range of different engineering practices for licensed engineers. Individuals practicing transportation engineering receive a certification for those specific activities ensuring that someone who is licensed to do transportation design and transportation analysis, would not be doing other types of engineering work that they may or may not be qualified for. When taking the professional engineer test, there could be people taking tests for all types of engineering, not only the kind they intend to practice. Mr. Alford stated this was different than what he remembered and asked if when a person received their license, the license stated they were a transportation engineer or a professional engineer. Ms. Cockburn responded they would be a professional engineer with a license number associated with it. The department goes through a process, if they are involved in their program, to verify that they are licensed to perform those types of services in the state of North Carolina. Mr. Alford asked if in the state of North Carolina there were provision for transportation engineers,

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electrical engineers, structural engineers and so forth. Ms. Cockburn responded that was correct. Chair Holston inquired if there was anyone to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone to speak in opposition to the request. Seeing none, Chair Holston closed the public hearing. Chair Holston advised the Commissioners had the opportunity to approve as presented, provide some amended updates, or deny. Ms. Skenes made a motion to recommend approval of the text amendment as presented. Second by Mr. Engle. The Commission voted 8-0. (Ayes: Egbert, Skenes, Magid, Bryson, Engle, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the October 19, 2021, City Council meeting.

STREET CLOSINGS:

PL(P) 21-28: Hywood Drive – From the eastern right-of-way line for Guilford College Road eastward and southward approximately 1,050 feet to the southern right-of-way line for McCallum Street; Kellom Street – From the eastern right-of-way line for Hywood Drive eastward approximately 460 feet to the western right-of-way line for Bridford Parkway; and McCallum Street – From the eastern right-of-way line for Hywood Drive eastward approximately 700 feet to the western right-of-way line for Bridford Parkway.

(Recommend Approval)

Mr. Carter stated staff received a request to close Hywood Drive, Kellom and McCallum Street as stated by Chair Holston. The applicant for this request was 5 Seas Property, LLC who controlled 100% of the properties along those three streets. When the City makes a determination on whether or not to close public streets, two things are taken into consideration; First, closing the street to be vehicular traffic was not contrary to the public interest; and two, no property owner in the vicinity would be deprived of reasonable means of ingress and egress. In order to maintain reasonable means of ingress and egress, the applicant was advised that the existing lots adjacent to the rights of way to be closed would need to be recombined so the new lots had frontage and direct vehicular access to a public street. At the August 12, 2021 meeting, the Technical Review Committee recommended closing Hywood Drive, Kellom Street, and McCallum Street with the following conditions; (1.) The street closure would become effective upon the recording of a plat in the Guilford County Register of Deeds combining all the lots with frontage on Hywood Drive, Kellom Street, and McCallum Street with abutting property so the resulting lot, or lots, would have frontage and direct vehicular access to a public street; (2.) The street closure shall become effective upon the Fire Department's determination that the dwelling located at 607 Hywood Drive is considered to be unoccupied. Before City Council can consider any proposed street closure, the Planning and Zoning Commission must provide a recommendation at the September 20, 2021 meeting. Staff requested that the Planning and Zoning Commission hold a public hearing, receive public input, and consider making a recommendation to City Council. The public hearing before City Council had tentatively been scheduled for the October 19, 2021 meeting.

Mr. Engle stated the maps in his staff report say PL(P) 21-27, which was the text amendment and asked if there were issues with advertising. Mr. Carter responded no issues. The streets themselves were identified properly and this could move forward. Mr. Bryson asked if the current owner owned all of the parcels and was part of the contingency closing these streets to combine the plats into one parcel. If the owner hypothetically sold the one large parcel in the future and the future owner wanted to divide it back up again, who would be responsible for putting a road back in there. Mr. Carter responded the new developer would be responsible for that. Ms. Magid asked if 607 Hywood was vacant. Mr. Carter responded he was unsure of the status at this time. Before the streets would be considered closed and all access was removed, it would have to be verified that no one was there. The conditions recommended by the Technical Review Committee stated it would be acceptable for the Planning and Zoning Commission to carry those conditions forward. Mr. Kirkman stated Mr. Gladden, a representative of the applicants, was available to speak. Chair Holston stated if there were no additional questions from Commissioners, they would hear from those wishing to speak in favor of the request.

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Ryan Gladden and Adams Winfrey, 100 South Elm Street, noted there were some very minor typos in how the appears on the agenda. The map of the street closings shown was correct and indicates the streets that are to be closed. In the description of Hywood Drive, it was from the eastern beginning point of Guilford College approximately 1,050 feet to the southern right of way line which would be Kellom Street. McCallum was 460 feet and Kellom Street was approximately 700 feet. In response to the question of 607 Hywood being vacant, the attorneys have been working closely with the tenant for several months and have located a new residence for the tenant who has agreed and plans to move by the end of September. The house should be vacant by the City Council meeting in October. Mr. Gladden advised he was available to answer any other questions. Ms. Skenes asked if the road closings were to combine all of the property for a larger project. Mr. Gladden stated the property is being sold to a developer with a plan to unify all of the tracts into a single development for commercial use. Chair Holston inquired if there were additional questions for Mr. Gladden. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition. Hearing none, Chair Holston closed the public hearing and requested a recommendation. Mr. Carter stated staff and the Technical Review Committee recommended approval. Ms. Skenes moved that the Commission recommend the closure on case PL(P) 21-28 with the two conditions; (1.) That the street closure shall become effective upon the recording of a plat in the Guilford County Register of Deeds combining all of the lots fronting on Hywood Drive, Kellom Street, and McCallum Street with the abutting properties that result in lot or lots having frontage and direct vehicular access to a public street; (2.) That the street closure shall become effective upon the fire department's determination that the dwelling located at 607 Hywood Drive is considered unoccupied. Second by Mr. Engle. Mr. Alford stated the change in description was not mentioned and asked if that needed to be mentioned on the proposed street closing on the map that was switched by Mr. Gladden. Mr. Carter stated it was a typo correction by Mr. Gladden that should be amended into the motion to be representative of the changes Mr. Gladden stated. Ms. Skenes amended her motion that the map presented to the Commission had an incorrect case number that should be PL(P) 21-28, along with the clarification of the actual distances of the streets involved, Kellom and McCallum. Second by Mr. Engle. The Commission voted 8-0. (Ayes: Egbert, Skenes, Magid, Bryson, Engle, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0). Chair Holston stated this constituted a favorable recommendation and subject to a public hearing at the October 19, 2021, City Council meeting.

HOUSING REPORT:

Mr. Kirkman stated Caitlin Bowers, of the Neighborhood Development Department, would be speaking regarding the annual CAPER.

Caitlin Bowers, presented the Consolidated Annual Performance Evaluation Report (CAPER). The report is prepared annually by the Neighborhood Development Department for submission to the Department of Housing and Urban Development to measure performance in this fiscal year. This public hearing fulfills the citizen participation requirements set forth by HUD. The Draft CAPER narrative was available for public comments beginning September 7 and ending September 21, 2021. All comments received will be captured and considered before the final report will be submitted to HUD. Funds are used for large and small community development items and include improvement projects such as rental and home owner rehabilitation, rental and new home owner construction, home buying assistance and counseling, Fair Housing activities, homeless prevention activities, and emergency assistance. Ms. Bowers presented a brief overview depicting HUD funding expenditures and program outcomes. A slide depicting the federal award and expenditures for CDBG, CDBG-CV, HOME, ESG, ESG-CV, housing opportunities for persons with AIDS(HOPWA), and HOPWA/CV were shown. Ms. Bowers noted funds are used for large and small community development. Using HUD funds, Greensboro developed and rehabilitated 96 multi-family units and assisted 35 first time home buyers with down payment and closing costs. The Housing Rehabilitation program assisted 7 households in the form of low interest loans through

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the Rehabilitation and repair of tenant/owner occupied housing. Home buyer education was provided to over 1,000 households. Over 9,300 people in households were served through homelessness and special needs programs. Over 1,000 households financially impacted by Covid-19 received rent, utility, and mortgage assistance. Ms. Bowers stated there was no recommended action required by the Commission. Chair Holston inquired if there were questions for Ms. Bowers from Commissioners. Hearing none, Chair Holston opened the public hearing for feedback. Chair Holston asked if those was anyone wishing to speak in favor. Hearing none, Chair Holston inquired if there was anyone wishing to speak in opposition. Seeing none, Chair Holston closed the public hearing.

Mr. Kirkman stated Mr. Clegg, Manager of the Long-Range Strategic Planning Division, would walk through information regarding the implementation of the Comprehensive Plan, specifically how the rezoning pieces considered by this Commission fit into the goals for that Plan.

Mr. Clegg stated the Comprehensive Plan, GSO2040, was adopted in June of 2020. In the implementation chapter, the Plan states staff will give updates on implementation to the Planning Board, now the Planning and Zoning Commission, and include a summary of land use changes on an annual basis. Mr. Clegg reviewed highlights with the Commissioners. Since the Plan was adopted in June, going forward it is anticipated timing the annual updates will coincide with the new fiscal year and they would receive the reports in August of each year. After the adoption of the Plan the elements of the Plan have been noted by several Boards and Commissions, City Council, and the general public. Mr. Clegg also mentioned an article in the January Triad Business Journal providing context for a new development proposal that was emphasized as keeping in line with the GSO 2040 Plan. Mr. Clegg then noted a new web site was created in the spring for the Plan. The site includes some special features such as links taking you back to the LDO and additions will be added to the site as the Plan is developed further. There are also videos in the plan to help explain concepts in a more engaging way.

Mr. Clegg then noted a multi-department team has been pulled together to work collaboratively on a plan for East Gate City Boulevard. Currently there are plans for public engagement and Commissioners will be kept involved moving forward. Quarterly newsletters were also started highlighting programs and projects across the city moving towards the plan's vision. A wide range of projects was showcased, including the history museum and collected artifacts. The Neighborhood Arts Residency program looked at the expanded programs and outreach from Guilford Works that help people have access to jobs and training. The Strategic Energy Plan currently under development has been looked at and studies of opportunities to improve the increased missing middle housing. Quarterly newsletters were sent out and highlighted on the web site. The newsletter was available on the Implementation page depicting the different implementation efforts going forward and links to different web sites and information regarding the implementation efforts which was a good way to let the public know what is being done to implement plans. In reviewing land use changes and land use trends, the starting point was zoning cases heard last year. The plan was not in effect for the entire year and is a year of reviews providing a clean starting point that is summarized on a map indicating the legend and colors for the broader categories of land use changes and relative size of those requests. The analysis did not indicate the Comprehensive Plan needed to be amended, such as the formation of new activity center or a major change in the status of a particular corridor or any other significant changes. Two topics are included in the report. One was the Industrial Land Uses, preserving the industrial land use is one of the key policies in the plan. The analysis showed there were 203 acres zoned to industrial uses and 14 acres zoned from an industrial district to something else. Areas designated as industrial on the anticipated growth maps indicated only one instance with an industrial category changed to a non-industrial category. Page 4 of the report depicted annexations shown from a perspective of the districts of the properties were zoned to and the other from perspective of districts they were zoned from. A map was shown depicting

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notable infill development, including rezonings to higher density residential districts and the newer light industrial mixed-use category. A summary of all the zoning cases, grouped by land use category and more specific zoning districts was located on page 5 of the Comprehensive Plan. Two tables depicting the previous district cases were zoned from and the resulting districts that were zoned 2. Mr. Clegg asked if there were questions or comments from the Commissioners or if they needed more time to review the plan and questions or comments could be more addressed at the October meeting.

