

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
JANUARY 19, 2022**

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 January 19, 2022, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Frankie Jones, Zac Engle, Vernal Alford, Mary Skenes, Andrew Egbert, and Keith Peterson. Present for City staff were Lucas Carter, Mike Kirkman, and Sue Schwartz (Planning), Noland Tipton (GDOT), and Allen 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. Chair O'Connor then advised those participants attending would be able to view the meeting and speak when called upon. The online meeting is being recorded and televised and is also close-captioned for the hearing impaired. Mr. Buansi then advised the Planning and Zoning Commission is here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. All other concerns related to land use and conditions of the rezoning application are not germane to the determinations made by the Commission. Other concerns can be referred to Planning staff or the City's Technical Review Committee.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised Catherine Magid and Richard Bryson would not be able to attend the meeting. She also noted that Keith Peterson was not currently present at the start of the meeting but should be joining the meeting later.

APPROVAL OF THE DECEMBER 20, 2021, REGULAR MEETING MINUTES:

Chair O'Connor advised the Commission would not be approving the December minutes as there was an issue having the minutes delivered in time for consideration. Approval of these minutes will be postponed until the February meeting.

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances.

Mr. Kirkman stated for case **PL (P) 22-01 & Z-22-01-001, 4618 Hicone Road**, the applicant requested to have this case moved to the February Planning & Zoning Commission agenda to do some additional community outreach. Chair O'Connor inquired if the applicant would like to speak regarding the continuance request. Mr. Carter advised he did not see the applicant in the meeting room. Chair O'Connor inquired if there was a motion to approve the continuance. Mr. Engle moved to approved the continuance for 30 days to the next Commission meeting in February. Seconded by Mr. Alford. The Commission voted 6-0. (Ayes, Chair O'Connor, Alford, Engle, Skenes, Egbert, and Jones, Nays: 0). The motion was approved for the item to be continued until the February 21, 2022 meeting. Chair O'Connor stated as advised earlier, the Commission would have an expedited review for items that have no registered opposition. Those cases would be Z-22-003, Z-22-01-004, Z-22-01-005, and Z-22-01-006.

PUBLIC HEARINGS:

Z-22-01-003: A rezoning from R-3 (Residential Single-family-3) to CD-O (Conditional District – Office) for the property identified as 2210 East Cone Boulevard, generally described as south of East Cone Boulevard and east of Sixteenth Street, (6.51 Acres). (APPROVED)

Mr. Kirkman provided the summary information for the subject properties and surrounding properties and advised of the condition associated with the request.

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Danielle Cole with Triad Adult and Pediatric Medicine, on behalf of the owners of the property, noted the request was being made because the zip code 27405 is a medically under-served area and they felt it would be a good location to convert the existing empty school to become a medical facility for the community. Ms. Cole advised the owner of the church behind the school was in support of moving forward with this plan. Chair O'Connor inquired if there were questions or comments for Ms. Cole. Hearing none, Chair O'Connor closed the public hearing by consent and requested hear from staff. Mr. Kirkman stated this area was designated as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The rezoning request supports the Comprehensive Plan's Prioritizing Sustainability Big Idea for Greensboro to have a strong leadership role and environmental stewardship, social equity, a resilient economy, and the Growing Economic Competitiveness Big Idea in building a prosperous, resilient economy that creates equal opportunities to succeed. The proposed CD-O zoning designation, as conditioned, allows a mix of office and professional service uses that would be generally compatible with nearby residential uses. Staff recommended approval of the request.

Chair O'Connor inquired if any Commissioners had questions or comments. Hearing none, Chair O'Connor requested a motion. Mr. Engle stated regarding agenda item Z-22-01-003, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 2210 East Cone Boulevard 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 adjacent properties 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 and will benefit the property owner and surrounding community. Approval is in the public interest. Ms. Skenes seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, and Jones; 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 appeals will be subject to a public hearing at the Tuesday, February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-01-004: A rezoning from CD-RM-8 (Conditional District – Residential – Multi-family-8) to CD-O (Conditional District – Office), with a condition, for the property identified as 5859 Old Oak Ridge Road, generally described as south of Old Oak Ridge Road and east of Garden Village Way, (1.55 Acres). (APPROVED)

Mr. Kirkman reviewed the zoning map and other summary information for the subject properties and surrounding properties. Mr. Kirkman advised of the conditions related to both requests. Mr. Kirkman stated the Comprehensive Plan designates this area as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The rezoning request supports the Comprehensive Plan's Prioritizing Sustainability Big Idea for Greensboro to have a strong leadership role and environmental stewardship, social equity, a resilient economy, and the Growing Economic Competitiveness Big Idea in building a prosperous, resilient economy that creates equal opportunities to succeed. The proposed CD-O zoning designation, as conditioned, allows a mix of office and professional service uses that would be jointly compatible with the residential uses. Staff noted care should be taken with respect to building orientation, materials, height, and visual buffers to ensure an appropriate transition to the lower density eventual to be at a medium density residential uses on the adjacent properties. Staff recommended approval of the request. Chair O'Connor inquired if any Commissioners had questions or comments. Hearing none, Chair O'Connor requested Mr. Isaacson, Mr. Blackwood and Ms. Peoples to come forward.

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Mr. Isaacson, 804 Green Valley Road, Greensboro, stated that Ms. Abigail Peoples was a practicing attorney in the areas of estate planning and estate administration law and would like to move her professional practice to this property. Currently the property is a vacant residential dwelling. Ms. Peoples would retain all of the extensive landscaping around the property. Letters were sent to all of the nearby property owners with no issues expressed and folks were supportive. Chair O'Connor inquired if Ms. Peoples wished to speak and Ms. Peoples declined. Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor closed the hearing by consent and requested a motion be made. Mr. Jones stated regarding agenda item Z-22-01-004, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 5859 Old Oakridge Road from CD – RM-8, (Conditional District -Residential Multi-family-8) 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 adjacent properties 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. The request will benefit the property owner and surrounding community. Approval is in the public interest. Ms. Skenes seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, and Jones; 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 appeals will be subject to a public hearing at the Tuesday, February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-01-005: A rezoning from R-3 (Residential – Single-family-3) and C-M (Commercial -Medium) to CD-C-M (Conditional – District-Commercial – Medium for the property identified as a portion of 601 Guilford College Road, also known as 1000 Bridford Parkway, generally described as southeast of Guilford College Road and southwest of Bridford Parkway, (7.64 Acres). (APPROVED) and

Z-22-01-006: A rezoning from R-3 (Residential Single – family-3) and C-M Commercial – Medium) to CD-BP (Conditional District – Business Park) for the property identified as another portion of 601 Guilford College Road, also known as 1000 Bridford Parkway, generally described as southeast of Guilford College Road and southwest of Bridford Parkway, (22.39 Acres). (APPROVED)

Mr. Kirkman advised there were two requests before the Commission going from R-3 (Residential-Single-family-3) and C-M (Commercial – Medium). The front portion of the first request was to go to CD-C-M (Conditional District – Medium) and the back portion is requesting to go to CD-BP (Conditional District Business Park). Mr. Kirkman reviewed the zoning map and other summary information for the subject properties and surrounding properties of both areas and advised of the conditions related to both requests.

Mr. Kirkman stated the Comprehensive Plan designated these sites as Urban General, within a Neighborhood or District Scale Activity Center, and within an Urban Mixed-Use Corridor on the Future Build Form Map and Commercial on the Future Land Use Map. Both zoning requests support the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve an inventory of development sites compatible with corporate and industrial uses, and the Filling in Our Framework Goal to attract world class development to transform under-utilized sites and buildings into valued assets to compliment those surroundings. The proposed CD-C-M and CD-BP designations, as conditioned, allow a mix of uses that are complimentary to the surrounding area. Staff recommended approval of both requests. Chair O'Connor inquired if any Commissioners had questions or comments. Seeing none, Chair O'Connor inquired if the applicant wished to speak

Nathan Duggins, Tuggle Duggins, 400 Bellemeade, Suite 800, stated the applicants are very excited regarding this development. It was 52 parcels and now combined into one parcel. It will be an indoor/outdoor entertainment facility developed by people from Greenville, South Carolina who are excited about coming to the Triad. Mr.

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Duggins and others were present to answer any questions. Chair O'Connor inquired if there was anyone else who wished to speak. Hearing none, Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor closed the public hearing. Chair O'Connor inquired if there was a motion. Mr. Engle stated regarding agenda item Z-22-01-005, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as a portion of 601 Guilford College Road, (AKA 1000 Bridford Parkway) from R-3 (Residential Single-family-3) and C-M (Commercial – Medium) to CD-C-M (Conditional - District - Commercial District) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be 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 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 and will benefit the property owner and surrounding community. Approval was in the public interest. Mr. Jones seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, and Jones; 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 appeals will be subject to a public hearing at the Tuesday, February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor inquired if there was a motion for the companion case. Mr. Engle stated regarding agenda item Z-22-01-006, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as another portion of 601 Guilford College Road, (AKA 1000 Bridford Parkway) from R-3 (Residential Single-family-3) and 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 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, will benefit the property owner and surrounding community. Approval was in the public interest. Mr. Alford seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, and Jones; 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 appeals will be subject to a public hearing at the Tuesday, February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

OLD BUSINESS:

Z-21-08-004: A rezoning request from R-3 (Residential Single-family-5) 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). APPROVED

Mr. Peterson joined the meeting in progress prior to the start of this hearing.

Mr. Kirkman provided the summary information for the subject properties and surrounding properties and advised of the conditions associated with the request. Chair O'Connor inquired if there were questions for staff. Hearing none, Chair O'Connor advised the applicant's representative had up to 10 minutes to speak.

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Marsh Prause, 516 Woodlawn Avenue, advised the applicant requesting the rezoning was Walkable Lifestyle, LLC. Walkable Lifestyle is the result of collaboration between two local developers, Will Stevens and Marty Kotis, who have a track record for high quality architecture and distinctive developments throughout Greensboro. The applicants challenged themselves to conceive of and create a high-end development consistent with as many aspects of the new 2040 Comprehensive Plan as possible. This was applied to the idea of a 10-acre site with difficult topography and a stream; but sitting on a major thoroughfare to leverage it into a world class new development with a walkable mix of uses in proximity to other existing uses. A traffic study was based on a proposed mix of uses to include 100 high end apartments, approximately 40,000 square feet of retail, a single sit-down restaurant and two fast food restaurants or drive throughs. Mr. Prause displayed a flyer illustrating the concept of the apartment buildings with retail and restaurant concept below the apartments and indicated the topography of the area and noted a condition requiring high quality building materials consisting of primarily brick and glass was in place. A site plan was shown depicting where drive through restaurants would be located. There will be two access points into the development off of Battleground Avenue. The developers have met with the neighbors. One of the primary neighborhood demands was for no access, even emergency access, through the back of the site. The developers worked hard and long on obtaining the second access off of Battleground Avenue.

Mr. Prause then indicated where the apartments would be located, where the restaurants would be, and noted the rest would be retail. Pictures were shown depicting the overall site and building concepts. Mr. Prause stated Greensboro does not have a development at this level of quality or contemporary distinction. This project will be a first at this level outside of downtown Greensboro. This site will be in keeping with the Big Idea of Creating Great Spaces. The apartments are in an area consisting of numerous walkable opportunities in keeping with the Car Optional Big Idea concept. This area is designated both as Residential and Commercial and appropriate for hybrid mixed uses and is perched on the edge of a district scale activity center and designated urban general. There have been extensive and ongoing neighborhood communications for approximately one year. The most important condition was providing all of the access be on Battleground Avenue. Written commitments have been written to the neighbors beyond the zoning conditions provided by the applicants at a level of detail that was not appropriate for a zoning condition but were indicative of the client's dedication to working with neighbors. Mr. Prause requested Mr. Bolins to speak

Michael Bolins, 2120 Church Hill Drive, stated Will Stephens had been an exceptional good neighbor. Mr. Stephens hosted an impromptu meeting notifying the neighborhood of his intentions for what was intended with the property and has provided communications to Mr. Bolins and all of the neighbors directly impacted on the area of Church Hill. Mr. Bolins stated Mr. Stephenson kept everyone abreast of the situation and informed the neighborhood of any setbacks and other things happening regarding the Battleground Avenue access. Mr. Stephenson made an early commitment to the group that Tennyson Drive would be closed once the site construction access was in and at his own expense removed a number of trees that endangered Mr. Bolins' home and other neighbors. Mr. Bolins felt the applicant has done an incredible job and was very appreciative of everything that had been done. Mr. Bolins stated the neighbors on Church Hill Drive were in favor of walkable access. All of the homes are directly impacted, and the homes across from Mr. Bolins were in favor of a walkable access. Mr. Bolins felt it was short sighted by those not in favor as Battleground Avenue would be changed to 6 lanes with sidewalks and a one-way access when leaving from Downey onto Battleground, with no turn to the left to the High Grounds site and other properties. Chick Fil A has created an extremely nice walkable access. Mr. Bolins stated they were supportive of this request and what is being done. Chair O'Connor inquired if there were any other comments in favor of this request. Hearing none, Chair O'Connor requested Elizabeth McDaniel to come forward and speak in opposition to the request.

Elizabeth McDaniel 2005 Tennyson Drive, Greensboro. Ms. McDaniel stated her issue was the Commercial Medium allowing Sexually Oriented Businesses that would be directly abutting their neighborhood. There has

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never been a scenario where that type of business improved property values. Ms. Daniel advised she had been told there was a request to exclude Sexually Oriented Businesses that was not accepted by the developers and very concerned as to what is intended to be placed as businesses in that area. Due to the size of the property, the developer would never have to come back before the Planning & Zoning Commission to move those type of businesses on to the property. The assumptions are 1,000 feet from a public park and 1200 feet from an existing Sexually Oriented Business and with 10 acres of land, it would be very easy to obtain that. There is nothing to stop this property from going downhill later. There are multi-use zonings that would allow the developer to do this development and very specifically exclude Sexually Oriented Businesses. Ms. McDaniel felt that would be a more appropriate zoning that would allow the developer to develop the property and also protect the neighborhood currently and in years to come. Ms. McDaniel felt once the zoning goes through, there is nothing to prevent Sexually Oriented Businesses moving in. This would be the big chance to protect the neighborhood. Chair O'Connor inquired if there was anyone else to speak in opposition to this request.

Justin Andrew, 2117 Church Hill Drive, requested the Commission support the revised conditions the applicant submitted for this project; He stated 191 owner occupied residences of British Woods Neighborhood Association had also signed a petition requesting disconnection from the property if rezoned which was submitted to the Commission. It is the only petition that surveyed the British Woods neighborhood. Core neighbors met with the developers and Mayor Nancy Vaughan, their Council Representative and City zoning staff to discuss access into British Woods that was part of the applicant's original submitted conditions. The developers were very willing to meet with the British Woods neighbors to achieve an equitable solution serving the GSO 2040 Comprehensive Plan, meets the needs of the developers, protects the integrity of the neighborhood, and provided much needed improvements to British Woods Park. There was a letter of understanding provided by the developers regarding the initial traffic necessary to build their construction access on to Battleground Avenue. Safety parameters will be provided on their activities to the neighborhood. A copy of that letter was submitted with the petition. Mr. Andrew requested the Commission to support and approve the revised conditions with the application as submitted to provide the permanent disconnection of the property from the residential neighborhood. Chair O'Connor inquired if there were any other speakers in opposition. Seeing none, Chair O'Connor inquired if there were questions from any of the Commissioners to the speakers. Chair O'Connor then advised there was a 5-minute timeframe for both sides to speak in rebuttal.

Mr. Prause stated Sexually Oriented Businesses are extremely highly regulated. Based on the review of the regulations, the clients did not believe that they would be allowed at this site because of the park separation requirement and the residential separation requirement. A condition for those or anything prohibited by the development ordinance's use standards would be determined by staff as something that could not happen. The developers listened to the neighborhood when a majority of neighbors advised they did not want pedestrian traffic coming back and forth into the neighborhoods from the development and complied with that request. The opponents are not attacking the overall concept of the project. The lack of opposition is striking. Mr. Prause asked the Planning & Zoning Commission to consider all of the different ways in which this development is consistent with the Comprehensive Plan. This is a great location this development, and tis important to Greensboro's future. Chair O'Connor inquired if there was anyone else to speak in rebuttal or in favor. Hearing none, Chair O'Connor inquired if there was anyone to speak in opposition rebuttal.