Ms. Magid stated the presentation was very helpful in being able to look at the different districts and see where the heavier density, multi-family was occurring. Ms. Magid expressed her appreciation for Mr. Clegg providing all of the information. Her district, District 5, had 5 RM-18's and 1 RM-26. It appears there is a lot of development happening in District 5 and seeing the map was very helpful. It was also helpful to be able to look to an industrial district from a non-industrial district. District 5 had 85 acres that moved from Residential to Light Industrial.

Mr. Bryson referred to a slide that had East Market Street on it. Mr. Clegg advised it was a "back pocket" slide. Mr. Clegg wanted to be prepared discuss corridors with the Commissioners since it was brought up at previous presentations. Mr. Bryson requested to have those discussions at a later date. Mr. Engle asked Mr. Clegg in his perspective currently, did he feel that it has been captured it mostly on the activity centers and that the public is grasping the concept around those as a catalyst for transition or infill. Mr. Engle was trying to determine how the Commission as a group can communicate better with people when they are, as this is a larger staff report now with a lot of concepts that could be viewed in multiple different perspectives. Mr. Engle asked for Mr. Clegg's thoughts, perspective or otherwise. Mr. Clegg responded in the conversations that the public seems to generally understand what the goal is with the activity center concept and generally speaking, most people like the idea of encouraging more development in activity centers. Mr. Clegg noted there was now more information in the staff report and highlighted relationships of properties to activity centers or to a corridor.

Ms. Schwartz stated Mr. Clegg has done a fabulous job with the report. Ms. Schwartz felt she could guarantee if you asked the average person what do you think about Greensboro activity centers, it would result in a blank stare. However the idea of having walkable, connected, communities and having things close by, are relatable. One of the things that was done in the Comp Plan was beginning to talk about a higher hierarchy of how these centers are referred to. Some are regional, some are neighborhood based. In thinking of more planning efforts that will focus to really encourage a different or a newer updated mixture of uses to achieve those outcomes. There is one that may be coming up soon off of Battleground that has made news in the Triad Business Journal and what the private sector is attempting to do to encourage that. Ms. Schwartz stated it continues to be evolutionary. Other cities and regional entities have been doing that have been successful promoting and encouraging activity centers, what does it look like, and it takes more than just zoning. Ms. Schwartz advised Houston has up to 20 activity centers, Atlanta has quite a number that have been re-enforced with both transportation planning and land use planning. The best part about a 20-year plan is there are 20 years to keep working and refining it. Ms. Schwartz stated Mr. Clegg has done a great job in one year in and the amount of information provided. Quarterly updates have been done to allow the Commissioners to view the things that are advancing toward Big Ideas and Goals. It is across the organization, not just the Planning Department. Planning may be the communicator but it is the City of Greensboro as a whole. There are neighbors who are pro or con that are talking about the 2040 and quoting it. The Comp plan is to provide the framework of conversations. Planning has done a great job with discussing infill, gentle density, and gentle increasing of densities. Ms. Schwartz inquired if there were other suggestions for Mr. Clegg on how staff could make the plan more useful for the Commission because the goal is for it to be used. Chair Holston inquired if there were suggestions. Chair Holston stated there were none yet but would be coming. Mr. Engle stated it was a good update and a good summary. Mr. Engle stated he loved the idea of having strategy, seeing the execution points, and how the strategy is implemented. Activity centers were something that Mr. Engle found interesting because explaining to people what walkable cities are is difficult at times, especially in a place

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that is counted as having one of the best places to drive. Ms. Schwartz stated that designation was also a good thing and puts Greensboro on the map in the US Today column. Chair Holston thanked Mr. Clegg for his presentation and Ms. Schwartz for providing additional information with more to come on that.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Kirkman advised the October meeting would probably be lengthy. Mr. Engle asked how many cases. Mr. Kirkman responded it was approximately 15 total items but not necessarily everything was a separate item. Mr. Carter advised it was 12 total, including multiple action items.

ITEMS FROM THE PLANNING AND ZONING COMMISSION MEMBERS:

Elections:

Mr. Buansi advised the Commission on how to proceed with the election of a new Chair and Vice Chair. There will be no questions for the nominee and motions will be made to vote on candidates. Chair Holston inquired if there was a nomination for the Chair position. Mr. Bryson nominated Sandra O'Connor as Chair of the Commission; second by Ms. Magid. Chair Holston inquired if there were other nominations for Chair. Hearing none, the nominations were closed. Chair Holston inquired if Vice Chair O'Connor accepted the nomination. Ms. O'Connor accepted the nomination and was happy to be a part of the Planning and Zoning Commission. The Commission voted 8-0. (Ayes: Egbert, Skenes, Magid, Bryson, Engle, Alford, Vice Chair O'Connor, and Chair Holston. Nays: 0) Chair Holston congratulated Vice Chair O'Connor who was now Chair for the Planning and Zoning Commission. Chair Holston inquired if there were nominations for Vice Chair. Ms. Magid nominated Mr. Engle; second by Ms. Skenes. Mr. Alford nominated Mr. Bryson; second by Vice Chair O'Connor. With no other nominations, Chair Holston closed the nomination session. Chair Holston inquired if Mr. Engle accepted the nomination. Mr. Engle accepted. Chair Holston asked Mr. Bryson if he accepted the nomination. Mr. Bryson accepted the nomination. Mr. Engle advised he has been on the Commission since 2018 and learned a lot. Covid made these meetings a challenge for everyone. In spite of Covid, the Commission has done a lot of good work and looked forward to the work to come regardless of whether he served as Vice Chair or as a Commissioner. Mr. Engle appreciated the consideration and looked forward to the next year.

Mr. Bryson stated he felt he was qualified for this position. Any time when he was present at a meeting, asked how you were because that is one paramount thing any Commissioner should do to ensure everyone is on the same level and are all okay. Mr. Bryson stated is a GTA Chairman and has led a sizeable organization within the City of Greensboro. Previous to joining the Planning and Zoning Commission, he was on the Planning Board before it was combined. Mr. Bryson stated he wants to ensure all of Greensboro rises. Everyone works together so everyone benefits from zoning decisions that are made. Mr. Bryson's first thought are the citizens and last thought is citizens. Mr. Bryson stated he thanked those for his vote.

The Commission then voted. The vote for Mr. Engle was 4-4. (Ayes: Egbert, Skenes, Magid, and Engle; Nays: Bryson, Alford, O'Connor and Chair Holston.) Mr. Engle offered in the spirit of unity that the Commission accept Mr. Bryson under acclamation. Chair Holston thanked Mr. Engle and stated he would like to go through the roll call vote for Mr. Bryson. Mr. Engle stated in this vote he would support Mr. Bryson. The Commission voted for Mr. Bryson 8-0. (Ayes: Egbert, Skenes, Magid, Bryson, Engle, Alford, O'Connor, and Chair Holston; Nays: 0). Chair Holston advised Mr. Bryson was the new Vice Chair of the Planning and Zoning Commission. Chair Holston congratulated Chair O'Connor and Vice Chair Bryson. Chair Holston thanked Mr. Engle for his recommendation. Mr. Bryson stated he was looking forward to working with everyone on the Commission and stated Chair Holston has done a stellar job as Chairman and wished him well in his next endeavor and hoped to be in touch. Chair Holston stated this Commission was a great team. Not always thinking alike but in thinking differently brings different things to the table always in a respectable manner. Chair Holston stated it has been an

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honor and a pleasure to serve as Chair. Chair Holston stated he was not going far and will probably still be connected in some way. Chair O'Connor extended condolences to Mr. Engle in the loss of his father. Chair O'Connor then noted Mr. Holston had been an incredible Chair of the Commission and the Commission weathered Covid and everything else, along with managing to keep the lines open with the public, those presenting changes, and appreciated all of his work. Chair O'Connor felt strongly Mr. Holston would continue to serve the City of Greensboro very well. Ms. Magid stated it had been a pleasure working with him and thanked him for his guidance and leadership. Ms. Magid thanked Mr. Engle for being gracious. Chair Holston agreed and expressed condolences for the passing of his father. The Commission was here for him. Ms. Skenes advised the Commission that Sandra O'Connor was recently elected to represent North Carolina as a National Director to the National Association of Realtors. In addition to that, Ms. Skenes wished Mr. Engle a happy birthday. Everyone wished Mr. Engle a happy birthday.

Mr. Holston thanked all of staff for their support. Mr. Holston advised the Commissioners they were in excellent hands going forward, not only with staff but with Chair O'Connor and Vice Chair Bryson.

ADJOURNMENT:

The meeting was adjourned at 7:14 p.m.

Respectfully submitted;

Sue Schwartz, Planning and Zoning Director
SC/cgs

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The regular meeting of the Greensboro Planning and Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Bryson, Mary Skenes, Catherine Magid, Zac Engle, Vernal Alford, Andrew Egbert, Keith Peterson, and Frankie Jones. Present for City staff included Lucas Carter, Mike Kirkman, Noland Tipton (GDOT), Sue Schwartz, (Planning and Zoning Director), and Alan Buansi, (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted online. Chair O'Connor introduced three new members, Keith Peterson, Frankie Jones, and Andrew Egbert to the Commission. Chair O'Connor also noted that Greensboro was recently honored by the North Carolina Chapter of the American Planning Association for the recent adoption of the Greensboro GSO 2040 Comprehensive Plan. Chair O'Connor congratulated all of those who participated in helping to develop such a noteworthy document. Chair O'Connor then advised of the policies, procedures and updated instructions in place for the Planning & Zoning Commission and how the meeting would be conducted using the online format. Roll Call for attendance was taken by Chair O'Connor. Chair O'Connor advised Mr. Engle and Mr. Bryson were not present currently at the meeting but would join in later. Ms. Magid moved to excuse both absences. Second by Mr. Alford. The Commission voted 7-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, and Chair O'Connor. Nays: 0).

Mr. Buansi stated the Planning and Zoning Commission determines land use and conditions contained within zoning applications, with respect to the highest and best use of the property only. All other concerns not related to land use and conditions of the rezoning application, are not germane to the determinations made by the Planning and Zoning Commission but can be referred to the Planning Department or the Technical Review Committee. Mr. Buansi advised pursuant to General Assembly Session Law 2020-3, adopted by the North Carolina Assembly in 2020, that anyone may submit written comments between now and 24 hours after the public hearing closes on each of the identified items requested. Each item needs be identified for comments to be made on and the comments submitted to planning staff.

APPROVAL OF THE SEPTEMBER 20, 2021, REGULAR MEETING MINUTES: (Approved)

Mr. Egbert made a motion to approve the September 20, 2021 minutes; seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, and Chair O'Connor. Nays: 0).