Elizabeth McDaniel, asked if it was true that the developer could not possibly ever put a Sexually Oriented Business on that land. Mr. Kirkman responded it had to do with how the measurement is calculated. The measurement for separation from a Sexually Oriented Business use is considered a property line separation. So the measurement would start at the edge of the property and measure out from there the 1,000 feet to adjacent residential lots, the park or the school use. Despite the fact the site is very large, the measurement is from the edge of the property. So a Sexually Oriented Business could not locate on this site due to being in the immediate proximity of residential zoning and a public park. Chair O'Connor inquired if there was anyone else in opposition.

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Justin Andrew stated this request would improve British Woods Park, the walkable lifestyles development would be appropriate and a big part of getting the access onto Battleground and British Woods Park which is necessary. Mr. Jones asked Mr. Andrew from his perspective, why he signed up in opposition as opposed to being in support. Mr. Andrew responded in his initial appeal to the neighbors and the city, he expressed he was not opposed to the development of the property and felt this development would be a nice asset to the area. His opposition was not to allow the rear of a commercial parking lot direct access into their neighborhood and he did not oppose the entire project. Mr. Andrews was only speaking for himself in favor of or opposing the project. Mr. Andrews stated he was in support of the project with the conditions in place. Chair O'Connor inquired if there were other questions. Mr. Egbert asked since Ms. McDaniel learned there could not be an adult establishment put in there, if Ms. McDaniel was withdrawing her objection to what is happening there. Ms. McDaniel responded if that was the case that there was absolutely no way a Sexually Oriented Business can ever be put in that property and with the conditions that Mr. Andrews arranged to have with no access to the neighborhood, she would withdraw her objection. Chair O'Connor inquired if there were any further questions. Mr. Engle stated he was very impressed in general and felt it was the model of what the Planning & Zoning Commission would want to see happen, especially one that has had this much conversation and collaboration with great results. Mr. Engle advised he would be supporting this request and was excited to see it built and that the neighborhood was existing which was an outstanding effort by both the neighborhood and the developer. Chair O'Connor inquired if there were other Commissioners who wished to speak.

Mr. Egbert stated regarding agenda item Z-21-08-004, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 3521 Battleground Avenue and 2210 Tennyson Drive 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 requested CD-C-M zoning district, as conditioned, limits negative impacts on adjacent properties and permits uses which fit the context of the surrounding area; (3.) The request is reasonable due to the size, physical conditions, other attributes of the area, and will benefit the property owner and surrounding community. Approval is in the public interest. Mr. Engle seconded the motion. The Commission voted 7-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, Jones, and Peterson; 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 appeals will be subject to a public hearing at the February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

NEW BUSINESS:

Z-22-01-002: A rezoning request from CD-RM-5 (Conditional – District – Residential Multi-family -5) to R-3 (Residential Single-family-3) for the property identified as 1807 and 1809 New Garden Road, generally described as northwest of New Garden Road and east of Will Doskey Drive, (4.8 Acres). (APPROVED)

Mr. Kirkman reviewed the zoning map and other summary information for the subject properties and surrounding properties. Chair O'Connor inquired if there were questions from the Commissioners for staff. Hearing none, Chair O'Connor requested the applicant to come forward.

Beverly S. Henson. 3401 Smoke Tree Drive, stated her and her husband wanted to build a single-family home on the lot. Chair O'Connor inquired if there was anyone else to speak in favor of the request. Seeing none, Chair O'Connor stated there was a Crystal Davis registered in opposition.

Crystal Davis, 3800 Plantation Drive, advised she was not in opposition. Ms. Davis had been under the impression it would be multi-family homes and wanted to ensure sure the stream would be retained and no building would affect the stream abutting Ms. Henson's property. Chair O'Connor inquired if there was anyone

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else in opposition to this request. Beverly Henson, stated they will not be building near the stream and want to stay away from any water source. Chair O'Connor inquired if Ms. Davis would like to speak in rebuttal. Chair O'Connor inquired if there were any questions or comments from the Commissioners. Chair O'Connor closed the public hearing by consent. Chair O'Connor requested to hear from staff.

Mr. Kirkman advised this site was part of the New Garden Road Strategic Plan and the Future Land Use Map designates the subject parcels as Low Residential. The zoning request supports the Comprehensive Plan's Creating Great Places Big Idea to protect and enhance the unique character in the neighborhood. The proposed R-3 zoning district is generally intended to accommodate low density, single family detached residential development. The zoning allows uses that are compatible with the existing uses and surrounding area, and permits residential densities compatible with the New Garden Road Strategic Plan. Staff recommended approval of the request. Chair O'Connor inquired if there were questions or comments from the Commissioners for staff. Mr. Engle stated the land was zoned multi-family with a condition that they could build up to 22 units on the property. The Commission was actually doing a "down zoning" of this property. The Planning & Zoning Commission only decides if it would be multi-family or single-family or otherwise. Chair O'Connor requested Mr. Egbert to make the motion. Mr. Egbert stated regarding agenda item Z-21-01-002, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as a portion of 1807 and 1809 New Garden Road from CD-RM-5 (Conditional District - Residential - Multi-family-5) to R-3 (Residential Single-family-3) to be consistent with the 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 R-3 zoning district, allows uses that are compatible with existing uses in 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. Mr. Peterson seconded the motion. The Commission voted 7-0, (Ayes: Chair O'Connor, Alford, Engle, Skenes, Egbert, Peterson and Jones; 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 appeals will be subject to a public hearing at the February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-01-007: A rezoning from R-3 (Residential - Single-family-3) to CD-RM-12 (Conditional District - Residential Multi-family-12) for the properties identified as 3601 - 3605 Lewiston Road, generally described as northwest of Lewiston Road and northwest of Oneida Road, (8.299 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. Chair O'Connor inquired if there were any questions. Chair O'Connor requested the applicant to come forward.

Brad Deaton, 1400 Battleground Avenue, provided background on Trinterra Company established in 2001 and a locally owned land acquisition and development company. Mr. Deaton referred to the two current projects being developed and built by his company. The proposed community for this site will have approximately 65 to 85 townhomes. The parcel is 8.29 acres and with less than 100 units, a TIA was not required. The adjacent piece north of the property is common area from the Bridleton Ridge development currently being built. One single family home is in the middle of the two common areas and this project will abut the current project. The applicant stated this project meets the Comprehensive 2040 Plan and located in an area designated for residential development. Information was provided noting that single-family residential permits had increased, as well as high-end multi-family apartments. The one area that had dropped was the middle group of housing such as townhomes and this project is a townhome project that will help to meet the middle area. Letters were sent out within the 600-foot requirement. An additional 34 emails with the letter attached advising of the project, were sent to the community residents of Bridleton Ridge sub-division. A Zoom meeting was held on January 5, 2022. One

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property owner participated in the meeting who asked how many units and was advised there would be between 65 and 85 townhomes. The entrance will be located on the straight section of Lewiston Road, along the southwest portion of the subject property. The applicants are working with the City of Greensboro's Transportation Department to determine the exact location for a safe site distance. The third question was how to ensure minimum destruction along Lewiston Road. As part of this project, the applicant is required to widen Lewiston Road which will allow for a left turn into the property and provide a smooth transition for cars going south, cars driving by and cars turning left into the property. A slide was depicted indicating single-family homes and townhomes representing what the applicant would continue doing in building high quality development. Chair O'Connor inquired if there were questions for Mr. Deaton. Chair O'Connor inquired if there were any other speakers in favor of the request. Seeing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request. Chair O'Connor closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the Comprehensive Plan designates this property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. The proposed rezoning 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-12 district, as conditioned, allows land uses compatible with a variety of residential uses in the surrounding area and expanding housing choices in close proximity to a major thoroughfare. Staff recommend approval of this request.

Mr. Jones stated there was only one condition, dealing with the exterior materials and asked when someone is obtaining a multi-family rezoning and are proposing to use a specific product such as townhomes, what tied the applicant to that if that was not a condition. Mr. Jones stated in reading the application, the applicant would not be prevented from doing other things as long as they fell within the number of units per acre limitation. Mr. Kirkman responded that was correct. It would allow all types of residential uses, single family dwellings all the way up to apartment buildings under the CD-RM-12 zoning. Mr. Jones stated he was only thinking with respect to other projects the Planning & Zoning Commission may see. Based upon the location of this project and what this developer has done previously, Mr. Jones did not doubt the applicant moving forward with their stated plans or in supporting this application. Mr. Kirkman responded it was an excellent point and is what the Commission is charged with doing in evaluating the application as presented to them with all options available.

Chair O'Connor felt that it was a valuable observation because it is a proposal and did not mean that would necessarily be the result as long as whoever builds is within the guidelines. Chair O'Connor inquired if there were questions or comments from the Commissioners. Ms. Skenes shared Mr. Jones concerns. This is a project with few conditions and at 8.299 acres is just under the required TIS threshold at 99.5. Ms. Skenes advised she was more concerned regarding the traffic. Traffic is not a Planning & Zoning Commission issue and is a city issue. Ms. Skenes advised there is an ugly curve and was very concerned about the access onto Lewiston with the density the way it is. Ms. Skenes would have liked to have seen a density conditions and more conditions provided for a comfort level to what the applicants ultimately will build as they are not tied into it. Ms. Skenes was concerned over the lack of conditions. Chair O'Connor inquired if there were any other questions or comments. Mr. Engle agreed with Ms. Skenes and was unsure if it was enough for him to oppose but was concerned with the conditions. Mr. Engle stated he would have felt more comfortable, given the curve and where they're going, if had been better done and advised he was leaning toward voting for it. Mr. Egbert asked if the concerns stated were things the Commission could take into consideration to object or was staff approval enough. Mr. Kirkman stated the applicant spoke to a specific project and the Commission is charged with whatever could be allowed if the zoning is approved and where the discussion arose. The general discussion appears to be around other types of development that could be done as part of that.

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Noland Tipton, GDOT, advised GDOT met with Mr. Deaton at the site and access was discussed. GDOT does check the site to determine if the signs are appropriate for the speed and attempts to ensure a person is able to see as much as possible. The widening would impact the curve and become a little easier to see around it. For multi-family, the threshold is approximately 146-47 units before there would be a TIA study. Single family residential is more in the '90s. Chair O'Connor inquired if there was anything else from staff or the Commissioners. Hearing none, Chair O'Connor requested a motion.

Mr. Engle stated regarding agenda item Z-22-01-007, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as a portion of 3601-3605 Lewiston Road, from R-3 (Residential-Single family-3) to CD-RM-12 (Conditional District-Residential-Multi-family-12) to be consistent with the GSO 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 that fit the context of the surrounding area and limits negative impacts; (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. Mr. Jones seconded the motion. The Commission voted 7-0, (Ayes: Chair O'Connor, Alford, Engle, Egbert, Jones, Peterson and Ms. Skenes; 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 February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-01-008: A rezoning from R-3 (Residential Singel-family-3) to CD-RM-12 (Conditional District – Residential Multi-family-12), with conditions, for the properties identified as 605 Whitfield Drive (south of Whitfield Drive and west of Bell Orchard Drive), generally described as south of Whitfield Drive and west of Bell Orchard Drive, (2.25 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. Chair O'Connor inquired if there were any questions for staff. Chair O'Connor requested the applicant to come forward.

Judy Stadler, 115 West Gate Drive, advised Jeff Jackson of Jackson Investors was also available to answer questions. Ms. Stadler stated the condition shown by Mr. Kirkman was not the condition that goes with their property, their condition was that it would be residential uses only. Mr. Jones confirmed the wording "Limited to single-family and townhouse units." was the condition. Ms. Stadler responded that was correct. Ms. Stadler stated this area was a mix of housing with both older single-family homes and recently developed townhomes and apartments. Staff provided a thorough summary in the report of how this request is in conformance with the Comprehensive Plan, the Future Land Use Map, the Future Built Form Map, and the Sustainability Action Plan. Ms. Stadler stated they were asking for CD-RM-12, the same zoning as the property adjacent to the west. and will be developed with this property and noted on the sketch plan. Ms. Sandler presented a sketch plan depicting that property zoned CD-RM-12. Townhomes will be built in the same style and density as the development on the north side of Whitfield approved in January of 2021. That request was appealed to Council and Council unanimously approved the rezoning. This property is infill development and they are looking for a balance of more density without overwhelming the single-family homes original to this neighborhood and the one single family home adjacent to the south of this property. The Land Development Ordinance provides the framework this could be done without overwhelming the single -family homes. It will require a C type buffer adjacent to the single-family homes and protection of the water shed and creek, delineated on the sketch plan west of the adjacent property. Across from the two properties, there will be approximately 31 townhomes. The density would be less than 7 units per acre. This moderate increase in density is to provide more housing in a pedestrian friendly area and the reason why this development meets so many of the goals of the Comp Plan. Many of the neighbors within

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this area walk for exercise. There will be opportunities to walk to restaurants and shopping at the commercial development center at the intersection of North Elm Street and Pisgah Church Road. Ms. Stalder advised letters were sent property owners within 750 feet of this property, inviting them to a citizen information meeting. Three neighbors attended the meeting who lived adjacent to the development on the north side of Whitfield Drive. Those neighbors expressed their concerns on how many homes, which will be 31 or less across the two properties. The CD-RM-12 zoning request is to match the adjacent property that will be developed with individually owned townhomes. Ms. Stalder advised the access points will be on Whitfield Drive. Chair O'Connor asked if Mr. Jackson wished to speak in favor of this request, which he declined. Chair O'Connor requested those speaking in opposition to come forward. Seeing none, Chair O'Connor closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the Comprehensive Plan's Future Built Form Map designates this property as Urban General and as Residential on the Future Land Use Map of the Comprehensive Plan. The proposed rezoning 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, and the Building Community Connections Goal to maintain stable, attractive, and healthy places to live and raise families. The CD-RM-12 zoning district, as conditioned, allows land uses compatible with the variety of residential uses in the surrounding area while expanding housing choices. Staff recommended approval of the request. Mr. Carter advised David Rominger was in the meeting room and had signed up before noon and Mr. Carter had added him to the distribution list. The public hearing is closed but technically Mr. Rominger signed up in time to speak and was present. Chair O'Connor inquired of Mr. Rominger if he wished to speak. Mr. Carter advised Mr. Rominger sent a message he was having trouble with his microphone. Chair O'Connor requested Mr. Rominger to attempt to speak. Mr. Carter advised Mr. Rominger stated "it seems to be a bit of an increase of 3-12 homes per acre". Mr. Carter stated it appeared Mr. Rominger was concerned regarding the requested density. Chair O'Connor thanked Mr. Rominger for adding the comment via chat. Chair O'Connor inquired if there were further comments as the public hearing has been reopened and advised Ms. Stadler could speak in rebuttal.

Mr. Buansi stated if there would be additional public comment, procedurally there should be a vote to reopen the public hearing since it was closed. Mr. Buansi asked if there was going to be more public comments. Chair O'Connor requested a motion to reopen the public hearings. Mr. Engle moved to reopen the public hearing. Second by Mr. Alford. Chair O'Connor stated with no objection, the Commission would reconsider the comment read into the record and go back to a possible rebuttal from Ms. Stadler. Mr. Carter stated Mr. Rominger also stated "a previous increase from 3 to 8 was significant enough and overwhelming to the property owners." Chair O'Connor requested Ms. Stadler to speak.

Ms. Stadler stated the CD-RM-12 zoning was chosen because the adjacent property is CD-RM-12 and will be part of this development as shown on the sketch plan. The overall density will be approximately 7 units per acre. It may feel overwhelming to have townhomes adjacent to single family homes, but this is urban zoning. The homes currently there were built when they were in the county and are now in the city limits. Seven units per acre is a compromise. It is unfortunate that it has to be named CD-RM-12 in order include both properties. Chair O'Connor inquired if there was any other rebuttal. Chair O'Connor inquired if there were any further comments in opposition as a rebuttal. Mr. Carter stated Mr. Rominger added "traffic was a concern before and it certainly is now."

Chair O'Connor closed the public hearing with no objections and requested to hear once again from staff. Mr. Kirkman stated the Comprehensive Plan's Future Built Form Map designates this property as Urban General and is designated as Residential on the Future Land Use Map of the Comprehensive Plan. The proposed rezoning request 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

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families. The CD-RM-12 zoning district, as conditioned, allows land uses compatible with the variety of residential uses in the surrounding area while expanding housing choices for the city. Staff recommended approval of the request. Chair O'Connor inquired if there were questions or comments for staff. Seeing none, Chair O'Connor inquired if there was a motion. Mr. Engle stated he was in support of this request and understood the neighbors' perspective. The density meets the character of the area and the proximity to the new highway and activity centers on Elm Street appear to be a good fit. Mr. Jones stated he lived at the tail end of Baylor Street and was good with this property type. The uses are entirely consistent with the character of the area and was in support of the request. Mr. Engle stated regarding agenda item Z-22-01-008, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 605 Whitfield Drive from R-3 (Residential-Single-family-3) to CD-RM-12 (Conditional District- Residential Multi-family-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 that also fit the context of the surrounding area and limits negative impacts; (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. Ms. Skenes seconded the motion. The Commission voted 7-0, (Ayes: Chair O'Connor, Alford, Engle, Egbert, Jones, Peterson and Ms. Skenes; 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 February 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM PLANNING & ZONING DEPARTMENT

Mr. Kirkman advised staff did not have any items and thanked the Commissioners for their flexibility with the meeting format.

ITEMS FROM PLANNING & ZONING COMMISSIONERS

Mr. Alford commended Chair O'Connor, Vice Chair Bryson and everyone on the Commission and staff for stream lining this agenda. He noted two years ago, this meeting would have been much longer. Mr. Alford appreciated the work to stream line and felt it also helped the public community. Chair O'Connor stated she felt there has been progress made, but felt there were probably other details that the Commission and staff could improve in the future. Some procedures in the process have not been reviewed for many years. It was hoped to have other proposals for this meeting, but it was realized it will be more comprehensive and will take more time. Chair O'Connor stated staff's dedication and willingness to shepherd the Commission and particularly in bad weather situation and date changes, was much appreciated. Chair O'Connor stated everyone working together has made a difference and appreciated everyone's participation. Mr. Jones asked if the February meeting would be remote or in person. Mr. Kirkman responded at this point in time it was unknown. It is the goal to have everyone back in to Council Chambers as part of the normal operation.

ADJOURNMENT:

Chair O'Connor moved to adjourn the meeting. The meeting adjourned at 9:05 p.m.

Respectfully submitted;
Sue Schwartz, Planning Director SS/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, February 21, 2022, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Catherine Magid, Richard Bryson, Vernal Alford, Zac Engle, and Mary Skenes. Present for City staff were Lucas Carter and Mike Kirkman (Planning), Noland Tipton (GDOT) 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. Chair O'Connor advised those participants attending would be able to view the meeting and speak when called upon. The online meeting was being recorded and televised and was also close-captioned for the hearing impaired. Chair O'Connor expressed her gratitude to Mr. Frankie Jones, who resigned from the Commission to accept an appointment to the County Commission. Mr. Buansi advised the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. All other concerns not related to land use and conditions of the rezoning application are not germane to the determinations made by the Commissioners, but can be referred to the Planning Department or Technical Review Committee as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised Andrew Egbert and Keith Peterson were both absent from the meeting. Chair O'Connor requested consent of the approved absences and the absences were approved by consent.

APPROVAL OF THE DECEMBER 20, 2021 and JANUARY 19, 2022, REGULAR MEETING MINUTES:

(Approved)

Ms. Magid abstained from the January meeting minutes as she was not present. Mr. Bryson was not present at the January meeting either and abstained. Chair O'Connor requested approval of the December minutes first. Mr. Engle moved to accept the December meeting minutes as presented. Second by Mr. Bryson. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays, 0). Mr. Engle then moved to approve the January minutes. Second by Mr. Alford. The Commission voted 4-0-2. (Ayes: Chair O'Connor, Alford, Engle, and Skenes; Nays, 0; Abstain: 2- Magid and Bryson).

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were withdrawals or continuances. Mr. Kirkman advised there were no withdrawals or continuances. He then noted there were several items that did not have opposition and were eligible for the expedited agenda. Mr. Kirkman stated there were a total 4 items recommended by staff with no one signed up in opposition. The items were PL(P)22-01 & Z-22-01-001, 4618 Hicone Road, an annexation and original zoning; item PL(P) 22-02 & Z-22-02-002, 3901 US Highway 29 North (AKA 3901 North O'Henry Boulevard, an annexation and original zoning; PL(P) 22-04 & Z-22-02-005, 3610 McConnell Road, an annexation and original zoning; Z-22-02-006, 1902 Westridge Road, a rezoning.

NEW BUSINESS:

PL(P) 22-01 & Z-22-01-001: An annexation and original zoning from County CZ-MXU (Conditional Zoning – Mixed Use) to City CD-C-M (Conditional-District – Commercial Medium) for the properties identified as 4618 Hicone Road, generally described as south of Hicone Road and west of Pearview Drive (0.73). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates

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this site as Urban General on the Future Built Form Map and both Residential and Commercial on the Future Land Use Map. Staff has concluded the request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates ample 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 district allows all uses, permitted in the C-M district, except coffee shops and any use with a drive through facility and allows uses that compliment uses that already exist in the surrounding area. Staff would note care should be given to the orientation of the development to limit potential negative impacts of noise, traffic, and light trespass on adjacent residential uses. Staff recommended approval of the requests. Chair O'Connor inquired if the applicant was present to speak.

Sean Powell, 53 Wilmington Avenue, Gibsonville, NC, advised this area was in a Tier 1 growth area and surrounded by the City of Greensboro. The request will improve the property and make a positive addition to the state of Greensboro. Chair O'Connor inquired if there were questions from the Commissioners or comments. Hearing none, Chair O'Connor closed the public hearing by consent. Mr. Engle then moved to approve the annexation. Seconded by Ms. Magid. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays, 0). Mr. Engle then stated regarding agenda item Z-22-01-001, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 4618 Hicone Road from County CZ-MXU (Conditional Zoning – Mixed Use) 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 proposed CD-C-M zoning district, as conditioned, limits negative impacts on the adjacent properties 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. Ms. Skenes seconded the motion. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays, 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March 15, 2022, City Council meeting.

PL(P) 22-02 & Z-22-02-002: An annexation and original zoning from County RS-30 (Residential Single-family) to City R-3 (Residential Single-family-3), for the property identified as 3901 North O'Henry Boulevard, generally described as east of McCoy Street and northwest of US Highway 29, (0.51 Acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised there were no conditions associated with the request. He then 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 request is consistent with the Comprehensive Plan's Creating Great Places Goal for expanding 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 R-3 zoning is primarily intended to accommodate low density, single-family detached residential development of up to 3 units per acre and allows uses that are similar to the existing uses in the surrounding area. Staff recommended approval of the requests. Chair O'Connor inquired if the applicant was present to speak. Mr. Kirkman advised the applicant had an interpreter working with him for this case. Chair O'Connor inquired if the interpreter would speak on behalf of the applicant. Mr. Carter advised he did not see the applicant in the meeting room but Elizabeth Thomas, the interpreter, was in the meeting room. Mr. Carter advised if there were questions about this request, she could answer those. Chair O'Connor inquired if the Commissioners had questions

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regarding the application. Seeing none, Chair O'Connor closed the public hearing and requested if there was a motion.

Mr. Alford moved to approve the annexation. Second by Ms. Magid. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays, 0). Mr. Alford then stated regarding agenda item Z-22-02-002, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 3901 North O'Henry Boulevard, from County RS-30 (Residential Single-family-30) 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 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. Ms. Magid seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and is subject to a public hearing at the Tuesday, March 15, 2022, City Council meeting.

PL(P) 22-04 & Z-22-02-005: An annexation and original zoning application from County AG (Agricultural) to City CD-LI (Conditional District – Light Industrial) for the property identified as 3610 McConnell Road, generally described as south of McConnell Road and east of Stanfield Road, (3.53 Acres). (RECOMMENDED APPROVAL)

Mr. Kirkman provided the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman noted the proposed condition was the same as the property immediately to the east, also zoned CD-LI. Mr. Kirkman stated the Comprehensive Plan designated this site as Industrial and Planned Industrial District on the Future Build Form Map and Future Land Use Map. The original zoning request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous and resilient economy that creates equitable opportunities to succeed, as well as the Comprehensive Plan's Prioritizing Sustainability Goal to increase economic resilience, and expand the local economy's ability to withstand and adjust to disruptions and changes at the regional, national, and global scales. The proposed CD-LI district allows a variety of warehouse and distribution uses and limited manufacturing and assembly uses, which in their normal operation have little or no adverse impact upon adjoining properties. Staff noted care should be taken with respect to building orientation, materials, height, and visual buffers to ensure appropriate transitions to nearby lower density residential uses. Staff recommended approval of the requests. Chair O'Connor requested Mr. Isaacson to come forward to speak

Marc Isaacson, 804 Green Valley Road, Greensboro, stated this request was an example of the way the process works. Their client was able to speak to the property owner during the previous original zoning process for the adjoining property which City Council rezoned and annexed with Light Industrial zoning for a logistics facility. During that process, this property owner spoke up that he was interested in selling his property and his client and the owner were able to reach an agreement on all of the terms. This property will now be incorporated into the existing project and provide additional development flexibility, and should work out for this growing area for distribution facilities within Greensboro. Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor closed the public hearing by consent and requested a motion. Ms. Skenes made a motion to approve the annexation request. Mr. Engle seconded the motion. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Ms. Skenes then stated regarding agenda item Z-22-02-005, 3610 McConnell Road, from County AG (Agricultural) to City CD-LI (Conditional

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District – Light Industrial) the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the original zoning request 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, limits negative impacts on adjacent properties 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 and will benefit the property owner and surrounding community. Approval is in the public interest. Second by Mr. Engle. The Commission voted 6-0, (Ayes: Chair O’Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Chair O’Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March, 15, 2022, City Council meeting.

Z-22-02-006: A rezoning from R-3 (Residential – Single-family-3) to CD-O (Conditional – District-Office) for the property identified as 1902 Westridge Road, generally described as southeast of Westridge Road, and southwest of Nathaniel Road, (0.39Acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. He then stated the Comprehensive Plan’s Future Built Form Map designates this property as Urban General and also located within a Neighborhood or District Scale Activity Center. The Future Land Use Map designates this property as Residential. Staff concluded the request is consistent with the Comprehensive Plan’s Sustainability Big Ideas for Greensboro to have a strong leadership role in environmental stewardship, social equity, and a resilient economy and the Growing Economic Competitiveness Big Idea to build a prosperous and resilient economy and create equitable opportunities to succeed. The proposed CD-O designation, with conditions, allows a mix of office and professional service uses generally compatible with adjacent residential and commercial uses. Staff noted care should be taken with respect to building orientation, materials, high and visible buffers to ensure an appropriate transition to lower density residential uses on adjacent properties. Staff recommended approval of the request. Chair O’Connor stated Karen Bolyard and Keely Speas were registered to speak.

Karen Bolyard, 6328 Popular Forest Drive, Summerfield stated there were handwritten notes sent to all the neighboring communities and homes within 600 feet explaining what was being proposed. Ms. Bolyard also provided her contact information and encouraged questions and/or concerns. Ms. Bolyard stated she had not received any comments or concerns from anyone. Chair O’Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O’Connor closed the public hearing by consent and inquired if there was a motion. Ms. Magid stated regarding agenda item Z-22-02-006, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 1902 Westridge 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 adjacent properties 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 Mr. Bryson. The Commission voted 6-0, (Ayes: Chair O’Connor, Alford, Engle, Magid, Skenes, and Bryson; 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 Tuesday, March, 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-22-02-001: A rezoning from R-3 (Residential Single – family-3) to CD-LI (Conditional District – Light Industrial, with conditions, for the properties identified as a portion of 8625 McGuire Road, 8627-8629 McGuire Road, and 210 Krusinski Lane, generally described as south of McGuire Road and east of Gray Wilson Road, (6.18 Acres). (DENIED)

Mr. Kirkman provided the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman advised staff received an email prior to the meeting from the attorney's applicant asking to amend condition #1. The operation of the wood chipping machinery would now operate only from 8:00 a.m. to 5:00 p.m., Monday through Friday if the condition was accepted. Mr. Kirkman asked the Commission to accept that condition. Mr. Engle moved to accept the condition as offered. Seconded by Mr. Alford. The Commission voted 6-0 (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Chair O'Connor stated there would be up to 10 minutes for persons supporting the request, followed by 10 minutes for anyone in opposition to the request. Chair O'Connor advised Chuck Winfree was registered to speak in favor of the application.

Chuck Winfree, 100 S. Elm Street, Suite 430, Greensboro stated he represented Mr. Roberson, who was also present. Mr. Winfree advised the application was filed to bring the property into compliance. Mr. Roberson spoke with several of the property owners and based on those conversations and the concern expressed regarding noise at night and weekends, the change to limit the use of the louder chipping equipment from 8:00 a.m. to 5:00 p.m. Monday through Friday, was submitted. He noted this property was closer to downtown Kernersville than to downtown Greensboro. The long-range plans of the 2040 Comprehensive Plan and the Western Area Plan call for this area to be employment creating commercial or industrial uses. The applicant believes this property is compatible with the general character of the area. Mr. Winfree referred to a photograph depicting the property of Mr. Roberson. The application did not include a residential building on the property and he would occupy the building as his residence in the future. Another photograph was shown depicting a schematic for illustrative purposes depicting the plans of the property. The bottom of the picture indicated an area zoned for a buffer between this property and some of the adjoining residential uses with approximately a 45-foot buffer between those lots and the applicant's property. Concrete areas were depicted on the screen, along with a detention pond and other areas to be used as a buffer to be in compliance with the Development Ordinance for this particular use. The applicant believes this application is an appropriate use and would allow Mr. Roberson to continue to use this property for economic development and his own commercial use. Mr. Roberson was available to answer any questions. Chair O'Connor inquired if there was anyone else to speak in favor of the application. Hearing none, Chair O'Connor inquired if there were questions from the Commissioners. Mr. Alford stated that the area was identified for industrial but the application stated he was moving in as a resident, so he asked to clarify the address of that residential property. Mr. Winfree responded 8625 McGuire Road, noting it was a portion of the existing lot because there was approximately .8 acre being kept back for the residence. Chair O'Connor inquired if there were any other questions. Seeing none, Chair O'Connor requested those speaking in opposition to identify themselves and provide their address.

Joy Coverdale, 8620 McGuire Road, Colfax, stated she lived directly across the street from the possible rezoned area and Mr. Roberson's other residence was currently vacant. Ms. Coverdale stated her main concerns were noise as there is no buffer between the front of her home and where the grinder will be. Ms. Coverdale works from home and it could be quite noisy. The other concern was a dead-end road directly across the street from her. Ms. Coverdale felt she would never be able to sell her home and this would affect the value. Chair O'Connor inquired if there was anyone else wishing to speak in opposition.