WITHDRAWALS OR CONTINUANCE

Mr. Kirkman advised for items PL(P)21-33 & Z-21-10-006, an annexation and original zoning request for 6450 and 6454 US Highway 29, North, that the applicant requested staff to withdraw their application. Mr. Kirkman noted no action was needed by the Commission and if there was anyone present for that item; the item was withdrawn and would not be heard.

Mr. Kirkman also advised that the two LDO text amendments in Section 5 of the agenda would also not be heard at this meeting. Communications and discussions were still being held related to that item and there were no items for the Commission to consider at this time.

Mr. Kirkman then advised there were three cases on the agenda that had no one speaking in opposition; Z-21-10-003, 624 Millwood School Road; PL(P)21-32 & Z-21-10-004, 5670 Millstream Road, and Z-21-10-005, 205 Woodnell Street. Mr. Kirkman requested the Commission consider moving those items to the front of the agenda for expedited review. Chair O'Connor requested a motion to move those items to the front of the agenda. A

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motion was made by Mr. Alford to be moved to the items to the front of the agenda. Seconded by Mr. Jones. The Commission voted 7-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, and Chair O'Connor. Nays: 0).

PUBLIC HEARINGS:

NEW BUSINESS:

Z-21-10-003: A rezoning from AG (Agricultural) to CD-LI (Conditional District-Light Industrial) for the property identified as 624 Millwood School Road, generally described as northwest of Millwood School Road and west of NC Highway 68, (8.19 acres). (APPROVED)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the three conditions related to the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial Campus on the Future Built Form Map and Industrial on the Future Land Use Map. Staff concluded the rezoning does support the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses, and the Prioritizing Sustainability Big Idea to develop economic resilience, expanding the local economy's ability to withstand and adjust the disruptions, changes at the regional, national, and global scale. The proposed CD-LI request allows a variety of warehouse, distribution, limited manufacturing and assembly uses adjacent to a highway and in close proximity to various commercial and other industrial uses. Staff noted care should be taken related to building orientation, materials, height, and visual buffers to ensure appropriate transitions to nearby lower density residential uses. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions. Hearing none, Chair O'Connor inquired if there was anyone to speak in favor of this request.

Marc Isaacson, 804 Green Valley Road, was present on behalf of the applicant and available to answer any questions from the Commissioners. Chair O'Connor inquired if there were any other speakers. Hearing none, Chair O'Connor requested a motion to close the public hearing. Ms. Magid moved to close the public hearing. Second by Mr. Jones. The Commission voted 7-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, and Chair O'Connor. Nays: 0). At this time it was confirmed that Mr. Bryson was able to join the meeting and had heard the information related to this request so he was eligible to vote on the request.

Ms. Magid stated in regards to agenda item Z-21-10-003, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 624 Millwood School Road from AG (Agricultural) to CD-LI (Conditional District - Light-Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest. Seconded by Mr. Alford. Mr. Bryson advised he had been in the meeting since the beginning via telephone. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor advised the approval constituted final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals will be subject to a public hearing at the November 17, 2021, City Council meeting. All adjoining property owners will be notified of any such appeal.

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PL(P) 21-32

Z-21-10-004: A annexation and original zoning from County AG (Agricultural) to City LI (Light Industrial) for the properties identified as 5670 Millstream Road, generally described as south of Millstream Road and west of Roosevelt Court, (31,688 acres). (RECOMMENED APPROVAL)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property, and surrounding properties. Mr. Kirkman advised there were no conditions related to the request. He then stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial Campus on the Future Built Form Map. The Comprehensive's Plans' Future Land Use Map designates the majority of the property as Industrial. Staff concluded that the proposed original zoning request supports both the Comprehensive Plan's Growing Economic Competiveness Big Idea to build a prosperous resilient economy that creates equitable opportunities to succeed and the Prioritizing Sustainability Big Idea to build economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national, and global scales. The proposed LI zoning district is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities, which in their normal operations have little or no adverse effect upon adjoining properties. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions for staff. Hearing none, Chair O'Connor advised there was no one registered in opposition and Mr. Dickson Pitt was registered as speaking in favor. Mr. Pitt advised he did not have any comments to make. Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor requested a motion to close the public hearing. Vice Chair Bryson made a motion to close the public hearing. Second by Mr. Jones. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor then requested a motion on the annexation request. Vice Chair Bryson moved the Commission approve the annexation. Second by Ms. Magid. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Vice Chair Bryson then stated in regards to agenda item Z-21-10-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 5670 Millstream Road, from County AG (Agricultural) to City LI (Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed LI zoning district permits uses which fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Second by Mr. Alford. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Chair O'Connor advised the approval constituted a favorable recommendation and would be subject to a public hearing at the November 17, 2021 City Council meeting.

Z-21-10-005: A rezoning from RM-18 (Residential Multi-family-18) to CD-C-N (Conditional District – Commercial – Neighborhood), as conditioned, for the property identified as 205 Woodnell Street, generally described as south of East Wendover Avenue and west of Woodnell Street, (0.15 acres). (APPROVED)

Mr. Kirkman provided summary information for the subject property and surrounding properties and advised of the condition associated with this request. Mr. Kirkman stated the Comprehensive Plan designates this site as Urban General within the Urban Mixed-Use corridor on the Future Built Form Map and Commercial on the Future Land Use Map. The rezoning request supports both the Comprehensive Plan's Creating Great Places Big

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Idea to create interest in attractive places and vibrant public spaces in neighborhoods across Greensboro and the Growing Economic Competitiveness Big Idea to promote homegrown businesses, support entrepreneurship, cultivate industry leaders, and welcome major corporations and institutions. The proposed CD-C-N district, as conditioned, allows small-scale locally serving commercial uses compatible with the general character of the area. Care should be taken with respect to building orientation, materials, height, and visual buffers to ensure an appropriate transition to the lower density residential uses on adjacent properties. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions or comments for Mr. Kirkman, Ms. Skenes requested Mr. Kirkman to explain why a property of .15 acres would have space for a new building with planting yards and buffers. Mr. Kirkman responded the idea was to re-use the existing single-family dwelling for the commercial use. Due to the size of the lot, there were provisions in the ordinance limiting how much landscaping and other requirements have to be dealt with. Staff also talked with the applicant regarding parking which is a factor of square footage. He noted the ordinance does make some adjustments for smaller scale lots that can help with this issue. The intent is to reuse the existing building rather than building new. Ms. Skenes asked if that would grandfather in existing sidelines and buffers. Mr. Kirkman responded it would still be a change of use from a single-family dwelling to a commercial use and those conversations would be addressed. The building is established where it is and there would be some ability to work with that. Chair O'Connor inquired if there were any other questions or comments. Hearing none, Chair O'Connor inquired if Regina Smith was present to speak in favor of the application.

Regina Smith, 5708 Water Park Drive, Browns Summit stated she was present to answer any questions on behalf of Smart Money Services, LLC. Chair O'Connor inquired if there were questions for Ms. Smith. Hearing none, Chair O'Connor, requested a motion to close the public hearing. Vice Chair Bryson moved to close the public hearing. Second by Mr. Jones. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor requested a motion on the request. Vice Chair Bryson stated in regards to agenda item Z-21-10-005, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 205 Woodnell Street from RM-18 (Residential – Multi-Family-18) to CD-C-N (Conditional District – Commercial – Neighborhood) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-N zoning district, as conditioned, limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area and permits uses which also fit the context of the surrounding area. It will benefit the property owner and surrounding communities. Approval is in the public interest. The Commission voted 7-1. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Vice Chair Bryson, and Chair O'Connor. Nays: 1, Alford). Chair O'Connor advised the item constituted a final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal, all such appeals would be subject to a public hearing at the November 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-21-10-001: A rezoning from R-3 (Residential Single-family-3) to CD-C-L (Conditional District – Commercial – Low) for the properties identified as 3200 and 3202 Horse Pen Creek Road generally described as south of Horse Pen Creek Road and east of Brinton Drive, (1.6 acres). (APPROVED)

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Mr. Kirkman provided summary information for the subject property and surrounding properties and advised of the conditions associated with this request. Mr. Kirkman then advised there were changes to the conditions after the item was advertised. The changes were:

1. Convenient stores with fuel pumps was added as a use that is not allowed with this request.
6. Where permitted, any new landscaping materials along the eastern and southern property lines shall be of Evergreen materials to create a vegetative screen.

Mr. Kirkman requested the Commission to accept the two changes to the conditions. Ms. Magid made a motion to approve the changes to the conditions. Seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor inquired if there were any questions for Mr. Kirkman. Hearing none, Chair O'Connor inquired if there was anyone to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, Greensboro, was present on behalf of the principals of 3200 HPC, LLC, Will Stevens and Tim Whelen. Both parties were also present to address any questions or concerns the Commissioners may have. Mr. Isaacson stated these properties were located on Horse Pen Creek Road between the Brinton Drive and Carlson Dairy Road. The Tuscan townhomes community borders property on the east and on the west was another townhome community. The applicant identified this property as an ideal location to develop low-intensity professional office and light commercial development that would serve a growing community along Horse Pen Creek Road. Widening Horse Pen Creek Road had been in progress for a long time demonstrating the City had also recognized the development trend in this area and the need to improve the infrastructure in the area to accommodate a growing community and a mix of uses along Horse Pen Creek Road. The rezoning allows for Light-Commercial activities. The intended use would be professional office space, primarily medical and medical related with Light-Commercial as needed. As an example, if one of the spaces were leased to an ophthalmologist, they could who also have a small retail center next to it for eyeglasses or a physical therapy office location next door for the sale of orthotic devices or therapy equipment used for home care. That was the theme of the application and the proposed development. In addition to the conditions excluding the more intense uses allowed under Commercial-Low, the applicant believes the economics of the proposed project will control the potential commercial uses that could lease space within this development. The applicant intends to construct a high-quality professional office to attract professional quality. Any accompanying light commercial uses must align with office setting. A slide depicting an aerial photograph of the subject properties and Tuscan Townhomes east of the subject property was shown. Across from the subject property were single-family and townhomes backing up to the Carlson golf course with Brookhaven Day School, the Northwest Day School, Noble Academy further east on Horse Pen Creek Road and Spears YMCA. West of the property was Proehlfic Park, LeBauer health care, and Be Safe Storage.