Neil Minor, 614 Gray Wilson Road stated he had recently purchased .9 acres at this location. His contractor had permits to build a single-family home there. When the property was purchased, Mr. Minor did not know about this issue and would not have purchased the property. Wood chippers are very noisy and would be something that would

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drive the neighbors crazy. Along with Mr. Minor, the neighbors are dead set against the noise from the wood chipper. Mr. Minor stated when he moved there, had no idea this type of business would come into the neighborhood. Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Seeing no one else to speak in opposition, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Winfree stated this use has been there for approximately 3 years. The plan is to bring this site into compliance with City ordinances. Those who visited the site observed it is not anything installed recently. Mr. Winfree stated the applicant was attempting to bring the property into compliance with the City's Development Ordinances. Mr. Winfree was confused by the assertion of someone who recently brought land they were not aware of this request. The long-range plan for this property was to be industrial commercial property. It is about as sparse as you can get in the City of Greensboro as far as density and residential uses. The applicant and Mr. Winfree respectively submitted they are doing their best to minimize impact and noise as best they can. The hours of operation are limited. There will be every effort to minimize impact to all of the neighbors. There are adequate conditions that address the concerns raised. Seeing no other speakers in favor of the request, Chair O'Connor advised the opposition had the opportunity for up to 5 minutes of rebuttal.

Neil Minor, stated even though it is in the corner of Colfax and Greensboro, they are paying city and county taxes. They deserve the same amount of protection from noise ordinances and things as anyone who would live on Friendly Avenue. Chair O'Connor inquired if there was anyone else to speak in opposition. Hearing none, Chair O'Connor inquired if there were comments or questions from the Commissioners. Mr. Bryson asked Mr. Winfree if he said that they were attempting to get this piece of property into compliance and asked if it had been operating out of compliance. Mr. Winfree responded it has operated out of compliance previously. The applicant was not aware of the requirements when the property was annexed and not aware of the limitations on the contractor yard and the residential area. They are now attempting to bring the property into compliance. Chair O'Connor inquired if there were further questions. Mr. Engle moved to close the public hearing. Second by Mr. Alford. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Chair O'Connor 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 as a Future Employment Area within the Western Area Plan. 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. The proposed CD-LI zoning district will allow a variety of contractor, warehouse distribution and limited manufacturing and assembly uses which in their normal operations have little or not adverse effect upon adjoining properties. Care should be taken with respect to outdoor storage area locations, building orientation, materials, height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval.

Mr. Engle asked would this use allow any burning on the property. Mr. Kirkman responded that would be handled under a different section of the city code and he was not able to speak directly to that issue. Ms. Skenes stated as this was presented, wood chipping was mentioned but uses are not specific to only wood chipping. Ms. Skenes stated she interpreted it as if the applicant decided they did not want to do wood chipping, they could do any other uses that was permitted in LI, including convenience stores with fuel pumps, waste water treatment plant and bus terminals. It becomes very noxious and not conditioned specifically to what was being requested. Mr. Kirkman responded that as conditioned, it does not limit any additional uses. There are site constraints for certain types of uses. Other uses allowed in the Light Industrial district would be allowed if this is approved as presented. Ms. Skenes asked in condition 2, how would it be enforced that the front would go no more than 450 feet down McGuire

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Road. Mr. Kirkman responded it had to do with how the site was designed and where the access point would be. If there are complaints, it would be investigated and enforcement actions taken if warranted. Matching up with their primary entrance and moving the truck traffic where it is, makes sense to do so to access a better facility. The condition would basically mirror what is being done with site design. Ms. Skenes stated she could not support this request as presented. It was not conditioned enough and was an inappropriate location, surrounded by residential. Chair O'Connor inquired if there were any other Commissioners with comments or questions. Chair O'Connor stated when she drove out to the site, it appeared like there had been construction already underway or some work. Mr. Kirkman responded this was an enforcement action and they are trying to become compliant. There is a residential use that was expanded to allow to contracting facility. So there have been some improvements of outdoor storage and other activities. There was a complaint, it was investigated and determined this was not zoned appropriately and they were cited for those activities. They have since filed the rezoning and talked with the Technical Review Committee about requirements in terms of the buffer and storm water ponds. This would be a step to allow the use that exists today to be compliant. Mr. Bryson asked how long had it been out of compliance. Mr. Kirkman did not know exactly. Staff received a complaint about 6 months ago when the investigation first started and had been there for some time before that. Mr. Engle concurred with Ms. Skenes in looking at the context of the area, although he did see the Industrial Light on the other side of Bunker Hill. Mr. Engle stated with the number of uses that are still there, he was not comfortable with the uses allowed by the rezoning. In looking at this from a land use perspective, Mr. Engle could not support it.

Chair O'Connor inquired if there was a motion. Ms. Magid stated she also agreed with Ms. Skenes and Mr. Engle that this application seems to not be an appropriate land use. Ms. Magid asked if there was a building that would be built there. Mr. Kirkman responded that condition was related to how you can go much taller in the Light Industrial district. Depending upon setbacks, you could go up 80 feet in height. The condition related to height was being addressed for whatever structures may be done in the future. Chair O'Connor inquired if there were any other questions. Mr. Bryson stated the Greensboro Planning & Zoning Commission believes that its action to recommend denial of the zoning request for the property described as a portion of 8625 McGuire Road, and 8627-8629 McGuire Road, and 210 Krusinski Lane from R-3 (Residential Single-family- 3) to CD-LI (Conditional District – Light-Industrial) to be inconsistent 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district as conditioned, does not limit negative impacts on the adjacent properties, nor does it permit uses which also 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. Second by Mr. Engle. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Chair O'Connor advised this constituted a denial and constituted 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 Tuesday, March 15, 2022 City Council meeting.

PL(P) 22-03 & Z-22-02-003: A annexation and original zoning from County RS-40 (Residential – Single Family) to City-R-3 (Residential Single Family-3) for the properties identified as a portion of 4607 Trailwood Drive, generally described as east of Trailwood Drive, and northeast of Lockhaven Circle

Mr. Kirkman provided the summary information for the subject property and surrounding properties, and advised there were no conditions associated with the request. Chair O'Connor inquired if there were questions for staff. Chair O'Connor advised of the time constraints for both the applicant and those in favor and those in opposition.

James Kirkpatrick, 4052 Dover Park Road, Greensboro, asked that this property be annexed for the purpose of having water and sewer which his neighbor to the south has currently. The property is not good for septic. Mr.

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Kirkpatrick would like to hook up to the existing line that runs through his property and back to the common line that ties Hadley Court to the City. Chair O'Connor inquired if there were questions for the applicant. Chair O'Connor inquired if there was anyone else wishing to speak in favor of the application Chair O'Connor advised there were two speakers in opposition.

Mike Cruz, 4702 Fairwoods Drive stated he never said anything about opposition. He just wanted to be a part of the hearing to know what was going on. Chair O'Connor inquired if there was anyone to speak in opposition. Hearing none, Chair O'Connor asked if the open meeting could be closed. Mr. Bryson moved to close the public hearing. Second by Mr. Engle. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Vice Chair O'Connor inquired if there were comments from staff.

Mr. Kirkman advised this site is designated Urban General on the Future Built Form Map of the Comprehensive Plan and as Residential on the Future Land Use Map. Staff determined the request is consistent with the Comprehensive Plan's Creating Great Places Big Idea 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 R-3 district is intended to accommodate low density, single family detached residential development of up to 3 units per acre and is consistent with similar uses in the surrounding area. Staff recommended approval of the request.

Chair O'Connor inquired if there were comments or questions. Mr. Engle made a motion to annex the property. Second by Mr. Bryson. The Commission voted 6-0. (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Mr. Engle stated regarding agenda item Z-22-02-003, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 4607 Trailwood Drive, 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: (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 and will benefit the property owner and surrounding community. Approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March, 15, 2022, City Council meeting.

Z-22-02-004: A rezoning from RM-18 (Residential Multi-family-18) and R-5 (Residential Single-family-5) to CD-RM-12 (Residential Multi-family-12) for the properties identified as 3808 Overland Heights, 3808-A Overland Heights and 3711-R-1 Mosby Drive, generally described as north of Overland Heights and south of Hatcher Place, (4.79 Acres).

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman advised the applicant has requested three additional conditions:

2. Vehicular access shall not be permitted from Hatcher Place.
3. 3711 R-1, Mosby Drive, shall remain undisturbed and serve as a natural buffer area between the intended development and existing single-family homes to the north. Condition 3 shall not apply to any improvements of which 50% or more of a structure's footprint is located on either 3808 or 3808-A, Overland Heights or with respect to any improvements that may be required by the City of Greensboro or any other governmental body having jurisdiction over the property related to the intended development including, but not limited to the

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installation of utilities, storm water control devices, necessary sanitation devices and facilities, i.e., dumpsters, or turnaround locations for emergency vehicles.

4. Building materials shall consist of no less than 25% wood, stone, glass, brick, and/or cementitious material.

Mr. Engle moved to accept the new conditions. Seconded by Ms. Magid. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson); Nays: 0). Chair O'Connor inquired if there were questions for staff. Seeing none, Chair O'Connor advised of the time limit for both the applicant and others in favor of the application and the time limit for opposition and rebuttal.

Marc Isaacson, 804 Green Valley Road, Greensboro advised Mr. Carlos Sanchez, the applicant, was also present and could answer any questions or concerns, if needed. Mr. Sanchez was a licensed architect and lives in Greensboro with his family. Mr. Sanchez has been involved in designs of several multi-family projects in other parts of North Carolina, primarily the Triangle area. Mr. Sanchez wants to bring this infill apartment home development to Greensboro in response to increasing demand for housing. This request includes three vacant parcels located between Overland Heights and Mosby Drive. Two of the parcels front Overland Heights, currently zoned RM-18 with no development conditions attached. The third is a pie shaped parcel adjoining existing single-family homes to the north, located between multi-family developments along Overland to the west and across Overland heights to the south. Along Boulevard Street to the east and across Mosby Drive to the northwest. Aerial views were shown depicting the two rectangular shaped parcels currently zoned RM-18 with no conditions and the pie shaped parcel north zoned R-5. The intent was to request rezoning from those zoning districts to Conditional-District RM-12. A significant reduction in density.

Illustrative photos were shown depicting the proposed layout. Mr. Isaacson referred to the condition stating the only changes that can occur in the pie shaped parcel were those required by City regulations. Mr. Isaacson advised a letter was sent to all of the neighbors on the City's notification list. Mr. Isaacson advised he received a call from the woman who lives on Mosby Drive who was particularly interested in the access off of Hatcher. That access is closed for vehicles per the new condition. A representative of the Greensboro Housing Authority called Mr. Isaacson that resulted in a positive discussion regarding the area and this project serving as an improvement and providing a significant capital infusion into the area, resulting in this project having an appreciable effect on properties and values in the area. A call was received from a real estate agent in Raleigh who owns rental homes. Mr. Isaacson showed the plans and renderings to her and she was fully satisfied with the project and had no opposition. A call was received from Mr. Spivey who expressed concerns regarding access on Hatcher and a discussion regarding the condition presented and how that would be binding on the property and run with land. Mr. Isaacson stated this request will be an improvement to the surrounding area and make the highest and best use of the subject properties. The proposed development will raise the standard for multi-family developments in this area and assist in meeting the City's growing need for housing, while minimally affecting other property owners. The request is supported by several strategies in the Greensboro 2040 Plan, to include infill development to meet housing needs and becoming car optional. There is a GTA stop within four or five blocks of the property. There will be opportunity to have decent affordable housing in the City of Greensboro. New housing will help with equity mid-rise multi-family on mixed use corridors. Chair O'Connor inquired if there was anyone else speaking in favor. Hearing none, Chair O'Connor asked for those in opposition.

Susan Bodenheimer, 3711 Mosby Drive, Greensboro, expressed her concern regarding noise. Ms. Bodenheimer would like to have the woods preserved as a buffer, or a concrete wall, or some type of barrier from Overland Heights and all the noise and safety reasons. Ms. Bodenheimer advised she has a log of how many times the police were called to Overland Heights and stated some of the reasons why police were involved. On both ends of Mosby Drive are apartment complexes. Ms. Bodenheimer did not know why anyone would want to live at either end of Mosby Drive. Ms. Bodenheimer would like at least an 8-inch fence placed at her property line. The current bushes

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and trees would not be enough of a buffer. Ms. Bodenheimer stated she received a letter from the City regarding having a sidewalk. Ms. Bodenheimer did not know anyone in their right mind that would walk down Mosby Drive. There is always gun fire and she did not think it would be a good place for new homes or apartment buildings to be. Having direct access for Overland Heights to be opened up is Ms. Bodenheimer's biggest concern as it is very scary. Chair O'Connor inquired if there was anyone else to speak in opposition.

Sylvia Hatfield 3713 Mosby Drive, Greensboro. Ms. Hatfield stated the apartments will be behind her. People in the neighborhood are very scared for that as they live with a sense of security with the density of woods and overgrowth in the field behind her house. There will be grass up to their fences for people to walk through and possibly access their yards. Currently the neighborhood has to padlock their gates and chain lock everything. This is the first time she has felt that she needed to bear arms to protect herself. Ms. Hatfield reiterated how scared she was and felt the neighborhood should have the same respect as someone in Irwin Park or Starmount. Most of the people in this neighborhood are seniors. If this goes through, she hopes to see a privacy fence from one end to the other behind the homes on Mosby Drive that would provide a sense of protection. The neighborhood is totally against this request and does not want it at all. Chair O'Connor inquired if there was anyone else in opposition wishing to speak and advised of the time limit.

Brian Spivey, owner of 3709, 3711, and 3713 Mosby Drive. Mr. Spivey stated he has talked to Mr. Isaacson and City staff that was very informative and cordial. Mr. Spivey asked if Mr. Sanchez owned any other properties on Overland Heights. There are some very trashy looking situations on Overland Heights and he did not want this property to become one of those. Mr. Spivey stated the memo said vehicular traffic would be closed down on Hatcher Place and asked to have it include no pedestrian traffic through that neighborhood. There should a fence placed there to prevent any traffic, bicycles, etcetera. Mr. Spivey would like to have it written in the minutes of this meeting, that "the City of Greensboro, nor any other person, will ever open Hatcher Place, never." As it is, someone else could petition the City any time after the property is built, and the City itself may say due to emergency vehicles, open Hatcher Place. It would be terrible on Mosby Drive which has very little traffic flow currently and zero pedestrian traffic. The City will put sidewalks in and will open Mosby Drive for all types of traffic. Mr. Spivey would like for Hatcher Place to never be opened. Mr. Spivey stated he was not against apartments and the city is growing and booming. The poorer population needs place to live and that is who will be in these apartments. Mr. Spivey felt the apartments were on the lower end of the rental scale in Greensboro. Other concerns expressed by Mr. Spivey were there would be a lot of vehicles and people. Mr. Spivey stated the drawings indicate two dumpsters for 48 units and questioned when would the City pick up that garbage that will create an odor problem. Mr. Spivey stated he was very afraid if the parking lot at the apartment complex was not reinforced concrete, the garbage trucks would cave in the asphalt. The dumpsters should be moved somewhere else. If the dumpsters are moved, Hatcher Place will be wide open. The smell would need to be taken care of in addition to the noise of garbage trucks. Mr. Spivey asked for the City to say that garbage pickup would only be during the middle of the day to avoid waking or interfering with anyone. It will need more space and more than two dumpsters. Chair O'Connor advised the time limit was over for the opposition speakers. Chair O'Connor inquired if Mr. Isaacson or anyone else in favor of the application wished to speak in rebuttal.

Mr. Isaacson addressed the land use related points. This property or a great majority of it was zoned RM-18 currently with no conditions. The R-5 property to the north has no conditions at all. What could be done currently is RM-18 development on the two Overland Heights properties that would access via Hatcher. It could be achieved with GDOT approval, to be a single-family residential parcel, if necessary, or through Overland with no conditions. There would be no buffers or fences. Any kind of building materials could be utilized, Mr. Sanchez proposed a project as an infill development in this area. This area needs capital infusion and higher standards that would help the area with new construction, new materials, and new designs. Mr. Isaacson stated this is a story that has been told many times over the years in different communities for a very significant capital infusion in an area. The economic dynamics tend to operate that other properties will, over time, work to meet or exceed those standards.

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Mr. Isaacson advised that is what will happen with this project. Mr. Isaacson stated they are doing what they can within the framework of the zoning ordinance of the City of Greensboro. This property will not have vehicular access via Hatcher and that was reviewed by TRC, GDOT, and all of the necessary agencies thus far without a full site plan. Mr. Sanchez will be bound by it as a zoning condition if this request is approved. Mr. Isaacson stated it would be a very large step for the City to prevent any pedestrian connectivity there. The City is in favor of pedestrian connectivity. There are reasons that perhaps city staff could review as a policy matter, along with the concerns regarding statistics and safety issues. This is a land use request before the Commission. Chair O'Connor inquired if there was anyone else wishing to speak in rebuttal. Hearing none, Chair O'Connor advised the opposition of the time limit they had in rebuttal time for anyone who wished to speak.

Brian Spivey stated the forest is inappropriate as a barrier protection. Mr. Spivey was not against development of the property but would like for each person on the Commission to ride down Overland Heights and look at that neighborhood. It is what his neighborhood will look like. Mr. Spivey wants to be protected and protect his tenants. The two females renting from him will probably leave. Mr. Spivey would like a sound barrier. Mr. Spivey did not believe the City's infrastructure will support 48 units in that area. Mr. Spivey did not support this request and would like, in writing, Hatfield Place will not be open in 25 years. Mr. Spivey has a chain link fence that runs down three lots and would like for that fence to be cleared of the growth there. Mr. Spivey also would like to have a buffer between his fence and Mr. Sanchez's property and a wall that is bullet proof, sound proof, smell proof. Dumpsters will be sitting in his back yard. The Neighborhood will be calling 9-1-1 every day. Mr. Spivey requested the Commission to reconsider. Mr. Spivey was not against apartments, but those that have been shown are low rent apartments going in, and this would become a low rent neighborhood. If the city patrols the area, it would be a big plus. Mr. Spivey Mr. Spivey again requested to know if Mr. Sanchez owned anything on Overland Heights. Chair O'Connor inquired if there was anyone would like to speak in rebuttal. Seeing none, Chair O'Connor requested a motion to close the public hearing. Mr. Engle moved to close the public hearing. Second by Mr. Bryson. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0).

Mr. Kirkman stated this site was currently designated as Urban General on the Future Built Form Map and Residential on the Future Land Use from the adopted Comprehensive Plan. Staff concluded this request is consistent with the Comprehensive Plan's Creating Great Places Strategy to protect and enhance the unique character of every neighborhood and the Building Community Connections Goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-12 district allows various residential uses with conditions and is considered generally compatible with the uses in the immediate area. Staff recommended approval of the request. Chair O'Connor inquired if there were questions or comment from the Commissioners.

Mr. Engle stated he imagined this request will go further than this Commission. Mr. Buansi does a good job speaking about this at the beginning of the meeting every time; the only thing that can be considered as a Commission, is the land use of the area. It appears to be an investment. It is a down zoning comparative to the total area when looking at it today. Mr. Isaacson is correct in that rezoning this multi-family and putting the condition in, it does alleviate the ability for them to access Hatcher. A lot of thought appears to have been put into some type of buffer; not in particular the vegetative or structural buffer, but some buffer. Mr. Engle was confident the neighbors will continue to have conversations. For all of those things and more, Mr. Engle was in support of this application. Greensboro has a need for housing. As a Commissioner, Mr. Engle was not allowed to consider who is going to live there, nor should he. Nobody should be judged by their means or otherwise. All that can be considered is what it should be and this proposal brought to the Commission is 12 units per acre. Chair O'Connor inquired if there were other Commissioners wishing to speak or a motion.

Mr. Bryson stated regarding agenda item Z-22-01-004, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 3808 Overland Heights, 3808-A Overland Heights and 3711-R-1 Mosby Drive from RM-18 (Residential Multi-family-18) and R-5 (Residential Single-family-5) to CD-RM-12 (Residential Multi-family-12) to be consistent with the adopted GSO

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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 fit the context of surrounding areas and limits negative impacts on the adjacent properties; (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. Second by Mr. Alford. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; 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 appeal and such appeals will be subject to a public hearing at the Tuesday, March 15, 2022, City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-05 & Z-22-02-007: An annexation and original zoning from County RS-40 (Residential -Single-family) to City R-3 (Residential Single-family-3) for the property identified as 1404 Youngs Mill Road, generally described as west of Youngs Mill Road and south of Hickory Tree, (1.66 Acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the zoning map and provided summary information for the subject property and the surrounding properties. Mr. Kirkman noted there were no conditions associated with the request. Chair O'Connor inquired if there were questions for staff. Hearing none, Chair O'Connor advised the applicant had up to 10 minutes to speak.

Necole & Kenric Nichols, 3 Elsworth Court, McLeansville. Ms. Nichols stated she read the statement regarding the vision and commitment to think outside the box to inspire residents and visitors with innovative methods of growth and change. Her thought was what was more fitting than their request to go from RS-40 (Residential Single-family) to City R-3 (Residential Single-family-3) for a property that has been uninhabited and dormant for decades on Youngs Mill Road because it would not perk. It was an opportunity to make the property viable because it now has access to city water and sewer and would be fitting to the plan to bring viability to that property. Ms. Nichols noted she had not researched existing conditions as much as she should have when they bought the property. The house that is being built is 77 feet wide. The frontage on the property is approximately 170 feet. In order to have more than one home, each lots to have 75 feet frontage. Building a house that long, there was no way to achieve three homes on the property and may not be able to have two. At this point, Ms. Nichols with the length of the house at 77 feet, there could only be a single-family house on that lot. The City of Greensboro Water Department told them several times they needed to pay frontage fees to be connected to city, water, and sewer. They never knew they had to be annexed as a condition to connect to those services.

The Nichols spoke to several neighbors who did express their concerns of having three homes on one lot. That was never the intention of the Nichols. On January 7, 2022, their contractor went to the County and was told to go to the City, that the property had to be annexed in order to have water and sewer. They have talked to all of the adjacent neighbors and in particular to the ones who may be directly affected. In speaking with them, no one appeared to have an issue, other than the concerns of more than one house. The house plans depicted on the screen were before they knew of the annexation requirement. This home will be their retirement home. This property will add value to the community in keeping as an older established community of single-family homes. Mr. Nichols stated in the past this property was denied for annexation because the prior applicant was unclear regarding the purpose. Mr. Nichols assured this Commission and City Council that they are wanting to build a single-family home only. This is their last house; they are here and willing to go through the process and want to ensure their intentions are clear on what it is they would be doing. Chair O'Connor inquired if there was anyone else wishing to speak in favor of the application.

OJ Caldwell, 1406 Youngs Mill Road, Greensboro, stated he met with the Nichols and was very impressed. They will be good neighbors. Less than a year ago, they were in opposition to rezoning. It went before City Council, who

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agreed that the zoning should not be approved. Their concern was to ensure their community stayed consistent. This is a 40 plus years old community, a very proud and close-knit community. They want to make sure the property use will be consistent with the homes in that area. The neighborhood would like a conditional zoning with the condition being it would only be used for single family. With that condition, they would be onboard and looked forward to having the Nichols as neighbors. Chair O'Connor inquired if there was anyone else to speak in favor. Hearing none Chair O'Connor inquired if there was anyone in opposition to this request.

Para Tollison, 4014 Hickory Tree Lane, stated it sounded like the Nichols only want to do one single family home. The request needs to state it as such so the condition can be met. Currently if it is approved, they still could go forward with three on the property and asked if that was correct. Mr. Kirkman responded the R-3 zoning does not have any conditions. It allows residential development up to three units per acre. The Nichols would have to meet the minimum lot width and size standards for any new residential lots. Ms. Tollison would like a condition listed that it will be a single-family unit per the property. Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor inquired if there was anyone in favor for rebuttal.

Necole and Kentric Nichols, stated their plans were purchased in October of 2021, and a survey was done. Fees were paid. If anyone looked at that expense, there was a very clear intention that they were building one single-family home. Ms. Nichols reiterated her point with the length of house being 77 feet, there would not be an opportunity for three homes on that lot. If the lot is 170 feet, the house is 77 or 78 feet long and each property would need 75 feet of frontage. It was mathematically impossible for anything to be built other than a single-family home. Chair O'Connor inquired if there was anyone else who would like to speak in rebuttal in favor of the application. O.J. Caldwell, asked Mr. Kirkman if it was possible at this juncture to have a conditional zoning. Mr. Kirkman responded this was a straight zoning request at this point and in order to do conditions, it would need to be filed as a conditional application. There would need to be a discussion between Mr. Caldwell and the applicants. Ms. Nichols stated after speaking with the neighbors, they reached out to Mr. Carter asking if they could put a condition in. The response was no because they were two weeks before the meeting and the request had already been advertised. Chair O'Connor inquired if there was anyone else to speak in favor of the application.

Para Tollison stated she understand the Nichols spent time and effort in preparing for their retirement in this neighborhood. As the applicants have stated it would be one home and no longer three. It needs to be submitted as that for the record, and not just an audio at a meeting; it needs to be a documented record for the County. Mr. Kirkman reiterated this was not filed as a conditional zoning and was not advertised as such. The application would have to be withdrawn and a new application filed for conditional zoning in order to do conditions. Chair O'Connor requested Mr. Kirkman to clarify that even though with the zoning of Residential-3, there are frontage requirements as mentioned previously. Mr. Kirkman stated there would need to be at least 75 feet of frontage to create a lot in R-3, Residential zoning. Mr. Kirkman did not know what the frontage was for the Nichols' property, but at a minimum you would need at least 75 feet of width to do a new residential lot.

Ms. Tollison stated just because its restricted, it did not mean it has to be that same style. Mr. Kirkman responded the uses would only allow as a single family detached dwelling unit, that part would be part of the zoning. There is no minimum size for houses in a zoning district and the City could not have that requirement. That would be in conflict with federal law to create some type of a minimum housing size. Ms. Tollison, stated as written, technically at some future date, someone could divide the property as it stated and put a tiny house or small property behind it. Mr. Kirkman responded if the property is rezoned and lots created that would meet the minimum lot requirements, they could subdivide the property. Those rights would be established. Ms. Tollison stated the applicants are saying it would be one home but the record can still say up to three, as long it's tied to the property. Mr. Kirkman responded new lots in R-3 zoning would have to have at least 75 feet of lot width and be a minimum of 12,000 square feet in size. If those requirements are met, they can legally subdivide into new lots. Mrs. Tollison stated the legal standing would be tied to the property records for up to three, if the 75 feet was met or as written now. The rules now are 75

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feet, but they could change and that would change the dynamics. Mr. Kirkman responded the zoning would run with the property regardless of the owner. With the R-3 zoning, if the minimum lot requirements can be met, there would be a right to change and create new lots. Ms. Tollison reiterated that was the reason she was opposed because it is zoned for three. Mr. Kirkman reminded the Commission the R-3 district is the City's least intense zoning district and is the closest equivalent to the existing County RS-40 that exists in this area. That is why the R-3 zoning is being requested. Chair O'Connor inquired if there were any other comments from opposition. Hearing none, Chair O'Connor requested a motion to close the public hearing. Mr. Engle moved to close the public hearing. Second by Mr. Bryson. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0).

Mr. Kirkman stated the Comprehensive Plan's Future Built Form Map designates this property as Urban General and the Future Land Use Map designates the property as Residential. Staff concluded this 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 district is intended to accommodate low density single family detached residential development of up to three dwelling units per acre. Staff concluded that the original zoning request allows uses that are similar to existing uses in the surrounding area. Staff recommended approval of the request.

Ms. Magid made a motion to annex the property. Second by Ms. Skenes. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Ms. Magid stated regarding agenda item Z-22-02-007, the Greensboro Planning & Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 1404 Youngs Mill Road 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: (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 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 surrounding community. Approval is in the public interest. Second by Mr. Engle. Mr. Engle commended the applicants as they did a very good job in the presentation. Mr. Engle stated he remembered this from the previous time and remembered the applicant did not show up. The current applicants have done a good job of illustrating for what is being planned. Nothing is ever perfect. This is also the lowest zoning district that Greensboro has. Mr. Engle urged the neighbors and the applicants to consider working together. With no other comments, a vote was taken. The Commission voted 6-0, (Ayes: Chair O'Connor, Alford, Engle, Magid, Skenes, and Bryson; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and subject to a public hearing at the Tuesday, March 15, 2022 City Council meeting.

ITEMS FROM PLANNING DEPARTMENT & COMMISSIONERS

Mr. Kirkman noted Mr. Engle and Ms. Skenes recently sat in on Technical Review Committee meetings to learn more about that group and extended the invitation to the Commission as a whole. If anyone was interested, Mr. Kirkman would make arrangements. Mr. Engle stated staff did a great job and would highly recommend it. Ms. Skenes advised she was blown away by the level of detail that staff goes through with the applicants. Staff has all the forms, the checklist, all the things needed to be considered. Ms. Skenes stated in going to a TRC meeting, she realized staff takes care of all of that. Mr. Kirkman responded he would convey those compliments to the TRC members and appreciated the comments. If anyone was interested, the TRC meetings are done by Zoom. Email Mr. Kirkman and he will coordinate with staff. Mr. Kirkman also asked if anyone wanted to be refreshed on the GSO 2040 Comprehensive Plan. If interested, email Mr. Kirkman and he will connect them with Russ Clegg, Division Manager for Comprehensive Planning.

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Mr. Kirkman advised staff was looking to update the Rules of Procedures for the Planning & Zoning Commission. References need to be updated to the current code and state statute, and ensuring staff was correctly outlining the provisions of how the Commission should operate during the meeting in the public hearings, to make sure staff has something to reference if there are questions. Mr. Kirkman asked if everyone was comfortable with the updates as previously provided to Commission members, and if there would be a motion to approve the updated rules and procedures. Mr. Engle asked if the requirement to sign up to speak would still be required, in favor or opposition, or would it only be done for on-line and hybrid meetings. Mr. Kirkman responded the intention was to have people sign up regardless of format. With the expedited agenda option, it needs to be clear if someone speaks in opposition. Mr. Bryson inquired if the changes were incorporated that were previously suggested. Mr. Kirkman responded staff has the references to provide materials in Spanish and other languages as necessary. The question of the sign-up would have some language in there to reference that and specifically those that speak in opposition or in favor; they are the ones the Commission would recognize automatically in speaking. It will need to be worked out when everyone is back in Council Chambers. Everything that has been received through email is in this last version. Chair O'Connor inquired if there were further comments. Hearing none, Chair O'Connor requested a motion to approve the updated Rules and Procedures document.

Mr. Engle made a motion to approve these procedures and close the meeting. Second by Mr. Bryson. Chair O'Connor stated it is staff who keeps this whole train on the tracks and moving forward. Mr. Bryson inquired about the March agenda. Mr. Kirkman stated a couple of items were being sorted out and he did not know what the final agenda would look like. Mr. Carter advised currently there were 8 zoning cases and possibly one other item. Mr. Kirkman also introduced Rachel McCook who will be working with the Commission. As previously noted staff needed help with the increasing Commission agendas and we are glad to have her assistance. Chair O'Connor welcomed Ms. McCook and with nothing further, the meeting was adjourned at 7:58 p.m.

Respectfully submitted;

Sue Schwartz, Planning Director
SS/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, March 21, 2022, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Richard Bryson, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, and Andrew Egbert. Present for City staff were Lucas Carter, Mike Kirkman, and Rachel McCook (Planning), Noland Tipton (GDOT), and Allen 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. Chair O'Connor advised those participants attending would be able to view the meeting and speak when called upon. The online meeting was being recorded and televised and was also close-captioned for the hearing impaired. She further explained the expedited agenda and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Mr. Buansi then advised the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. All other concerns not related to land use and conditions of the rezoning application are not germane to the determinations made by the Commissioners, but can be referred to the Planning Department or Technical Review Committee as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised Zac Engle was absent from the meeting. She then asked that the Commissioners who were present introduce themselves.

APPROVAL OF THE FEBRUARY 21, 2022 REGULAR MEETING MINUTES: (Approved)

Chair O'Connor requested approval of the February 21, 2022 meeting minutes. Mr. Alford moved to approve the February meeting minutes as presented. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Alford, Skenes, Peterson; Egbert; Magid; Bryson; and Chair O'Connor; Nays, 0).