Mr. Isaacson requested the Commissioners to consider the area along Horse Pen Creek Road that was a two-lane road and will become a five lane, median divided thoroughfare and continue to be a very healthy mix of uses. The Spears YMCA serves the population in this area for recreational activities. There is a diverse mix of uses along Horse Pen Creek Road with single family residential communities in this area and multi-family residential communities that have co-existed effectively in serving this area for over 20 years. Another slide was shown depicting an example of three single story buildings, approximately 4,000-5,000 feet each, with access to Britton Drive on the west. The applicants were fronting improvements at the intersection allowing for safe and full access movement from this property into or from Horse Pen Creek Road, benefiting residents to the south of the property. The intersection improvements will help traffic flow. No traffic impact study was required but the applicants did have an impact study done at their expense and submitted to GDOT, who approved the

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improvements that will help all in the area, not only people in the development. Another option under consideration was one two story building, limited to 35 feet in height. There are medical practices in need of that type of space and would be available. Mr. Stevens was currently in the process of building another project on Lawndale that a family practitioner would be occupying or is occupying. A detailed picture was shown of the intersection improvements depicting what the area would look like and currently looks like. Horse Pen Creek Road has increased in density and activity. The improvements to the thoroughfare that will located there would be well received and would make a difference in the consideration of the proposed uses for what would be the highest and best use for this property. Other slides were shown illustrating conditions and examples of other projects the applicants have built, currently own, and are operating. The updated conditions were shown and were the result of several meetings with neighbors across the street and next door. Significant landscaping materials along the boundary lines east and south will be placed to create a year-round vegetative screen. Intense uses were removed from commercial, to include convenience stores. The purpose for this property is to develop a high quality, professional, office with ancillary commercial uses. Mr. Isaacson advised notices were sent to nearby residents per the city's notification list. Five responses were received. A zoom meeting was held with those five residents and they went through the conditions and project with them. Letters of support were received from the owner of the property adjoining in the rear of this property, and two owners in the Tuscany Townhome Community, including Ms. Rowe who was from Pennsylvania. Ms. Rowe advised this was very common in the city she moved from and she was encouraged by the fact she may be able to walk to her doctor or dentist next door. Mr. Isaacson stated this request aligns with multiple policies encouraged by the GSO 2040 Comprehensive Plan, Filling In the Framework and provides mixed use, walkable infill development. The development of the property as proposed will make appropriate use of the infrastructure improvements made by the city along Horse Pen Creek Road. Providing access to professional services that would be located within the development will allow nearby property owners to access their doctor, accountants, insurance agents, etc., without the use of a car. Given the proximity of higher density residential uses and future townhome developments to the west, a great number of Greensboro residents will have access to professional services next door. The proposed development is in scale with the neighborhood and compatible with existing uses. The applicants propose a 35-foot height limitation on the development, when a 50-foot-high residential structure could be built on this property under the current zoning district. Horse Pen Creek Road has undergone significant changes over the past decades and now supports a mix of uses ranging from single family homes, multi-family communities to general office commercial and institutional uses. As the density of residential development and institutional uses in the surrounding area has grown, so has the need for supporting uses for those residents. Greensboro has made significant investments in improving the infrastructure along Horse Pen Creek Road to support the type of development the applicant has proposed. The proposed project will satisfy the City's goals of Filling in the Framework in a growing area with a real need of high quality, professional office space serving the surrounding community. This rezoning has been conditioned to protect the interest of neighboring property owners and address the reasonable concerns of those who may have been impacted by the development. The applicants have remained in contact with the neighbors and earned the support of various townhome owners in the Tuscany Community that adjoin this property. The applicants pledge to remain in contact with other property owners within the area and hope to be established as a good neighbor bringing a needed and appreciated development and several services to the Horse Pen Creek Road community. Mr. Isaacson advised he and the applicants were available to answer any questions from the Commissioners.

Mr. Carter advised Mr. Engle had joined the meeting at 6:05 p.m., right at the beginning of the presentation for this case and had been present for the entire presentation.

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Chair O'Connor inquired if there was anyone else wishing to speak in favor of this request. Seeing none, Chair O'Connor asked if there were questions for Mr. Isaacson from the Commissioners. Seeing none, Chair O'Connor requested to hear from the opposition and advised of the combined 10 minute speaking time for those in opposition.

Mr. Saheb Farooqi, 35 Carlson Terrace, Greensboro, stated he was against the rezoning application and referred to a slide with an empty space, where a large home had been built since the picture was taken that was not shown in any other pictures. Mr. Farooqi advised there was a similar application in 2015 or 2016 which was rejected. Slides were shown indicating how the area looked in 2016. Mr. Farooqi indicated where houses have been built since that time and new ones being built currently. Mr. Farooqi referenced a picture depicting primarily residential. He also noted the nearby property zoned CD-O that was zoned specifically for a daycare and restricted to a single-story building and different conditions regarding number of students and hours of operation to preserve the overall character of the neighborhood. Mr. Farooqi displayed a plan depicting future land use indicating all residential. A slide of mature trees was shown that would be removed from the property that the applicant had referred to. An Evergreen buffer was shown which Mr. Farooqi felt showed what is stated and what actually happens in reality. Everything sounds good on paper, but reality was very different. A slide of the current plot depicting a large tree that has been cut down. A photograph of a medical office was shown, a single story that blends with the architecture of the neighborhood. A picture of sticks depicted where trees had been flattened. Mr. Farooqi advised the level of the land for the new development was hitting the roof line of their homes. Zoning for the daycare was done specifically with specific conditions. Mr. Farooqi understood Mr. Isaacson had eliminated gas stations but felt it was still open for a lot of uses. Medical offices could be a pain management facility, urgent care center and more. Mr. Farooqi asked when was the last time someone contacted a medical facility by looking out your window or finding someone locally. Usually medical doctors are whoever your medical insurance plan decides in your network. Mr. Farooqi had concerns with having a two-story or higher structure across from a daycare center that was required to be single-story. Potentially people could be peering into the daycare center. A meeting was held with the applicants, but the applicants were not willing to state the specifics of what would be there. There are legitimate concerns regarding what will be eventually be there. A 35-foot flat roof building was incompatible with all of the structures in the neighborhood. There is no property in the area that has two-story building, let alone a flat roof. Mr. Farooqi felt nothing has changed from the previous situation when they were before the Commission and the current request. Widening the road was always assumed and the area had become more residential in character. Mr. Farooqi expressed his concern having this building there would create a cascading effect with more commercial development in this small neighborhood.

Eric Marohn, 33 Carlson Terrace, Greensboro. Mr. Marohn was representing the Carlson Terrace homeowners and advised they were against the development for the same reasons shared by Mr. Farooqi. Mr. Marohn reviewed the Comprehensive Plan and Six Big Ideas and did not see how this request fit in. A strip shopping center and a commercial building are not needed. He stated the vacancy rate in the city was between 10 and 20% in commercial office space. Premier space is between 18 to 20%. Another building does not need to be emptied in Greensboro and relocate over in this location. It does not help Greensboro become better. This was not the area where Greensboro would like to build and to build on the east side which would be supported by the Carlson Terrace Neighborhood Association. Mr. Marohn for all the reasons stated by Mr. Farooqi and for the residents of Carlson Terrace, they were firmly against this commercial rezoning.

Sharon Linville, 27 Carlson Terrace, agreed with the previous speakers comment. Chair O'Connor inquired if there were any other speakers in opposition to this request.

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Cheryl Julian, 15 Carlson Terrace, Greensboro, stated she was in agreement with everything that stated by other members from the community. Ms. Julian stated this request would change the complexion of the residential community that has been in existence for a number of years, and this was heading this community in the wrong direction. There are many medical offices within a few miles and the community was not hurting for medical access. Ms. Julian did not feel medical offices were a reason to move forward with this request and would like the neighborhood to stay as a residential and educational community. Ms. Julian advised she was in opposition to this request.

Chair O'Connor stated there would be additional time in the rebuttal period for speakers. Chair O'Connor inquired if there were questions for any of the speakers in opposition from the Commissioner. Chair O'Connor returned to the applicant for a 5-minute rebuttal period.

Mr. Isaacson advised Mr. Farooqi may have been inaccurate referencing to the previous rezoning. Mr. Isaacson believed the application was heard in 2001 and did not have anywhere near the conditions as this application. This request was a completely different and separate application and project. Mr. Isaacson stated there has been discussion regarding what this application should be that would be a zoning question from the Comprehensive Plan. Mr. Isaacson believed this project was well supported by the Comprehensive Plan and fit several principles in the Six Big Ideas. Mr. Isaacson invited the residents to ask staff any questions to explore those principles. This application was a transitional use concept embraced by Greensboro over decades of having office near residential. Nothing new regarding this request and would not adversely affect the values of the properties in the area or affect the desirability of the area. Mr. Isaacson stated the focus was on land use and no other commercial uses and vacancies were within the purview of the Commission. The applicants submitted this request because it is a very good fit under the Land Use Comprehensive Plan and fits within the theme of Horse Pen Creek Road in a mix of uses. Mr. Isaacson referred to a photograph depicting the subject property on the left. On the right was extensive landscaping along Horse Pen Creek Road which is the Carlson Terrace community, zoned RM-5, backing up to the golf course. Mr. Isaacson stated there was extensive landscaping that would a buffer for these properties. A photograph was shown depicting a home appearing to be a 3-story residence across the street and he noted this project would be lower due to the provided conditions. Mr. Isaacson asked the Commission to consider the context that is proposed by the applicants. Mr. Isaacson felt the word "undesirable" was a judgment call on the part of the Commission. This project would support service to this area and was in keeping with a well-established practice in Greensboro of transitional uses along major thoroughfares, such as Lawndale, West Friendly, and others. This project was perfectly in line in what the City has embraced over decades of development patterns serving the citizens of Greensboro, and would be very similar to the educational, recreational and institutional uses in this area. This project should not be looked at with a microscope, but with a broad set of lenses in looking at the zoning question. Chair O'Connor inquired if there was anyone else wishing to speak in rebuttal favor. Seeing none, Chair O'Connor requested the opposition to speak within a total of 5 minutes.

Terry Slatter, 29 Carlson Terrace, stated he was opposed to the commercial rezoning due to two stories. At present the area has been raised up by infill about 8-10 feet. This request was to be within a largely residential zone and would be detrimental to the area.

Eric Marohn stated May 16, 2016 was a previous public hearing on two pieces of property. Mr. Marohn referred to a letter sent to Mr. Kirkman regarding that issue. On May 16, 2021, the same zoning request was rejected 6-3. Mr. Marohn's home was located on the other side of the street which has a lower elevation than the road and the property has now been raised up to the road. Mr. Mahone stated 35-feet and a flat roof was unacceptable for him.

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Saheb Farooqi reiterated the rezoning was done in 2016. The picture shown by Mr. Isaacson did not have a flat roof and there was a big difference between a flat roof and a sloping roof. The tree buffer shown is restricted by Duke Energy who continues to cut the tree line below the cables. The regrading of the lot done by the applicants was done because they were entitled to do that, but does not show good faith regarding working with the community and preserving mature trees. There is a lot of doubt of how much the applicants were willing to work with the neighborhood. Mr. Farooqi had his doubts and restated his opposition to the zoning request.

Cheryl Julian, reiterated there were already several medical buildings within a few miles of the community. A satellite Cone Hospital was being built not very far away. Ms. Julian felt the need for a medical building in that location did not warrant being located within the residential and educational community. Within 3-4 miles there is an abundance of medical facilities for the community to access.

Chair O'Connor inquired if there was else anyone else to speak in opposition to this request. Seeing none, Chair O'Connor requested a motion to close the public hearing. Vice Chair Bryson made a motion to close the public hearing portion. Second by Egbert. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor inquired if there was discussion among the Planning & Zoning Commissioners.