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman advised there were no withdrawals or continuances. He then noted there were several items that did not have opposition and were eligible for expedited review by the Commission. Mr. Kirkman stated there were a total of 4 items recommended by staff with no one signed up in opposition. The items were Z-22-03-001, 116 and 126 Manley Avenue; Z-22-03-007, 2240 East Cone Boulevard; Z-22-02-008, 6306-6318 West Market Street and 102 Stage Coach Trail; Z-22-03-009, 900 East Market Street.

NEW BUSINESS:

Z-22-03-001: A rezoning from LI (Light Industrial) to CD-C-M (Conditional District – Commercial Medium) for the properties identified as 116 and 126 Manley Avenue, generally described west of Manley Avenue and south of West Market Street (1.84 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the two conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a Mixed-Use Corridor and a District-Scale Activity Center on the Future Built Form Map. Staff has concluded the request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities

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to succeed. He also noted that this request allowed similar types of uses as allowed with nearby properties zoned C-M and LI and staff recommended approval of the requests.

Chair O'Connor inquired if there were any questions. Hearing none, she asked if the applicant was present and wished to speak.

Chuck Truby introduced himself and stated his address for the record was 502 Waycross Drive, Greensboro. He said he was there to answer any questions if the Commissioners had any. There were no questions.

Chair O'Connor closed the public hearing by consent. Ms. Skenes then moved to approve the rezoning and stated that the Greensboro Planning and Zoning Commission believed that its action to recommend approval of the zoning request for the properties described as 116 and 126 Manley Avenue from LI (Light Industrial) to CD-C-M (Conditional District Commercial Medium) to be consistent with the adopted GSO Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: (1.) The request was 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 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 Mr. Alford. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; and Chair O'Connor; Nays, 0). Chair O'Connor noted that this vote constituted final action unless appealed in writing to the Planning Department within 10 days.

Z-22-03-007: A rezoning request from R-5 (Residential Single-family-5) to CD-PI (Conditional District Public and Institutional), for the property identified as 2240 East Cone Boulevard, generally described as south of East Cone Boulevard and west of Ralph C. Johnson Lane, (25.03 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the one condition associated with the request. He then 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. Staff concluded the request is consistent with the Comprehensive Plan's Creating Great Places Goal for expanding 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. This zoning designation, as conditioned, is appropriate for a larger tract of land (over 5 acres) adjacent to a major thoroughfare and in close proximity to other institutional uses. The proposed use restriction to only educational facilities also ensures that permitted uses are compatible with nearby residential uses. Staff recommended approval of this request.

Chair O'Connor inquired if there were any questions. Hearing none, she invited the applicant, Chris Bordeaux, to speak. Chris Bordeaux thanked the Commission for the opportunity and said that he was available to answer any questions. Chair O'Connor requested that Mr. Bordeaux provide his address for the record, and he responded with 4810 Crestmore Road, Raleigh, NC 27612. Chair O'Connor inquired if the Commissioners had questions regarding the application. Hearing none, Chair O'Connor closed the public hearing and requested a motion.

Vice Chair Bryson moved to approve the recommendation from Staff for agenda item Z-22-03-007, 2240 East Cone Boulevard, saying that the Greensboro Planning and Zoning Commission believed that its action to recommend approval of the zoning request from R-5 (Residential Single-family-5) to CD-PI (Conditional District Public and

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Institutional) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action to be 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-PI zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on adjacent properties; (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. There was no further discussion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0). Chair O'Connor noted that this vote constituted final action unless appealed in writing to the Planning Department within 10 days.

Z-22-03-008: A rezoning application from LI (Light Industrial) and C-M (Commercial-Medium) to HI (Heavy Industrial) for the property identified as 6306-6318 West Market Street, generally described as north of West Market Street and east of Stage Coach Road, (6.7 Acres). (APPROVED)

Mr. Kirkman provided the summary information for the subject property and surrounding properties and noted there were no conditions associated with the request. Mr. Kirkman stated the Comprehensive Plan designated this site as Urban General on the Future Build Form Map and Commercial on the Future Land Use Map. The rezoning request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous and resilient economy that creates equitable opportunities to succeed. The proposed HI district is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities that have the potential to create some level of off-site impacts. The proposed rezoning request allows for additional uses on properties already zoned for some industrial uses and in an area where a variety of industrial uses are the predominant land use. Staff determined the rezoning is generally compatible with the surrounding uses and supported the request. Chair O'Connor noted that the applicant may want to speak in favor of the request, Mr. and Ms. Rahmati.

Mr. Habib Rahmati greeted the Commission and introduced himself. He said he was present to answer any questions. He also noted that he wanted to make his place look better, maybe put a fence around the area.

Chair O'Connor thanked Mr. Rahmati and asked if there were any questions for him and asked for Mr. Rahmati to provide his address.

Mr. Rahamti stated his address as 5006 Leadenhall Road, Oak Ridge, NC 27310, and thanked the Commission once again.

Hearing no questions, Chair O'Connor closed the public hearing. Ms. Magid made a motion to approve Z-22-03-008 approve the zoning for the properties described as 6306-6318 West Market Street and 102 Stage Coach Trail from LI (Light Industrial) and C-M (Commercial Medium to HI (Heavy Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considered 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 HI zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. There was no further discussion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0). Chair O'Connor stated that this vote constituted final action unless appealed in writing to the Planning Department within 10 days.

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Z-22-03-009: An amendment to a previously approved UDP (Unified Development Plan) with a PUD (Planned Unit Development) zoning district for the property identified as 900 East Market Street, generally described as south of East Market Street, west of South Dudley Street, and east of Pastor Anderson Way (13.679 Acres). (APPROVED)

Chair O'Connor introduced Lucas Carter, Senior Planner, to speak on the Unified Development Plan and asked for clarification regarding if this included a rezoning request or not.

Mr. Carter thanked Chair O'Connor and reminded the Commission that a Unified Development Plan is a required element of a Planned Unit Development zoning. Mr. Carter explained that in this case, the PUD rezoning was approved in 2010 and the associated UDP was approved and recorded in 2020. The applicant has now requested an amendment to their previously approved UDP to address an element added to their pending development site plan design that was in conflict with this UDP. So they were asking to amend the UDP to address that conflict.

Mr. Carter went on to say that in general, a Unified Development Plan is used to provide zoning standards for a property like dimensional requirements and landscaping requirements in addition to land uses and zoning conditions.. The other reason for UDP is to specify required development standards and to place those standards in a form that is recordable at the Register of Deeds so that any member of the general public and any subsequent property owners would be aware of these requirements. Mr. Carter stated he was available to answer any questions but there were none from Commissioners.

Mr. Egbert offered to make a motion to approve Z-22-03-009 but staff advised that the public hearing was still open if the Commissioners wanted to hear from anyone.

Chair O'Connor recognized Juhann Waller and Jim Westmoreland and invited them to speak if they so wished.

Juhann Waller of JC Waller and Associates introduced himself and provided his address, 7-L Dundas Circle, Greensboro, NC 27407, and offered to answer any questions that Staff or the Commission members had.

Chair O'Connor thanked Mr. Waller, and hearing no questions, she closed the public hearing.

Mr. Egbert then made a motion to approve Z-22-03-009 and Mr. Peterson seconded the motion. There was no discussion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0). Chair O'Connor stated that this vote constituted final action unless appealed in writing to the Planning Department within 10 days

Chair O'Connor announced that the Commission would return to their regular agenda starting with 3 items related to Flemingfield Road and explained the way the vote would be held by first addressing the annexation, then the rezoning, and finally the right-of-way.

PL(P) 22-06 & Z-22-03-002: An annexation and original zoning from County AG (Agricultural) to City-CD-RM-12 (Conditional District Residential Multi-family-12) for the properties identified as 138 Flemingfield Road, generally described as east of Flemingfield Road and Burlington Road (8.5 acres); AND

PL(P) 22-06 & Z-22-03-003: An annexation and original zoning request from County AG (Agricultural) to City RM-12 (Residential Multi-family-12) for the property identified as a portion of the Flemingfield Road

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**Right of Way, generally described as north of Burlington Road and east of Talon Drive (0.9 acres)
(RECOMMEND APPROVAL)**

Mr. Kirkman noted again that the request was to annex, in total, 9.4 acres which included both private property as well as road right-of-way. He first provided summary information for the private property at 138 Flemingfield Road and then noted that under State law any nontaxable publicly-owned property that is between a requested annexation and the primary corporate limits of the City would come in automatically as part of the action. Mr. Kirkman continued the explanation saying that the right-of-way was to be changed from County AG (Agricultural) to City RM-12 (Residential Multi-family-12). Mr. Kirkman provided further information on the request and noted the zoning condition for the private property limiting uses to no more than 69 dwelling units.

Hearing no questions for staff, Chair O'Connor opened the public hearing. She instructed speakers on the 10-minute combined time they had to speak and asked them to identify themselves before they spoke.

Paul Pennell of Urban Design Partners greeted the Commission and provided his address, 1213 West Morehead Street, Charlotte, NC 28208. Mr. Pennell said that Urban Design Partners was representing Jim Allen, LLC, for this zoning petition. He shared a slide presentation about design considerations, existing conditions, context with the Comprehensive Plan, and noted they intended to develop around 60 residential townhome units, which was approximately 6.9 dwelling units per acre.

Mr. Parnell then advised the Commission they would like to add a new zoning condition to their request to limit the maximum height of buildings on site to 40 feet. Mr. Kirkman confirmed with Mr. Pennell that the additional zoning condition wording limited the height of all buildings to 40 feet which Mr. Pennell confirmed. Mr. Alford moved that the Commission accept the additional zoning condition. Mr. Peterson seconded the motion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0). Chair O'Connor relayed that the condition was accepted.

Mr. Pennell concluded his presentation and offered the remainder of his time to other speakers.

David Michaels spoke and provided his address, 5603 New Garden Village Drive, Greensboro, NC 27410, and said that he was representing Land Acquisition and Development Services, which owned properties to the north of the request. He said that they were not in favor or opposed to the request but did not receive community outreach and did not have all the information about the request. He noted that the height description of 40 feet and asked what the specific height represented. He said that they did not have any objection to request but wanted more information.

Chair O'Connor thanked Mr. Michaels. Mr. Pennell responded to Mr. Michaels comments and explained that they had a letter prepared to send out to the community within 600 feet of the subject property with more information and his contact information. He estimated that the letter would go out in the next day or two, arriving to property owners within the next week or so. In regards to the height question from Mr. Michaels, he said the 40-foot height limit would capture a potential 3-story product but he was unsure at this time if the townhomes would go up to 3 stories.

Chair O'Connor asked if there were any other speakers in favor of the request. Hearing none, she moved to close the public hearing.

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Ms. Magid asked for clarification on Mr. Pennell's plans for a public meeting and Mr. Pennell replied that there had not been a public meeting yet but offered to hold a virtual meeting.

Mr. Egbert noted that applicants typically hold community meetings before coming to Planning and Zoning Commission. He asked Staff for clarification on this policy.

Mr. Kirkman responded that with conditional zoning if there are any residential uses within 600 feet, applicants are required to talk with the Commission about efforts they did or did not do to talk with the community. There is not a requirement to meet with anyone prior to the Commission hearing the case, though staff encourages applicants to do outreach. City staff does official notification to the 600-foot area surrounding the request and provides the mailing list of that area to applicants. Mr. Kirkman explained that since the item was an annexation, it would go on to City Council automatically

Mr. Pennell responded that he would make other efforts to inform the public moving forward.

Mr. Egbert asked if the Commission were to approve the request, would this return to the Commission at a later date. Mr. Kirkman advised that the Commission's role is to make a recommendation on the annexation and original zoning request to City Council since the property is not within the City's jurisdiction and there would be another City outreach effort for the City Council public hearing with notices. Mr. Kirkman said that it sounded like Mr. Pennell will also be sending out notices prior to the Council hearing, but that this item would not return to the Commission. Staff strongly encourages applicants to do outreach prior to the Planning and Zoning Commission hearing, but there is no requirement to do so. Staff does official notification as required under State law. Mr. Egbert shared concerns that the residents around the annexation and original zoning request may not be aware of the request.

Mr. Kirkman said that Mr. Pennell has the same list that the City used for notification and asked Mr. Pennell if he intended to send out notification prior to the City Council meeting. Mr. Pennell said that he that he would be willing to have an online virtual meeting and include the Commissioners.

Chair O'Connor summarized that the City had done their part to notify the public but the applicant, while provided the same addresses, is not required to contact the public, but typically they do. She conveyed that she understood Mr. Egbert's expectation to hear the feedback.

Mr. Egbert said that he was surprised that the applicant had not mailed the letters to the applicants to give people an opportunity to speak-up about the request.

Mr. Pennell explained his typical protocol of community outreach and noted that the community meetings was recorded before a Council meeting is held. He said that the turnaround for this meeting was tight so he is preparing outreach prior to the City Council meeting.

Mr. Bryson also expressed concerns that the item came to the Commission prior to the applicant's community outreach. He acknowledged that staff sent a letter, but Mr. Michaels who represented people around the area had not heard from the applicant either. Mr. Bryson expressed concerns that the public did not have the opportunity to attend the Commission meeting to state their case, even though the Commission is focused on recommendations. He stated that he wished the Commission could have more time to allow the public to receive the community

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outreach, then have this case reconsidered at a future Commission meeting, because as of now, how would the Commission know if there were truly any objections.

Mr. Kirkman responded that the City sent out notices to everyone within 600 feet of the request along with placing a sign identifying the case on the subject property to make the public aware of the request. He then reiterated that the requirement in the Ordinance is to inform the Commission of what efforts the applicant made to talk with the public about the request. The request can be considered by the Commission, regardless of any outreach the applicant did or did not do prior to the Commission meeting. The City has done its required outreach for this hearing. Mr. Pennell planned to do further outreach. City Council will have final action on this request.

Mr. Peterson asked that if the Commission approves the request, what would happen if the community had issues with it. Mr. Kirkman replied that the Commission could make a recommendation on the request to annex this property that is within Growth Tier 1 where services can be provided to this property. The question is whether the Commission is supportive or not of this residential proposal. If there is opposition after this decision by the Commission, City Council would consider the opposition at their hearing on April 19, 2022. City Council can decide to continue the case at that time. Mr. Kirkman said that when the public sees the sign posted for the case, generally the public calls Planning Staff to inquire about the case or express concerns. He noted that Mr. Michaels represented a developer that will do residential development on the same side of Flemingfield Road but on a different property.

Ms. Magid thanked Mr. Kirkman for the clarity. She acknowledged that the residents in adjoining properties received something in the mail, saw the zoning sign, and they would have contacted the Planning Department if they had questions or concerns. The public was notified even though they did not have connection to Mr. Pennell.

Ms. Skenes agreed with Ms. Magid and noted that the Commission had recommended requests in the past without the applicant doing outreach. Ms. Skenes said it sounded like Mr. Pennell was not aware that even though community outreach was not required in Greensboro, it is routinely done and he would need to do outreach before the Council meeting.

Chair O'Connor asked if there was further discussion, and hearing none, she asked the Commissioners for votes on the 3 requests.

Ms. Magid made a motion to annex both the portion of 138 Flemingfield Road and part of the Fleminfield Road right of way. Ms. Skenes seconded motion. There was no discussion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0).

Ms. Magid then made a motion to approve Z-22-03-002, stating that its action to recommend the approval of the zoning request for the property described as a portion of 138 Flemingfield Road from County AG (Agricultural) to City CD-RM-12 (Residential Single-family - 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 City CD-RM-12 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded motion. There was no discussion. Chair O'Connor held the vote. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0).

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Mr. Alford then made a motion to recommend approval of Z-22-03-003 for the zoning request for the property described as a portion of Flemingfield Road right-of-way from County AG (Agricultural) to City RM-12 (Residential Single-family - 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 City RM-12 zoning district permits uses that are compatible to uses on adjacent properties; (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. Ms. Skenes seconded the request. There was no discussion. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson; Chair O'Connor; Nays, 0). Chair O'Connor stated that the Commission's action constituted a favorable recommendation and was subject to a public hearing at the April 19, 2022 City Council meeting.

PL(P) 22-07 & Z-22-03-005: An original zoning request from County AG (Agricultural) to City CD-R-5 (Residential Single-Family-5) for the properties identified as a portion of 6462, 6468, 6468-ZZ US Highway 29 North, generally described as east of US Highway 29 North and west of Tier View Trail (111.74 acres) (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties. Mr. Kirkman advised that the applicant had submitted one condition with their original application but had provided an additional four conditions for the Commission's consideration. The complete list of conditions were stated as follows: (1.) Uses shall be limited to single family homes with supporting infrastructure and amenities; (2.) Maximum number of units shall not exceed 284; (3.) Developer shall provide access to the future Highway 29 service road as shown on the NCDOT Project TIP No. FS-1707A; (4.) No final plat for the subject property shall be recorded until such time that the entirety of the Baverhof Drive is constructed and open to the public; (5.) No more than 180 lots shall be platted and recoded until such time that another access point in addition to Zubron Drive and Yearling Drive is available.

Chair O'Connor asked for a motion to accept the additional conditions. Mr. Alford moved that the Commission accept the conditions as stated. Ms. Skenes seconded the motion. Commissioners Skenes, Alford, Peterson, Egbert, and Magid voted in favor of accepting the conditions. Mr. Bryson asked a question about the first condition regarding supporting infrastructure. Mr. Kirkman said the term amenities likely referred to accessory dwelling units or a pool that are often associated with these residential developments, as well as anything included under Common Elements. Mr. Kirkman said that the applicant may have wanted to clarify that there would be non-residential components to the development though they the principal uses would be residential.

Mr. Bryson questioned whether or not the explanation of the condition should have been more clearly stated to reflect the terms Mr. Kirkman provided on background. How is "supporting" defined? Mr. Kirkman said that the conditions were composed by the applicant and that during site plan review, City Staff would understand how to apply the condition as worded. Mr. Bryson then voted to approve the conditions and Chair O'Connor concluded the roll call with a favorable vote with no opposition.

Chair O'Connor then noted the names registered with staff of those in favor of the request: and reminded speakers on the 10-minute combined time they had to speak and asked them to identify themselves before they spoke.

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Amanda Hodierna greeted the members of the Commission and provided her address as 804 Green Valley Road, Greensboro, NC 27408. Ms. Hodierna introduced the aforementioned persons in favor of the request and noted that they would be available to answer any questions from Commissioners. Ms. Hodierna stated that she was representing Green Hawk Development Corporation as the applicant, Mr. Medlin as the principal, in addition to the landowners of record. Lee Bryant from Evans Engineering was introduced as the site designer for the proposal. Jeffrey Moore from Gannett Fleming was also introduced as the person who conducted the traffic impact analysis and could answer questions as needed.

Ms. Hodierna provided a slide presentation to the Commission with an overview of the site and in support of the case for residential uses and compatibility to the existing Reedy Fork development. Ms. Hodierna reviewed the proposed conditions and spoke to Mr. Bryson's question. She said that the supporting infrastructure was intended to address any type of neighborhood amenities, like the United State Postal Service cluster box units or a clubhouse. She said that the applicant was open to changing the wording of the condition. In regards to the second condition, she said that the dwelling unit number was meant to control the intensity of the development so it does not overburden the existing built environment. Ms. Hodierna also read over Conditions 3-5 and discussed how the maximum unit count was also decided by agreeing on a phasing-out of development.

Ms. Hodierna then presented the preliminary design drawings from North Carolina Department of Transportation (NCDOT) for the future US Highway 29 corridor that showed the proposed service road relevant to the third zoning condition. She further explained the road connections by showing visuals of plats and existing access points (stub streets) to connect the number of dwelling units to the street network necessary for the proposal. Additionally, Ms. Hodierna noted that the number of dwelling units had been revised from 300 to 284 dwelling units to lessen impacts on existing road network proposed by this development. She went on to say that her team worked with the Greensboro Department of Transportation (GDOT) and Planning staff on the zoning conditions. She said that the proposal and land use was compatible between Reedy Fork and the Highway 29 Corridor would have reasonable impacts with the goal of the zoning conditions to balance land use and potential impacts.

Ms. Hodierna then described their community outreach efforts. She said that they sent out letters using the mailing list that staff provided, with an invitation to attend a Zoom meeting to discuss the proposal on March 2, 2022. The letters included her contact information. There were about 10 attendees at the Zoom meeting. The primary discussion points were about traffic and access. Ms. Hodierna said that the zoning conditions aimed to address the concerns from the meeting attendees and from GDOT.

Chair O'Connor announced that the allotted speaking initial period for people in favor of the request was over and Ms. Hodierna thanked the Commission.

Chair O'Connor invited those in opposition to the proposal to speak and read the names of those registered to speak in opposition to the proposal. She then reminded speakers on the 10-minute combined time they had to speak and asked them to identify themselves before they spoke.

Karen Yehudah introduced herself and provided her address at 5647 Tier View Trail, Greensboro, NC 27405. She read a prepared statement and discussed issues of density, the plan to build behind existing homes on Tier View Trail. She shared concerns that developers would make money on new homes but the existing residents would be left with an overcrowded community. She proposed that a border be established between Tier View Trail and the new development of approximately 20-30 feet of undisturbed land. Ms. Yehudah explained that many current residents of Tier View Trail purchased their homes because of the beauty of the space of undeveloped land behind

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them. She asked that the current residents have a greater say in what happens to their neighborhood than the developer.

Robert Mims spoke next and provided his address, 5645 Tier View Trail, Greensboro, NC 27405. He conveyed that he is not in opposition to people selling their land but he valued their neighborhood for its isolation. He expressed concerns that the small street of Tier View Trail would not be able to hold heavy construction equipment like tractor trailers and bulldozers, and that the construction would disturb the area where children play. He reiterated that the idea of keeping the wooded buffer would benefit existing homeowners and he would find the request to be more reasonable. As is, he is not satisfied with the request.

Robert (Bob) Bingham of 5633 Tier View Trail, located at the corner of Tier View Trail and Zubron Drive. He said that he would be directly affected. He shared measurements of Zubron Drive (25 feet, 8 inches) and quoted from a Trucker's Report that it takes a minimum of 27 feet for a semi-truck and trailer or various construction equipment to maneuver on a roadway. He requested that the last zoning condition be changed to say that no improvements to the land shall be started until such time that there is an access point from the service road from US 29 N. He noted that an existing stub street, Oakgate Drive was not used to develop homes east of Tier View Trail. Instead, Baverhorf Drive was constructed for the heavy equipment needed for tree clearing. He stated that there are physical limitations.

Franchesca Henriquez of 5641 Tier View Trail, Greensboro, NC 27405, said that her biggest issue was for the view and privacy in her backyard. There are already issues with traffic and speeding and now adding construction equipment to that was a concern. She questioned how she was benefitting from the new development if her view and privacy were being taken away. She said that she paid to have the privacy, so unless there is a buffer, will she be re-compensated. She referenced a previous neighborhood outreach by a developer for this area that was only done one day before the Commission meeting and that this outreach meeting with the developer a week ahead of the meeting provided a way for neighbors to speak out.

Ms. Bruegger and Mr. McNamara resumed their comments and agreed with Ms. Henriquez, their neighbor. Ms. Bruegger said that when they purchased their property two years ago, they paid extra to have woods behind them. The proposed development behind them would take away those woods. She described current issues with traffic, especially with the neighborhood school and additional new development in the neighborhood, and the burden on the existing road network. Mr. McNamara said that they have not seen detailed plans of the proposal. They also echoed frustrations in communication from the previous developer that Ms. Henriquez described as well. Mr. McNamara asked about the streams, wetlands and how they would be used, would there be a park. They reiterated that a buffer should be considered to maintain the woods and that the existing narrow roads cannot accommodate construction equipment and that construction work would disrupt the existing wildlife and habitats in the woods.

Ms. Henriquez then said that they only have one grocery store for their entire development. This will be an issue for equal distribution of resources for the existing and new homeowners.

Chair O'Connor thanked everyone for their comments and opened the rebuttal period with 5 minutes for speakers in favor of the proposal and 5 minutes for speakers in opposition.

Ms. Hoderne spoke on behalf of the applicant and responded to concerns raised in opposition to the request. She stated that Green Hawk Development is the current developer of Reedy Fork and noted they are working to provide additional commercial amenities, to Ms. Henriquez point. The landowners are selling their property and the proposed residential use between Reedy Fork and the highway meets the Comprehensive Plan's goals. Green Hawk

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wants development to continue in Reedy Fork. The public roads will serve the subject properties and were meant to serve the subject properties. Ms. Hodierna said that the stream corridors and wetlands will be protected and will serve as open space. She said that she would continue to speak with concerned neighbors when contacted.

Lee Bryant with Evans Engineering, 4609 Dundas Drive, Greensboro, NC 27407, explained that the existing streets in the Reedy Fork development are owned and maintained by the City of Greensboro and built to the City of Greensboro standards.

Ms. Hodierna explained that the land use first needed to be approved before the development plans would be presented, in terms of the development sequence. She said that the Land Development Ordinance does not require buffers between Reedy Fork lots and new residential development since both are for single family residences. There will be built-in green spaces to be successful and desirable for the community.

Chair O'Connor concluded the speaking portion for those in favor of the request and opened the floor to those in opposition for the same rebuttal period of 5 minutes.

Ms. Yehudah said that she hoped that the Commission would listen to the current residents of Tier View Trail who should have a stronger say in what happens. She recognized that while she understood that buffers were not required, it did not mean that they could not be done or should not be done. She appealed to the Commission to look into possibility of a buffer for the existing homeowners and the new homeowners as a way toward common ground.

Mr. Bingham asked Mr. Bryant if the City of Greensboro road standards accommodated for a full size semi-truck with a trailer with construction equipment.

Ms. Henriquez asked how the house style options offered would fit into the existing neighborhood. The options offered to her were not cookie-cutter. Will the homes be the same style or the same pricing? She is concerned about differences in home values between hers and the new homes. She also expressed concerns that there was not enough notice provided by the applicant to existing residents to work out these concerns together.

Chair O'Connor asked if there were other speakers in opposition to the request. Hearing none, she closed the public hearing.

Mr. Peterson asked if the reduction in dwelling units from 300 to 284 would allow for more room for a buffer for the residents on Tier View Trail and Zubron Drive.

Ms. Hodierna answered that the intent was not to plat out every square foot of the properties. The developers want natural green spaces within the new development. They are still working on the design. She acknowledged that the applicant had heard the feedback and that the buffer is something the site engineer could consider when putting pen to paper to create the lots and green space. Mr. Peterson then asked about the street standards described by Mr. Bryant. He shared his experience driving a tractor trailer and that not every street in Greensboro is authorized to hold the same weight. He asked the applicant to provide clarification that Tier View Trail and Zubron Drive are equipped to hold and handle that size and weight of vehicle. Mr. Bryant referred the question to GDOT staff.

Noland Tipton, GDOT, explained that City streets are designed to hold a fire truck full of water so around 80,000 pounds or so. In regards to Tier View Trail, while the street was not envisioned to hold tractor trailer traffic repeatedly, construction would be temporary, which is how neighborhoods are built.

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Ms. Hodierne added that streets like Tier View Trail were built to City standards and tested by the Department of Transportation and passed inspections.

Mr. Bryson asked Mr. Kirkman to show the zoning conditions again and discussed condition four (4.) which stated that no final plat for the subject property shall be recorded until such time that the entirety of Baverhof Drive is constructed and open to the public. He asked if it would be prudent to put this project on hold until these transportation issues are handled ahead of time. He expressed concerns that the conditions were more like goals and not set in stone and were not accepted by the residents on Tier View or Zubron.

Mr. Kirkman explained that the applicant worked with GDOT and Planning staff to address concerns in regards to volume of development verses the infrastructure in place today. The conditions were established to phase development so that when infrastructure was improved, new home construction could move forward. Mr. Kirkman advised that it is the Commission's decision for the request to move forward or not, but staff was comfortable the conditions timed develop volume relative to current and future public infrastructure.

Ms. Skenes asked Ms. Hodierne if the stub streets of Zubron Drive and Yearling Drive were intended to connect to a future development. Ms. Hodierne confirmed that was the developer's intention. Parcels cannot be landlocked so the stubs were required to be placed when Tier View and Baverhof were built, public street network was built-out and set to support future development. She also reiterated Mr. Kirkman's remarks that the phased approach would not create too much intensity too fast.

Ms. Skenes asked if the new development was a continuation of Reedy Fork. Ms. Hodierne said that in development pattern, aesthetics, home style and value, it was.

Ms. Skenes noted that there could be opportunity for the new road construction to help residents on Tier View Trail get to Highway 29 more quickly by going through the new development. Ms. Hodierne said that the public roads are intended to connect to existing street networks.

Chair O'Connor asked if there were any other questions, and hearing none, she asked for a motion regarding annexation. Mr. Alford moved that the Commission recommend approval of the annexation request. Ms. Magid seconded the motion. The Commission voted 6-1. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Chair O'Connor; Nays: Bryson).

Chair O'Connor then asked for a motion for the original zoning. Mr. Egbert made a motion for Z-22-02-005 to recommend approval of the zoning request for the properties described as 6462, 6468, and 6468-ZZ US Highway 29 North from County AG (Agricultural) to City CD-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 CD-R-5 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. Chair O'Connor called for a vote. The Commission voted 5-2. (Ayes: Skenes, Alford, Egbert, Magid, Chair O'Connor; Nays: Peterson and Bryson).

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Chair O'Connor stated the vote constituted a favorable recommendation and would be subject to another public hearing at the Tuesday, April 19, 2022 City Council meeting.

[The Commission took a 10 minute break.]

Chair O'Connor resumed the Planning and Zoning Commission meeting and introduced the next item on the agenda.

PL(P) 22-08 and Z-22-03-006: An annexation and original zoning request from County AG (Agricultural) and County RS-40 (Residential Single-family) to City PUD (Planned Unit Development) for the properties identified as 4000, 4012, 4022, 4040, 4044, and 4054 Randleman Road and 4800, 4806, 4808, 4810, 4811, 4812, and 4816 Coefield Road, generally described as east of Randleman Road, south of Coefield Road, and south of Peppercorn Road (108.89 acres)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties. Mr. Kirkman stated that since the request was for a Planned Unit Development (PUD) it also included a Concept Plan and a Unified Development Plan (UDP). He also noted the two condition associated with the request.

Chair O'Connor opened the public hearing and acknowledged Amanda Hodiernne to speak on behalf of the applicant.

Ms. Hodiernne thanked Chair O'Connor and members of the Commission. In addition to the property owners, she introduced Greg Garrett of RS Parker Homes. She also introduced a representative from the traffic engineering firm, Ramey Kemp to answer any questions. Ms. Hodiernne spoke of Mr. Garrett's and RS Parker Homes experience working in Greensboro and the Triad and looked forward to providing for new homeowners in this vibrant and growing part of the City. She said that with new economic and employment opportunities around the subject properties, there is a need for new housing stock and for keeping housing options at a reasonable level to support the growth and existing communities.

She stated the need for the Planned Unit Development (PUD) zoning was because of the two residential housing styles offered in the development with single family attached (townhomes) and single family detached. She reviewed the Concept Plan with the Commission and noted protected stream corridors, locations of the two housing types, and access points with the primary access of Randleman Road and the other entrances off the stub-out streets discussed in the traffic study. Ms. Hodiernne described the proposed development as having a Homeowner's Association (HOA) to maintain common elements and support amenities such as a clubhouse, pool, parks and playgrounds. Ms. Hodiernne stated that the Concept Plan incorporates the Comprehensive Plan goals to address the need for housing.