Vice Chair Bryson asked Mr. Kirkman if Horse Pen Creek Road was being widened at this current location to 5 lanes. Mr. Kirkman responded that was correct and advised Mr. Tipton could speak to more details of the roadway as needed. The road was being widened as part of a large city project for many miles along Horse Pen Creek Road. Mr. Bryson stated with that being said, growth would happen with that and asked if that was the reason for the widening. Mr. Kirkman responded there were different reasons, and Mr. Tipton could add to his response. The general flow of traffic to different sections of that part of town was one reason and also to accommodate both existing and anticipated growth in that area. Mr. Kirkman then confirmed there was a rezoning request in 2016 on this property that was denied by the Commission. There was an error in the staff report which will be addressed. The opponents were correct that in 2016 it was denied. Mr. Engle asked Mr. Kirkman to illuminate the Commission because in the staff report a request for Conditional District Office, with one condition, was in 2001. Mr. Engle asked what was the application for in 2016. Mr. Kirkman responded the application was in 2016. The 2001 date was an error in the staff report. It should be May of 2016. Mr. Engle stated in the current zoning in R-3, the maximum allowable height was approximately 50 feet asked if Mr. Kirkman if that was correct. Mr. Kirkman responded the maximum height allowed in R-3 Single-family was 50 feet or 3 stories. Vice Chair Bryson asked if the 2016 request had the same conditions in the current request. Mr. Kirkman responded in looking in the staff report on page 2, the only condition associated with the 2016 request was limiting all uses to those permitted in the Office district except drive through uses. Chair O'Connor inquired if there were any further questions. Ms. Skenes stated in reviewing conversations regarding flat roofs and hip roofs, the Commission was not about architectural standards. Ms. Skenes asked if the Commission could only discuss and consider land use. Mr. Kirkman responded land use was the primary one, but scale and compatibility were also considerations. There were no conditions offered relative to architectural features for this project. Ms. Skenes asked if the condition limiting it to 35-feet in height would be 15 feet shorter than a house could be on the same lot. Mr. Kirkman responded that was correct. Ms. Skenes stated how hard it was to get from Carlson Dairy Road onto Horse Pen Creek Road and asked Mr. Isaacson if there was a proposal to add a stop light at that intersection with Carlson Dairy. Mr. Isaacson responded that was correct. Ms. Skenes asked if that was being done by the applicant not the City of Greensboro. Mr. Isaacson responded Mr. Stevens was funding his part of the intersection improvements. There is an arrangement between the City and the applicant regarding the funding of some of the improvements. The roadway plan for improvement was in place when the applicant acquired the

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property and proposed this project. Mr. Stevens is funding a share of the improvements and specifically creating a four-way access intersection where that would probably not be the case without this type of development. Ms. Skenes asked if the City was planning a stop light at Carlson Dairy. Mr. Tipton of GDOT responded the signal installation was part of the widening. The applicant approached GDOT to discuss adding a left turn lane into the site as it was being built. The City had just paid to have an island installed and did want to remove the island to put a left lane turn in. The applicant is working along with GDOT as it is being built. Mr. Noland added GDOT does not promote public vehicles going from a public street through a private site to gain access a signal. Ms. Skenes stated the Brinton Drive folks have a median and cannot turn left at Brinton, and asked if a comment had been made that they would be allowed to come through the parking lot so they could go either way. Mr. Isaacson stated that was correct. It was not a gated project or property, and the applicant would not prohibit the very few residents who live on Brinton from accessing through this property to have a safer movement onto Horse Pen Creek Road. The City does not promote or invite that, but the applicant would not prohibit it. Mr. Isaacson stated there are very few people living behind the property and it is a cul-d-sac. Ms. Magid asked if there was a house built where the proposed entrance into the medical building would be. Ms. Skenes responded there was not. Mr. Engle stated the light was to be put up regardless and it was a question of if a left turn lane would be added to it. Hearing no further questions, Chair O'Connor requested to hear from Mr. Kirkman.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed CD-C-L district is generally consistent with the Comprehensive Plan's Filling In Our Framework Big Idea to arrange land uses to create a more vibrant and livable Greensboro and the Growing Economic Competitiveness Big Idea to promote homegrown businesses, support entrepreneurship, cultivate industry leaders, and welcome major corporations and institutions. The proposed CD-C-L zoning designation, allows a mix of office, professional services, and limited retail uses that can be compatible with adjacent residential uses. Staff noted to enhance compatibility, development of these parcels should be oriented to the corridor and designed in a manner to avoid additional negative impacts to adjacent residences. Staff recommended approval of this request.

Mr. Engle asked to make some comments. Mr. Engle stated the Comprehensive Plan was adopted by the City in 2021. In thinking of classic zoning and land use, there was residential, office, and then industrial. All was spread in a patchwork pattern and is where the idea of urban sprawl came about. At this meeting, everyone was here to talk about land use only. The Comprehensive Plan has actually notated this area to be Urban-General. It was important to note that as often as possible, transitional uses are placed. Transitional uses would fit within this project as a transitional use. In the past, office space close to a residential area was approved and has been found to be compatible. Mr. Engle was in support of the request and felt there was time for further conversations. Mr. Engle encouraged conversations to happen as that is where collaboration takes place. Chair O'Connor thanked Mr. Engle and inquired if there was anyone else who wished to comment. Ms. Magid agreed with Mr. Engle. There are multiple examples of small office and light commercial on thoroughfares all over Greensboro. This is supported by the nearby residential. Ms. Magid was in support and stated the amendment goes toward the zoning factors in the Comprehensive Plan. Chair O'Connor inquired if there were any other comments. Hearing none, Chair O'Connor requested Mr. Egbert to continue with his motion. Mr. Egbert stated in regards to agenda item Z-21-10-001, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3200 and 3202 Horse Pen Creek Road from R-3 (Residential Single-family-3 to CD-C-L (Conditional-District – Commercial – Low) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-L zoning district, as conditioned, limits negative impacts on the

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surrounding area and permits uses which also fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Peterson. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor advised this constituted a final action unless appealed in writing to the Planning Department within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the November 17, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 21-31 & Z-21-10-002: An annexation and original zoning from County AG (Agricultural) and County RS-40 (Residential Single-family) to City CD-LI (Conditional District – Light Industrial) for the property identified as 238 Ritters Lake Road, generally described as south of Ritters Lake Road and west of South Elm-Eugene, (109.151 Acres) (RECOMMENDED APPROVAL)

Mr. Kirkman provided summary information for the subject property and surrounding properties and advised of the condition associated with this request. Chair O'Connor inquired if there were questions for Mr. Kirkman. Hearing none, Chair O'Connor inquired if there was anyone to speak in favor of the request.

Michael Fox, 400 Bellemeade Street, Suite 800, introduced his partner, Nathan Duggins, of the law firm Tuggle/Duggins, Taylor Williams, Developer of Williams Development, John Davenport, Davenport Engineering, and Allison Bragg, of Kimley Horn, Civil Site Engineer. He stated this request is for annexation and Light Industrial zoning. The intent is to build a warehouse and distribution center on the site. It would be close to the interstate, centrally located within the region. There has been a number of similar projects along the I-40 / 85 corridor, from Kernersville to Mebane. It is anticipated there will be a significant number of jobs and significant capital investment with this project. Mr. Fox introduced Taylor Williams and advised John Davenport would speak on the traffic study that had been done for the request. Mr. Fox will finish with summarizing the communications and zoning case.

Taylor Williams, 331 High Street, Winston-Salem. Mr. Williams represented Williams Development Group, a Triad based developer specializing in industrial and warehouse construction development, principally based and focused in the Triad. Mr. Williams referred to the Rock Creek facility on east I-40, projects on Gallimore Dairy Road at High Point, and the Union Cross Business Park in Winston-Salem. Recently there was a similar annexation/original zoning at Youngs Mill annexed in Greensboro. Williams Development is actively developing in that area and recruiting jobs to improve infrastructure and tax base. This site was discovered early in 2021 and is well situated near the interstate and plays well in the industrial and distribution arena. Mr. Williams has dealt extensively with the City of Greensboro and discovered that corridor was ear marked for future economic growth and development based on utility extension and infrastructure improvements. There was a tenant and user who reached out to Williams Development in the summer. A site plan has been developed that works very well with the intended use and reduces the impact to the local area. The tenant is committed to being a long-term asset to the community. The site plan was shared on the screen depicting a significant buffer and trees in areas on the outside of the perimeter of this site. The site plan is focused on tree conservation and minimizing noise, light traffic, and environmental impacts based on the local residence. Mr. Williams then requested Mr. Davenport to speak on his traffic report and findings.

John Davenport, President/Owner of Davenport Engineering, 119 Brookstown Avenue, Winston-Salem. Mr. Davenport stated this is proposed for light industrial use and that was the use used in their study. Roughly 635,000 square feet of warehouse use equates to about 4,200 trips per day as stated in their TIA. The built-out year was

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2023. Recent counts were taken due to Covid which changed things such as traffic patterns but there are several projects going on. In working with the city, Mr. Davenport wanted to ensure that this study had the most recent updated counts. Mr. Davenport stated there would be extensive road improvements in this area and in totality will have more than enough capacity to handle the projected traffic for this site. Starting at I-85, there will be another turn lane on the ramps coming from the south of I-85 and going south on Elm Eugene. From there, it will be reconfigured and adding a lane down to Ritters Lake. Ritters Lake will be improved to a 3-lane section, allowing for turn lanes into the three driveways that are proposed for this site, all the way to its end. There are many more details to get into if there are questions but that was generally the overview for the projected traffic to be accommodated for this site.

Mr. Fox advised there was a neighborhood communication letter mailed to approximately 65 residences and businesses within the notice requirement from the city. A Zoom meeting was set up with approximately a dozen neighbors who attended and individual phone calls with another four or five neighbors. At the meeting, the site plan was shown with discussion regarding the plan for development of the site. The applicants offered to meet individually with any neighbors who had concerns about their particular property, how it may be impacted, and offered to continue those conversations whether it was before this meeting or after this meeting, or during construction. Taylor Williams and his company are committed to being good neighbors and have shown that with their existing developments. The potential company that Mr. Williams spoke about is also committed to being good neighbor and a good community citizen. At this time, their name cannot be disclosed because it is preliminary, but it will be a nice investment for the community, the area, and the City of Greensboro. At the neighborhood meeting, concerns and questions were expressed regarding traffic and noise that would or could be heard and seen and those issues were discussed. A number of neighbors were concerned regarding the annexation and whether that would cause their property to be annexed. They were assured that they would not be. There were great questions and good discussion. Several of the neighbors were enthusiastic about it. Mr. Fox believed the community felt the potential of extending water and sewer would improve the property values for them. A few neighbors were not enthusiastic about it due to more development in an area. Mr. Fox heard and understood this neighborhood has traditionally been a more rural area and growth that occurred around the interchange, with a new interstate was changing the rural lifestyle there. It was listened to, heard, and respected. The reality of it is where this is located, be it a Tier 1 growth area for the City of Greensboro, with plans ready to extend water and sewer, something will happen on this site eventually. It will not remain farm land. It would become multi-family, single-family, commercial, or light industrial of some sort. The developer believes this is very good use in that their plan will minimize the impact. There is natural vegetation and buffer. Staff recommends approval and it does meet the Comprehensive Plan's Big Idea of Growing Economic Competitiveness. The applicant believes this will be a great project and were looking forward to working with the people in the neighborhood to ensure any concerns are mitigated. Mr. Fox advised they were happy to answer any questions the Commissioners had. Chair O'Connor inquired if there were questions for the applicant. Seeing none, Chair O'Connor moved to the opposition and advised of the 10-minute speaking time for all. Hearing no opposition, Chair O'Connor requested a motion to close the public hearing. Mr. Egbert moved to close the public hearing. Second by Vice Chair Bryson. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor inquired if there were any questions or comments. Hearing none, Chair O'Connor requested to hear from staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General in an Urban Mixed-Use corridor on the Future Built Form Map and is designated both Commercial and Residential on the Future Land Use Map of the Comprehensive Plan. If the original zoning request is approved, the Future Land Use designation will be considered amended to the Industrial classification in order to ensure an appropriate fit

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between future land use designation and zoning. The request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Comprehensive Plan's Prioritizing Sustainability Big Idea to build economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national, and global scales. The proposed CD-LI zoning district will allow a variety of warehouse, distribution, and limited manufacturing and assembly uses which in their normal operations have little or no adverse effect on adjoining properties. Care should be taken with respect to building orientation, materials, height, and visual buffers to ensure an appropriate transitional to nearby lower residential uses. Staff recommended approval of the request. Chair O'Connor advised a motion would be needed for annexation and then one for the original zoning.

Vice Chair Bryson made a motion to approve the annexation. Second by Mr. Alford. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Vice Chair Bryson then stated in regards to agenda item Z-21-10-002, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 238 Ritters Lake Road, from County AG (Agricultural) and Country RS-40 (Residential Single-family) to City CD-LI (Conditional District -Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor advised these votes constituted favorable recommendations and were subject to a public hearing at the November 17, 2021 City Council meeting. Chair O'Connor then advised that all of the public hearings were complete and the final item was a non-public hearing item for discussion among Commission members.

Non-PUBLIC HEARING ITEMS:

Z-21-10-007: 690 and 696 Brigham Road (east of Brigham Road and west of NC 68) Consideration of a UDP (Unified Development Plan) for a previously approved PUD (Planned Unit Development) zoning district, for the properties identified as 690 and 696 Brigham Road, generally described as 690 and 696 Brigham Road, (19.7 Acres) (APPROVED).

Mr. Kirkman advised this item was only to consider the Unified Development Plan (UDP) for a property that was previously zoned Planned Unit Development (PUD). Mr. Kirkman requested Mr. Carter to speak to the item. Mr. Carter stated when a UDP was being reviewed, there were two main purposes. First, to specify the type of the development in sections of the property and the dimensional standards that would govern the development. The other would be to place the development standard into a form to be recordable at the Register of Deeds providing notice of the requirements to future owners, occupants, and adjacent property owners. When making the determination to approve or deny the UDP, the Planning and Zoning Commission must review the UDP for consistency with the approved concept plan and zoning conditions. Both were included in the Zoning book distributed to the Commissioners. Mr. Carter requested if there were any questions regarding that information, to let him know. The UDP went to the Technical Review Committee for review and conditionally approved on October 1, 2021. The requests for changes to the plan included labeling and other small things which have been changed and updated on the plan in the book. If the Commissioners approve this request at this meeting, the

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subsequent UDP will be approved by staff and then recorded at the Register of Deeds. Mr. Carter advised he could answer any questions the Commissioners may have.

Chair O'Connor stated it might be helpful, as there were three new Commissioners, to have an explanation of how this evolved, how the Planning and Zoning Commission inherited this from the Planning Board when it was disbanded, and that going forward these usually will not be separate considerations. Mr. Carter responded this specific site was previously rezoned to a PUD zoning district. When it went through in 2017, the PUD rezoning process was split into two different stages. One was the rezoning which went to the Zoning Commission and a UDP that went to the Planning Board who reviewed the technical details of the plan which was not done as a public hearing. Since this property was rezoned to the PUD, the Planning Board was dissolved and most of the responsibilities of the Planning Board were given to the Zoning Commission, now Planning and Zoning Commission. Several properties are still zoned PUD. They are zoned correctly, but have not finished the second part of the process to have their UDP approved and recorded. For this request, there is no land use discussion. It is a technical aspect of does this plan meet the LDO requirements for approval. Mr. Engle asked if Mr. Carter could advise how many UDPs for PUDS were left to be approved, knowing they will be combined going forward. It did not have to be answered at this meeting but felt there was helpful information.

Mr. Kirkman responded they thought they were down to approximately 10 and staff does anticipate several of those previously approved PUDs to move forward for development. Mr. Engle asked if the TRC approval was the staff recommendation and asked if all the different departments had signed off on the request. Mr. Carter responded Water Resources, (split into two different reviews), Fire Marshall's office, Department of Transportation, Planning (split into two reviews), and Building Inspections all review the UDP document and had approved this request. Mr. Egbert asked why would the Planning and Zoning Commission never not approve something like this. Mr. Carter responded normally staff would not let one come to the Commission that could not be approved by the Commission. Especially one that zoning had already been approved. Technical issues would not come before the Commissioners. There are some situations where if it is a zoning request, there might be some situations where it is decided to proceed without staff recommendation and would come before the Commission. When looking at the process set out in the Ordinance, that is being discussed at this meeting, this request meets all of the requirements for approval. Mr. Jones asked what were the triggers bringing it before the Commission. Mr. Carter responded if someone was looking to go forward with the development, they would not be able to obtain final site plan approval or a building permit without this approval. Chair O'Connor inquired if there were any further questions or clarifications. Seeing none, Chair O'Connor inquired if there was a motion to be made. Mr. Engle moved to approve the UDP. Second by Vice Chair Bryson. The Commission voted 9-0. (Ayes: Jones, Peterson, Egbert, Skenes, Magid, Alford, Engle, Vice Chair Bryson, and Chair O'Connor; Nays: 0).

ITEMS FROM STAFF AND PLANNING AND ZONING COMMISSION MEMBERS:

No further items from staff. Chair O'Connor again welcomed the new members and congratulated staff and all who participated in implementing the Greensboro 2040 Plan that was recognized. Vice Chair Bryson moved to adjourn the meeting. Second by Ms. Magid. The meeting adjourned at 7:30 p.m.

Respectfully submitted;
Sue Schwartz, Planning and Zoning Director
SC/cgs

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION**

November 15, 2021

The regular meeting of the Greensboro Planning and Zoning Commission was held electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's web site November 15, 2021, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Bryson, Mary Skenes, Catherine Magid, Vernal Alford, Andrew Egbert, Keith Peterson, and Frankie Jones. Present for City staff were Lucas Carter, Mike Kirkman (Planning), Noland Tipton (GDOT), Sue Schwartz, (Planning Director), and Alan Buansi, (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted online. Chair O'Connor advised of the policies, procedures and updated instructions in place for the Planning & Zoning Commission and how the meeting would be conducted using the online format. Roll Call for attendance was taken by Chair O'Connor. Chair O'Connor advised Mr. Engle was not present currently at this meeting but was expected to join in later depending on the length of the meeting.

APPROVAL OF THE OCTOBER 18, 2021, REGULAR MEETING MINUTES: (APPROVED)

Ms. Magid made a motion to accept the October 18, 2021 minutes; seconded by Mr. Bryson.

The Commission voted 8-0. (Ayes: Chair O'Connor, Bryson, Jones, Skenes, Alford, Magid, Egbert, and Peterson. Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Z-21-11-003, A rezoning request from R-5 (Residential Single-family-5) to CD-RM-8 (Conditional District – Residential Multi-family-8) for the properties identified as 4401 and 4401 YY Rehobeth Church Road, generally described as south of Glendale Drive and east of Rehobeth Church Road, (14.8 acres).
(CONTINUED)

Mr. Kirkman advised the applicant had requested a 60 day continuance for this item and advised the attorney for the applicant was present and would speak more to the continuance request.

Amanda Hodiern, 804 Green Valley Road, Suite 200, Greensboro. Ms. Hodiern stated the request was for a continuance to be heard at the January meeting. The applicant had to do some more site assessment work and they would like to get through the holiday season so there would be time for neighborhood outreach. There had been no outreach to date due to site issues that needed to be worked through to determine if they would be moving forward on this project.

Chair O'Connor inquired if there was anyone else wishing to speak for or against the continuance request. Hearing none, Chair O'Connor requested a motion. A motion was made by Mr. Bryson to grant the 60-day continuance requested by the applicant. Seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Mr. Bryson, and Chair O'Connor. Nays: 0).

Mr. Kirkman advised there was no one signed up to speak in opposition for any of the public hearing items and based on Commission instructions all of these items would be considered under expedited presentation and review procedures. Mr. Kirkman then advised of one adjustment to the agenda, where two items would need to be grouped together for the public hearing. Specifically PL(P)21-34 & Z-21-11-05, an annexation and original zoning for 5807 West Gate City Boulevard, would need to be paired with PL(P) 21-38 & Z-21-11-006, an annexation and original zoning for a portion of West Gate City right of way. Chair O'Connor inquired if any concerns from Commission member and seeing none she confirmed these items would be heard together.

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PUBLIC HEARINGS:

NEW BUSINESS:

Z-21-11-001, a rezoning from R-5 (Residential – Single-family-5) to CD-RM-12 (Conditional District – Residential Multi-family-12), for the properties identified as 4727, 4727-A, 4729 and 4731 Mitchell Avenue, generally described as South of Mitchell Avenue and west of Westwood Road, (3.715 acres). (APPROVED)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised of the condition related to the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff concluded the rezoning does support the Comprehensive Plan’s Creating Great Places Big Idea to expand Greensboro’s citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections Big Idea to maintain stable, attractive, and healthy places to live and raise families . The proposed CD-RM-12 district allowed land uses that were compatible with various residential uses in the area and expand housing choices in close proximity to a minor thoroughfare.

Chair O’Connor inquired if there were questions. Hearing none, Chair O’Connor inquired if there was anyone to speak in favor of this request.

Adam Marshall, Carolina Law Offices, 3623 N. Elm Street, represented the applicant, NC Nash, LLC, for this property. Mark Spillman of NC, Nash, LLC, and Will Yearn, local developer consultant, were also present to answer any questions. Mr. Marshall stated this was a request from R-5 to CD-RM-12 and was conditioned to a maximum of 36 townhomes. The property is compatible with the other land uses in the area and the multi-family nearby. The request supports the 2040 Comprehensive Plan and Big Ideas and staff did recommend approval. Chair O’Connor inquired if the others present wished to speak. Hearing none, Chair O’Connor inquired if there was anyone present to speak in opposition. Hearing none, Chair O’Connor closed the public hearing.

Chair O’Connor inquired if there were questions from the Commissioners. Mr. Egbert asked what the large green area marked Reserved was on their map. Mr. Kirkman advised it was City park land that was designated as such in the Comprehensive Plan. With no further questions, Chair O’Connor requested a motion. Vice Chair Bryson stated in regards to agenda item Z-21-11-001, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 4727, 4727-A, 4729, and 4731 Mitchell Avenue from R-5 (Residential Single-family-5) to CD-RM-12 (Conditional District –Residential Multifamily- 12) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-12 zoning district, as conditioned, permits uses which also fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding communities. Approval was in the public interest. Seconded by Ms. Magid. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O’Connor. Nays: 0). Chair O’Connor advised the action constituted a final recommendation, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, December 21, 2021 City Council meeting. All adjoining property owners will be notified of any such appeal.

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PL(P) 21-34 & Z-21-11-004: A annexation and original zoning from County LB (Limited Business) and County RS-40 (Residential Single-family) to CD-C-M (Conditional District- Commercial Medium) for the property identified as 5807 West Gate City Boulevard, generally described as southeast of West Gate City Boulevard and southwest of Suttonwood Drive, (1.69 acres). (APPROVED) and PL(P) 21-38 & Z-21-11-006: An annexation and original zoning from County LB (Limited Business) and Jamestown IND (Industrial) to City C-M (Commercial-Medium) for the property identified as West Gate City Boulevard Right of Way, generally described as a portion of West Gate City Boulevard Right of Way, southwest of Suttonwood Drive, (1.47 Acres). (APPROVED)

Mr. Kirkman advised both of these requests were part of one hearing and the Commission would need to make a recommendation on the annexation for all of the property as indicated on the site map and separate requests for the original zoning for the road right of way and the private property. Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties and advised of the conditions associated with the CD-C-M request.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates these sites as Urban General in an Urban Mixed-Use Corridor on the Future Built Form Map, and as Commercial on the Future Land Use Map. The requests are consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Comprehensive Plan's Prioritizing Sustainability Goal to build economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national, and global scales. The proposed CD-C-M zoning district would permit a variety of commercial, retail, office and service uses compatible with existing uses on adjacent tracts. Staff recommended approval of all the requests.

Chair O'Connor inquired if there was anyone wishing to speak. Ali Gohar, 3895 Range Crest Court, High Point, stated the request was for the original zoning as described by Mr. Kirkman. The idea was to go to Conditional Commercial Medium. They are hopeful to be able to place a used car lot in that area. Chair O'Connor inquired if there was anyone else wishing to speak or if there was anyone opposed to this request. Hearing none, Chair O'Connor closed the public hearing and asked if the Commissioners had questions or comments. Ms. Magid made a motion to approve the annexation. Second by Mr. Bryson. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor stated the action constituted a favorable recommendation and subject to a public hearing at the December 21, 2021 City Council meeting.

Ms. Magid then stated in regards to agenda item Z-21-11-004, the Greensboro Planning & Zoning Commission believes that its actions to recommend approval of the zoning request for the properties described as 5807 West Gate City Boulevard from County LB (Limited Business) to County RS-40 (Residential Single-Family) to City CD-C-M (Conditional District-Commercial Medium) and Item Z-21-11-006, the Greensboro Planning and Zoning Commission believes that its actions to recommend approval of the zoning request for the property described as West Gate City Boulevard Right of Way from County LB (Limited Business) and Jamestown IND (Industrial) to the City C-M (Commercial Medium) would be consistent with the adopted GSO 2040 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-M zoning district, as conditioned, limits negative impacts on the adjacent properties and permits uses which also fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval was in the public interest. Seconded by Ms. Skenes. The Commission voted 8-0. (Ayes:

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Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor. Nays: 0). Chair O'Connor advised both items had favorable recommendations and subject to a public hearing at the December 21, 2021 City Council meeting.

Z-21-11-005: A rezoning from C-M (Commercial-Medium) to CD-BP (Conditional District Business Park), for the property identified as 4008 Spring Garden Street, generally described as south of Pomona Drive and east of Spring Garden Street (1.38 acres). (APPROVED)

Mr. Kirkman provided summary information for the subject property and surrounding properties and advised of the condition associated with this request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this sites as Urban General on the Future Built Form Map and Commercial on the Future Land Use Map. The request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Filling In Our Framework goal to attract world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. Staff recommended approval of the request. Chair O'Connor inquired if the applicant would like to speak.

Marc Isaacson, 804 Green Valley Road, Greensboro, was present on behalf of Pomona Holdings, LLC. Mr. Isaacson noted this property is leased out to several different businesses. One particular business would like to engage in some research and development and laboratory testing that is not permitted in the current zoning district. The Business Park designation was consistent with many of the properties in the area and the applicant. Mr. Isaacson noted that letters were sent and did not receive any responses. Mr. Isaacson stated this property has been changed over to various business uses.

Chair O'Connor inquired if there was anyone else wishing to speak in favor or in opposition to this request. Seeing none, Chair O'Connor closed the public hearing and asked if the Commissioners had questions or comments. Hearing none, Chair O'Connor requested a motion.

Ms. Skenes stated in regards to agenda item Z-21-11-005, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 4008 Spring Garden Street from C-M (Commercial-Medium) to CD-BP (Conditional District-Business-Park) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-BP zoning district, as conditioned, limits negative impacts on the adjacent properties and permits uses which also fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area. It will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Mr. Bryson. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor advised this constituted a final recommendation unless appealed in writing to the Planning & Zoning Department within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the December 21, 2021, City Council meeting. All adjoining property owners will be notified of any such appeal.

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STREET CLOSURE REQUESTS:

PL(P) 21-35: Brevard Street: From the eastern right-of-way line for Coapman Street, eastward southward approximately 650 feet to its terminus. And

PL(P) 21-36: Gary Terrace: From the southern right-of way line for Brevard Street, southward a distance of approximately 127 feet.

Mr. Carter stated that staff received a street closure petition for Brevard Street & Gary Terrace. The total area of the right of way was 0.667 acres. The signees on the petition make up 100% of the road's frontage along the right of way, making it a valid petition to move forward. To approve the street closing the City has to make two determinations to close a street; (1.) That closing the street to vehicular traffic is not contrary to the public interest; (2.) That no property owner in the vicinity is deprived of reasonable means of ingress and egress. The Technical Review Committee met on November 4, 2021 and recommended approval of the street closure, with the following conditions:

1. The City shall retain a 20-foot utility easements over any existing utility line until such time as the lines are no longer needed for public use.
2. Before the street closure can be considered final, a turn around must be constructed at the new terminus of Gay Terrace, in accordance with the Greensboro Department of Transportation standards.
3. Before the street closure can be considered final, the existing fire hydrant located at the southeast corner of the intersection of Brevard Street and Gay Terrace, must be relocated in accordance with fire code.

Chair O'Connor inquired if there were questions for Mr. Carter. Seeing none, Chair O'Connor advised there were two separate motions needed for the two separate street closings. In response to Commissioner questions, Mr. Carter showed the plan submitted by the applicant indicting the portion north of Brevard Street that was requested to be closed. The proposed new right of way dedicated for the turnover was also depicted at the terminus of Gay Terrace. The portion of Gay terrace from the north side was depicted at the newly dedicated right of way that is proposed to be closed. Mr. Carter advised there were some properties that appear to not have the correct amount of access. It will be the minimum access on the newly dedicated right of way or are owned by the same owner adjacent and could be combined to provide access.

Chair O'Connor inquired if the applicant wished to speak. Joey Transou, 170 Alpine Court, Winston-Salem, stated he was a member of the Board of Directors and advised he would answer any questions the Commissioners had. Chair O'Connor inquired if there was anyone else wishing to speak in favor of the application. Chair O'Connor inquired if the Commissioners had questions. Hearing none, Chair O'Connor closed the public hearing and requested a motion. Mr. Kirkman reminded the Commission that there would be two separate actions, to close the portion of Brevard Street and to close the portion of Gay Terrace.

Mr. Bryson made a motion to grant the street closure request for PL(P)21-35 for portions of Brevard Street. Seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Mr. Bryson then made a motion to grant the street closure request for PL(P)21-36 for Gay Terrace. Seconded by Mr. Alford. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor stated both motions constituted favorable recommendations that are subject to a public hearing at the December 21, 2021, City Council meeting.

TEXT AMENDMENTS:

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PL(P) 21-37: Zoning, Planning and Development Text Amendment: Amending Sections 30-3-8.2 (B) Membership: District representation to clarify language for district representation.

Mr. Kirkman stated the proposed ordinance amendment request was designed to clarify representation on the Historic Preservation Commission, in terms of a person representing one of the locally designated historic districts which are the Dunleath, College Hill, and Fisher Park. The Historic Preservation Commission itself has nine members, leaving six other members that would be At Large. For the three representatives, the text amendment would clarify that the person representing that local district must either reside in that district or own property in that district to be able to represent them in that capacity. The Commission was being asked to make a recommendation on this request. The Commission has three options for the text amendment; (1.) Make a recommendation to accept the text as presented by staff; (2.) Make a recommendation to approve the text but add other changes to it; (3) Recommend denial of the request. Chair O'Connor inquired if there were questions of staff. Mr. Egbert stated if there were 9 people on the Commission, and three have to live in the district, those three would be out voted by people outside the district. Mr. Egbert did not understand only having 3 out of 9. Mr. Kirkman responded that for the Commission as a whole, all members need expertise or interest in historic preservation planning or other aspects. That is a consideration for all 9 members, that they have some interest in preserving historic resources for the city. If someone specifically represents one district, they have to be a resident or property owner. It does not prevent others from being from those districts as well. Mr. Egbert stated a resident could be a renter living in Wafco Mills. Mr. Kirkman stated there were things written in the ordinance talking about how those representing the district should have certain areas of expertise or interest specifically. Mr. Egbert stated if there were only three of nine, six people would not be vested because they did not own or live in those neighborhoods. Mr. Kirkman responded this request came about as a question when Council was making appointments about who could specifically represent the locally designated historic districts as that district representative and whether or not they needed to live or own property in the district. The conclusion is if you are considered a College Hill representative, that you must live or own property in that area. Ms. Magid advised there could be more than one person, as it says "at least" one person. Mr. Kirkman stated it did not preclude anyone else and there could be multiple representatives. It states "if you are appointed as that district representative, you have to meet these standards."

Mr. Egbert also asked why this proposed change was before the Planning and Zoning Commission. Mr. Kirkman responded it was part of the broad responsibilities of the Planning and Zoning Commission. The Commission's role is to have a public hearing if there are public comments and evaluate the change to make a recommendation to City Council. Ms. Magid asked if the Historic Commission was active. Mr. Kirkman responded it was. Mr. Jones asked if the number of locally zoned historic districts could exceed nine Commissioners. If every historic district had a representative, would that number ever exceed nine and have more historic districts than slots. Mr. Kirkman responded that was a possibility but would be a long time before that happened and he did not see that happening. Chair O'Connor inquired if there were any further questions. Hearing none, Chair O'Connor requested a recommendation be made to go to City Council. Mr. Egbert made the motion to approve the recommendation as presented to the Commission. Seconded by Ms. Skenes. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor stated the motion constituted a favorable recommendation and would be subject to a public hearing on December 21, 2021 City Council meeting.

PL(P) 21-39: Zoning, Planning and Development Text Amendment: Amending Subsection (C) of Section 30-12-8.1. Drainageway and Open Space for Subdivisions to provide standards for vehicular access through drainageways.

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Mr. Kirkman advised this request was to amend the Land Development Ordinance in reference to dedicated drainage way and open space. Typically, these spaces are dedicated to the City as part of the subdivision process. When new development involving subdivision of land occurs, dedication of drainageway and open space is one of the requirements. The spaces are used for both public benefit in terms of controlling flooding and storm water management and open space that could also be used for recreational purposes for the public. The request to the City was to allow an opportunity for vehicular access across the dedicated drainage way and open space from adjacent property. The proposed amendment creates that opportunity with certain tests or standards that must be met to grant access. The three tests are; (1) The vehicular access to the adjacent property is considered to be necessary to enhance public safety to and from the property with no other practical method that would achieve the same level of access; (2.) That the access does not change the function of the drainageway for benefit as open and recreational space so that the access does not create adverse drainage impacts to other properties or increase downstream flooding through design or with mitigation measures. Mr. Kirkman advised the tests would be evaluated by the departments dealing with land development, such as, Transportation, Parks and Recreation, and Water Resources. Mr. Kirkman stated he had sent a separate email to the Commission to make them aware that staff did take this text amendment to the Greensboro Parks & Recreation Commission. That Commission is involved with evaluating property offered for dedication for drainage and open space. Discussion resulted in a split vote with no consensus in approving the amendment. Mr. Kirkman referred to the notes indicating what the concerns were and the things that were positive as noted by the Greensboro Parks & Recreation Commission. The purpose for the hearing this evening is to take any public comments and make a motion to approve the text amendment as presented, make a motion to approve the amendment with changes, or recommend denial of the text amendment.

Chair O'Connor inquired if there were questions or clarifications from the Commissioners. Ms. Skenes stated she viewed the request as a cleanup of the LDO. Ms. Skenes stated future items and conditions cannot be anticipated. By clarifying if there is no other access to this property and the ordinance was kept as it is currently written, the city would, in effect, be taking property. Ms. Skenes felt this was a way of cleaning it up, fixing the problem and letting it take its course. The property owners would have to prove their case that it fit into one of the molds. Mr. Jones asked in terms of how the Transportation Director's determination would be captured, would there be an amendment to the plat if it was not done at the time the plat was recorded. How would the Commission confirm the access is granted going forward and would it be placed into the Register of Deeds. Mr. Kirkman responded there would need to be an easement established across the drainage way for the purpose of vehicular access and would be done as part of a site plan review process with a development proposal indicating that access. There would have to be a recorded plat showing where vehicular access was established and the size of it. Mr. Jones asked if the ordinance spelled out what was just said would have to happen, or would there need to be additional information. Mr. Jones referred to #2, regarding drainage way and open space must be dedicated by a recorded plat. Mr. Jones asked in terms of the extent that vehicular access was granted, especially if done at a time subsequent to the recording of the initial plat, would that be an opportunity to further spell out how the vehicular access approval would be documented. Mr. Kirkman responded it was felt the information defaulted back to the normal site plan review process and spelling it out was not needed. The provision noted by Mr. Jones serves a different function than discussed in a previous conversation regarding the thoroughfare. Mr. Jones stated he only brought it up as a consideration and deferred to staff. Chair O'Connor closed the public hearing. Mr. Egbert made a motion to approve the amended text as presented. Seconded by Ms. Magid. The Commission voted 8-0. (Ayes: Jones, Skenes, Alford, Magid, Egbert, Peterson, Vice Chair Bryson, and Chair O'Connor; Nays: 0). Chair O'Connor advised this constituted a favorable recommendation and subject to a public hearing at the December 21, 2021 City Council meeting.

ITEMS FROM THE PLANNING AND ZONING COMMISSION:

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Chair O'Connor advised there were no more public hearing items and inquired if there were items from Planning. Mr. Kirkman advised there was none. Chair O'Connor inquired if the Commissioners had any items.

Chair O'Connor reminded the Commissioners, there will be a December meeting the week prior to Christmas and in January the meeting date falls on a holiday so the January meeting will be on Wednesday, January 19, 2022. City Council has priority and will meet on January 18, 2022. Mr. Kirkman advised this was an annual conflict because of the third Monday always falls on the MLK holiday. Ms. Skenes inquired if there was a 2022 calendar out yet. Mr. Kirkman responded staff just finished up on and it will be presented soon. Ms. Magid asked what did the December meeting look like. Mr. Kirkman noted there would be more items at the next meeting than this meeting. Some items are being clarified and he could not provide an exact count.

Mr. Egbert asked when the Commissioners see neighborhoods that are looking to build 38 houses or multi-family housing or things along those lines if staff was able to provide where food deserts and things like that are located. Mr. Egbert asked if when development was being looked at, if it was determined how far would the closest grocery store be. Was there concern regarding something being built that would be 10 miles from a grocery store. Mr. Egbert asked if the Commissioners were allowed to ask for that to be shown in the future reports.

Mr. Buansi stated the determinations that the Planning & Zoning Commission makes are based on land use and highest and best use of the property. Mr. Buansi did not know what capacity would be in terms of land use determination. Mr. Egbert stated he felt the highest and best use was where people could live comfortably and eat healthy which to him, people would have access to fresh food. Mr. Kirkman stated the broader answer would be no, staff would not be able to provide that information. Zoning information states where commercial zoning is but does not dictate what type of commercial uses would be at those locations at any single point in time. There is also not a database that indicates that specific type of use. Mr. Kirkman stated access to services was definitely a purview of the Planning & Zoning Commission. Other than base zoning information, staff does not have the capacity because that type of information is not kept for the city.

Mr. Egbert asked with the maps and all the pictures, no one could say where there were food choices. Mr. Egbert was unsure he understood the way capacity was being used. It should be fairly easy to retain that information. Mr. Kirkman responded information was not kept whether or not a commercial-medium shopping center has a grocery store in it or a retail use for instance. Staff does not have any way to track the individual uses within that zoning. Some would be obvious there would be a grocery store anchor on it. There are many newer grocery store models with a smaller footprint and staff does not have the data base to pull from and if there was one, keeping it up to date would be difficult because there is no mechanism to do that. With the Commissioners driving around the sites and obtaining an idea of what is around the site, the Commissioners could bring that up to the applicant who may be able to address that issue. Staff does not have the ability to provide the Commissioners with definitive answers on those questions. Mr. Egbert asked if when staff recommended approval, staff does not take the ease of access for people to have other things available to them into consideration. Mr. Kirkman responded not to that level of specifics. They look at sustainability in terms of size and scale with uses. Staff does try to look to understand what the context might be. Staff cannot do an analysis of that particular question.

Chair O'Connor stated the lines become blurred at some point. Driving around the site and comments from neighbors are also a tool to use. Mr. Bryson asked if it would be possible that if the Commissioners could go to a TRC meeting to observe on a broader scale what each individual department such as fire and police and how the pieces come together at one time. Mr. Bryson thought that would be the best time to ask the questions that Mr. Egbert asked. Driving around looking at the properties and see how far it would be from a grocery store.

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Mr. Kirkman stated if the Commissioners would like to participate in a TRC meeting, staff would definitely arrange for that to happen. Mr. Kirkman advised the Commissioners to let staff know of their interest and staff would attempt to coordinate individually. The Commissioners would know who the players were involved in the conversations and some of the purview that is done for consideration.

Chair O'Connor asked if the December meeting would be meeting in the same format with staff and Commissioners present and the public participating by Zoom. Mr. Kirkman responded it was their anticipation at this point. The Commission has the flexibility to do that but it would need to be advertised ahead of time and ensure the public is clear on what their participation would be. There is limited staff capacity to manage crowds in and out and it would not be like Council meeting with the hybrid format. It would have to be either everybody in the meeting room or the Commission and staff only and everyone else participating remotely. Chair O'Connor asked if at this point in time it was anticipated that this format will be maintained. Mr. Kirkman responded unless he received guidance otherwise from the Commission, it will proceed this same way. Chair O'Connor inquired if anyone had comments or further questions. Ms. Skenes stated people are being forced that may or not be computer savvy to become computer savvy so they can participate in these meetings. Council is letting people come in for their particular cases and in deference to the public, Planning & Zoning should be doing the same and allowing people to come in and speak either pro or con on the cases. Ms. Skenes felt the option should be given to come in and say what they would like to say without dealing with a computer. Ms. Skenes suggested the Commission allow the public into the public hearings on a case by case basis. Mr. Bryson asked if the Commission had staff and resources that City Council has. Mr. Kirkman responded the staff dedicated were Mr. Carter and himself. If the Commission would like to do that, staff will attempt to make additional arrangements to help with that issue. Ms. Skenes stated it would be going to the door, stating the case to be heard, the case is heard, and then they leave. Mr. Carter stated there were a lot of things going on staff side. Mr. Kirkman would be making the presentations and Mr. Carter would be working with people who are on Zoom now. There were other computer things he would be working on. Mr. Carter cautioned the Commissioners at the next meeting there could be several large agenda items and the potential for a lot of people to be in the room. Mr. Kirkman requested to hear the Commissioner's desire for the December meeting format. Chair O'Connor stated she did not want to overtax staff and would like to give the public access, if possible. The conversation appeared to be a hybrid type of meeting requiring someone to be consistently at the computer and someone available to do other things. Chair O'Connor stated she would be happy if staff could explore that possibility to determine if the Commission could do that in December. If not, would like to have it as a goal for the January meeting. Mr. Kirkman stated the guidance from the Commissioners he felt was to attempt to have the public available to speak to the Commission, if possible, for the December meeting. Mr. Egbert stated he assumed pre-Covid, people came here and everyone was safe to cover it then or was it only the three of them. Mr. Bryson added back then, no one was needed as people came in and then spoke when their case was called. Mr. Bryson stated he did not mind having the public here, but want to make sure everyone safe as possible. Chair O'Connor stated there was a middle ground as they were still talking about allowing people to participate on Zoom if they prefer. Mr. Kirkman stated there are people who have made requests to be able to access remotely and not come down to City Hall and be there for a couple of hours waiting. Mr. Jones suggested identifying the volume of speakers as someone may use up all the time, not realizing there were others wishing to speak. Chair O'Connor agreed but whether in line virtually or physically, it would be the same result. Chair O'Connor advised she was sympathetic to Mr. Bryson's statement of being safe. Ms. Magid stated safety was very important to her. It cannot be asked if people are vaccinated or not and was opposed to open meetings at this point. Mr. Jones advised he liked the current format because there was not a lot of people in the room, but willing to go either way. It appeared the Commission was split. Mr. Kirkman asked if everyone would be comfortable if staff found a way that they were comfortable and could manage it, in a hybrid

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situation where some people would participate virtually. It could be a goal for maybe in December and a hope for January, subject to whatever may happen beyond their control.

ADJOURNMENT:

Vice Chair Bryson moved to adjourn the meeting. The meeting adjourned at 6:38 p.m.

Respectfully submitted;

Sue Schwartz, Planning and Zoning Director
SC/cgs