Ms. Hodiernne told Commission members about the neighborhood meeting held on Zoom on March 3, 2022. The applicant expanded the neighborhood outreach notifications beyond the 129 entries in the City's required radius to catch the entire subdivisions to the north and south, adding 59 additional recipients and HOAs like the Spicewood subdivision to the north of the subject properties. Ms. Hodiernne recounted that the notification included a letter and her contact information. Approximately 12 participants attended the meeting and provided feedback. Existing residents who participated in the meeting expressed concerns regarding the proposed connections through the Spicewood community and Peppercorn Drive. Ms. Hodiernne said that the ordinance requires connectivity but they want to provide safe connections for both communities. She said that the applicants also met with the Southeast Greensboro Alliance and had a favorable dialogue with how the proposed plan fit into that group's plans and goals.

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They also met with the Spicewood HOA to discuss buffers around Caraway Court and lots that back-up to the proposed neighborhood.

Ms. Hodierne stated that the applicant is prepared to add a condition to commit to a buffer for that area but it is not ready to be offered at this point in time, though they plan to propose the condition to City Council. Ms. Hodierne asked if the Commission had any questions for her or other members of her team in regards to this request.

Chair O'Connor asked if anyone else wanted to speak in favor of the application or if Commissioners had any questions. Hearing none, she opened the floor to people who wanted to speak in opposition of the proposal, noting the five registered speakers. The standard shared 10 minutes were allotted to the speakers.

Jimmie Keyes, 1007 Ronald Road, introduced himself as part of the Spicewood community, and stated that he was present at the neighborhood meeting with the applicant and still wants to work with the applicant on the proposed buffer. He expressed concerns about access and traffic from Peppercorn Drive, a very narrow street, with construction trucks coming in on Peppercorn Lane. The neighborhood wants to prevent that from happening.

Duanna Truitt of 813 Pittman Road, with additional property at 1001 Ronald Road, asked about Pine Spruce Road, which she said had been used as a private drive since the 1970s. She wanted to confirm that Pine Spruce Road would remain closed to public traffic.

(Pine Spruce Road is referred to on Plat Book 56, Page 10 as Spruce Pine Road)

Chair O'Connor thanked the speakers and invited any others to provide comments. Hearing none, she returned to the applicant for 5 minutes of rebuttal.

Ms. Hodierne responded to Mr. Keyes that the applicant would provide the verbiage to the Spicewood HOA for their review to discuss it before the City Council hearing on April 19, 2022. Even though the connection to Peppercorn Lane would have to be made, she acknowledged that there was a more direct and primary access off Randleman Road and Peppercorn was a tertiary access and not a direct path to Randleman Road. She suggested working together on signage to slow traffic to ensure safety of connection.

Ms. Hodierne said that the applicant does not have plans to utilize Pine Spruce Road and that under the PUD zoning, the applicant would have to go back to the Commission to modify their request if they wanted to use the road at a later date.

Chair O'Connor asked if any other speakers wanted to speak in favor of the application. Hearing none, she opened the floor for rebuttal for speakers in opposition to the request.

Ms. Truitt asked if the properties adjacent to the request currently zoned County AG and County RS-40 would remain in the County or would be annexed.

Mr. Kirkman responded that the only properties under consideration are the ones within the application. The Planning and Zoning Commission and City Council can only take action on that request and would not have an impact on adjacent properties not part of the petition.

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Chair O'Connor thanked Mr. Kirkman and hearing no other speakers, she closed the public hearing. She invited Commissioners to ask questions.

Mr. Egbert noted that the Commission recently rezoned a property nearby at South Elm-Eugene Street and Ritters Lake Road to industrial, which is in close proximity to the properties in the subject application.

Mr. Kirkman advised the Commission of conditions with the Unified Development Plan that were part of the approval from the Technical Review Committee that would need to be read into the record. He further advised that the first motion was for the annexation, then the original zoning, and finally the Unified Development Plan.

Chair O'Connor asked for a motion on the annexation. Mr. Bryson moved that the Commission recommend approval of the annexation. Ms. Magid seconded the motion. Chair O'Connor called for a vote. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson, Chair O'Connor; Nays: 0).

Mr. Bryson then made a motion to recommend approval of the zoning request for the properties described as 4000, 4012, 4022, 4040, 4044, and 4054 Randleman Road and 4800, 4806, 4808, 4810, 4811, 4812, and 4816 Coefield Road from County AG (Agricultural) and County RS-40 (Residential Single-family-40) 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 City PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Mr. Alford seconded the motion.

Chair O'Connor called for a vote. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson, Chair O'Connor; Nays: 0). Chair O'Connor stated that the vote constituted a favorable recommendation and is subject to a public hearing at the Tuesday, April 19, 2022 City Council Hearing.

In preparation of the vote for the Unified Development Plan, Mr. Kirkman asked Mr. Carter to read the conditions provided by the Technical Review Committee.

Mr. Carter stated that the Technical Review Committee recommended approval of the Unified Development Plan (UDP) today (March 21, 2022) with the following two conditions: (1.) Add a note stating that any streams determined perennial or intermittent at a later date will require stream buffers in accordance with Greensboro standards; (2.) Show or label stormwater device locations on the Unified Development Plan.

Chair O'Connor thanked Mr. Carter and Ms. Magid made a motion to accept the conditions of the UDP. Mr. Bryson seconded the motion. Chair O'Connor called for a vote. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson, Chair O'Connor; Nays: 0).

Ms. Magid made a motion to accept the UDP. Mr. Bryson seconded the motion. Chair O'Connor called for a vote. The Commission voted 7-0. (Ayes: Skenes, Alford, Peterson, Egbert, Magid, Bryson, Chair O'Connor; Nays: 0).

Mr. Kirkman advised that the Commission's vote on the UDP was considered final action, and while subject to City Council's approval of the annexation and rezoning, the Council will not take action on that item.

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Chair O'Connor thanked Mr. Kirkman and concluded the public hearing items on the agenda and asked Mr. Kirkman to introduce any items from the Planning Department.

ITEMS FROM PLANNING DEPARTMENT & COMMISSIONERS

Mr. Kirkman introduced Jeff Sovich, Senior Planner from the Planning Department, to present information on the Sol Smart program and a designation for the City of Greensboro.

The City of Greensboro is receiving technical assistance from the NC Clean Energy Technology Center to pursue designation in the SolSmart system, which recognizes communities that facilitate and advance local development of solar energy projects. The criteria for SolSmart designation included preparing a memo summarizing requirements of the LDO that intentionally or unintentionally prohibit solar PV development, and presenting these findings to the Planning and Zoning Commission.

Mr. Sovich thanked to Commission and explained that Sol Smart is a US Department of Energy Program intended to promote local solar development. Mr. Sovich explained that Sol Smart recognizes local government efforts and achievements with the overall goal to streamline zoning and permitting requirements and processes to reduce soft costs of solar development. He provided an overview of the rating system associated with the program and the designations of bronze, silver, or gold awarded, depending on the rating level.

Mr. Sovich discussed the City's work to apply for the SolSmart technical assistance grant through the NC Clean Energy Technology Center (NC CleanTech), with one requirement being a presentation of memo findings to the Planning and Zoning Commission. Mr. Sovich next focused on the memo findings in regards to potential barriers and gaps to solar inclusive of setbacks, height requirements, definitions (rooftop and ground mounted, size of systems, and solar photovoltaic and solar hot water), Table of Permitted Uses, purpose and intent language. These barriers could be remedied with text amendments to the Land Development Ordinance. NC CleanTech provided the City with best practices for allowing solar energy systems and examples of language that other municipalities have incorporated into their solar ordinances as recommendations.

Mr. Sovich announced to the Commission, which was the first announcement in the City on this matter, that the City was designated as SolSmart Bronze, earning 160 points. Mr. Sovich noted that the City may be able to reach the Gold designation if we adopt LDO text amendments to earn the 200 points needed which he thought was achievable through resubmittal. Mr. Sovich said that a primary action needed would be to codify accessory use solar PV. SolSmart recommended that this accessory use is allowed by right in all major zoning districts, without language that creates barriers in size, glare studies, lengthy design reviews and neighborhood consent requirements.

Mr. Sovich concluded his remarks and offered to answer any questions. Ms. Skenes asked how non-residential solar uses, like the Proximity Hotel, and residential rooftop solar fit into the designation effort. Mr. Sovich emphasized that the presentation drew from best zoning solar practices nationwide and explained that solar installation could be easier and there could be lower hurdles to be cleared for property owners and solar developers to install solar in Greensboro for solar energy. Active review of Ordinance could eliminate barriers.

Ms. Skenes asked if the Ordinance update would include setback adjustments. Mr. Sovich noted that setbacks could be considered as it was a recommended item but was not required. Mr. Kirkman added that idea would be to more clearly define solar facilities in the Land Development Ordinance because currently solar fall under the broader

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Utilities section or as accessory structures in the Ordinance. The recommendation would be to emphasize solar facilities as separate accessory uses and the setback requirement could affect that, but any updates to the LDO would be part of a broader conversation about impact on adjacent properties.

Ms. Skenes raised concerns that changes to front porches within the setbacks verses solar uses in a front yard need to be balanced. Mr. Kirkman responded that the matter would be further discussed and would go through public discussion. The goal of the presentation was to emphasize solar facilities throughout the community and to consider recommendations for the Commission including potential changes to the LDO.

Ms. Magid summarized the main points of the presentation and concluded that there is much to be done and it is new territory and that it is time to make changes. She asked if the determinations and additions to the LDO would be considered in the proposal.

Mr. Kirkman agreed that changes to clarify and define solar opportunities were needed. He then discussed the text amendment process and when the Commission would consider draft language and public comments, with the opportunity to review language and to make adjustments, after which the proposal would go to City Council for public hearing before adoption. Public conversations are first and the Planning Department is considering the recommendations as well.

Mr. Egbert asked for clarification on how Commissioners are involved in creating the text amendment language. Mr. Kirkman explained that Planning Staff would bring together a wide stakeholder group and provide the Commissioners with background information and feedback. Staff could offer an educational session with Commissioners prior to the public hearing for the text amendment with dialogue being the goal. Commissioners can be a part of the dialogue with the stakeholder groups by sending representative from the Commission or a similar concept. Mr. Sovich agreed that the decision to start developing the text amendment would take a more extensive process so there is plenty of time to work on this.

Chair O'Connor thanked Planning Staff for the presentation and moved to adjourn the meeting. Mr. Alford seconded. Staff said that the next Planning and Zoning Commission will be held on April 18, 2022. Chair O'Connor noted that the public would be present and Mr. Kirkman noted that Zoom participation would still be an option.

The meeting was adjourned at 8:30 PM

Respectfully submitted;

Sue Schwartz, Planning Director
SS/ram

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person, electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website, Monday, April 18, 2022, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, Andrew Egbert, and Erica Glass. Present for City staff were Lucas Carter, Mike Kirkman, and Alison Woods (Planning), Noland Tipton (GDOT), and Allen Buansi (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. Chair O'Connor advised of the policies, procedures and updated instructions in place for the Planning and Zoning Commission. Chair O'Connor advised those participants attending virtually would be able to view the meeting and speak when called upon. The online meeting was being recorded and televised and was also close-captioned for the hearing impaired. She further explained the expedited agenda and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Chair O'Connor welcomed Commissioner Erica Glass, the newest member of the Planning and Zoning Commission, who was present on Zoom. Chair O'Connor also noted that Commissioner Egbert was participating on Zoom.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised that Vice Chair Richard Bryson was absent from the meeting. She then asked that the Commissioners who were present to introduce themselves.

APPROVAL OF THE MARCH 21, 2022 REGULAR MEETING MINUTES: (Approved)

Chair O'Connor requested approval of the March 21, 2022 meeting minutes. Ms. Magid moved to approve the March meeting minutes as presented. Seconded by Mr. Peterson. The Commission voted 7-0. (Ayes: Alford, Skenes, Peterson; Egbert; Magid; Glass; and Chair O'Connor; Nays, 0). Mr. Engle abstained since he was not present for that meeting.

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman indicated that there was a request for a continuance for rezoning case Z-22-04-14 for 1208-1220 Pleasant Ridge Road and 729-YY-745 Brigham Road.

Mr. Deaton, the applicant, of 1400 Battleground Avenue, requested a continuance and explained that a portion of site had a loan tied to it and they still needed the lender's approval to move forward. Chair O'Connor called for a motion. Ms. Skenes asked how much time the applicant would need to secure the loan and Mr. Deaton responded that 30-days should be enough time. Mr. Engle moved to continue Z-22-04-14 to the May 16, 2022 Planning and Zoning Commission. Mr. Peterson seconded the motion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass, Egbert, and Chair O'Connor; Nays, 0).

Mr. Kirkman advised that there were no additional withdrawals or continuances.

Mr. Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

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Mr. Kirkman then introduced the items that were eligible for the expedited agenda as they were recommended by staff and no one had signed up to speak in opposition. These items were Z-22-04-003 for 1207-1209 Fairview Street; PL(P) 22-10 and Z-22-04-006 for 5026 Burlington Road; Z-22-04-009 for 2526 Carroll Street; PL(P) 22-14 and Z-22-04-012 for 1691 Greenbourne Road; and Z-22-04-013 for a portion of Leabourne Road and NC Highway 68.

NEW BUSINESS:

Z-22-04-003: A rezoning from C-L (Commercial Low) to CD-C-M (Conditional District – Commercial Medium) for the properties identified as 1207-1209 Fairview Street, generally described as west of Fairview Street and north of Fourth Street (1.56 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designated this site as Urban Central within a Community Scaled Activity Center on the Future Built Form Map and Residential and Commercial on the Future Land Use Map. Staff concluded the request was 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 strategy to ensure revitalized sites will be high quality and complement existing neighborhood character. He also noted that this request allowed similar types of uses as allowed with nearby properties zoned CD-C-M limiting uses to a variety of retail, office, service and restaurant (without drive through) that are compatible with existing commercial and civic uses located on adjacent tracts. Staff recommended approval of the request.

Ms. Skenes asked for more information on why there were additional uses being added to the rezoning.

Mr. Kirkman said that the applicant wanted to add auto-sales and service to the property which was the basis for the rezoning.

Tiffany Brown, 1204 Ross Avenue, spoke in favor of the request. She explained that she was not the property owner but one of prospective tenants for the unit. She said that she was trying to work with the property owner to make upgrades to the look of the building and more to draw additional business that they were trying to establish on-site.

Chair O'Connor inquired if there were any questions. Hearing none, she closed the public hearing and requested a motion.

Zac Engle made a motion to recommend the zoning request for the property described as 1207-1209 Fairview Street from C-L (Commercial – Low) to CD-C-M (Conditional District Commercial-Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considered the action taken to be reasonable in the public interest for the following reasons: (1) The request was consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2) The proposed City CD-C-M zoning district, as conditioned, permits uses which fit the context of surrounding areas and limits negative impact on the adjacent properties; and (3) The request was reasonable due to the size, physical conditions, and other attributes of the area, it would benefit the property owner and surrounding community, and approval would be in the public interest. Ms. Skenes seconded the motion. There was no discussion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass, Egbert, and Chair O'Connor; Nays, 0). Chair O'Connor noted that this vote constituted final action unless appealed in writing to the Planning Department within 10 days.

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PL(P) 22-10 & Z-22-04-006: An annexation and original zoning request from County HI (County Heavy Industrial) to City LI (Light Industrial) for the property identified as 5026 Burlington Road, generally described as south of Burlington Road west of Mount Hope Church Road (9.466 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. He then stated the GSO 2040 Comprehensive Plan designated this site as Urban General on the Future Built Form Map. Mr. Kirkman noted that if the original zoning request was approved, the Future Built Form designation for the entire subject site is considered to be amended to Urban General. The Comprehensive Plan's Future Land Use Map has designated the property as Industrial and Residential. Staff concluded the request is consistent with the Comprehensive Plan's Growing Economic Competitiveness Goal to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed City 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. Staff recommended approval of the annexation and original zoning request.

Chair O'Connor asked if there were any questions. Hearing none, she invited the applicant to speak.

Steve Gentry, 12806 Westmoreland Farm Road in Davidson, NC, explained that the main reason for the request was to be annexed in order to connect to the water and sewer services in the area. He said that their community outreach involved sending 24 notices to surrounding property owners. In response, two property owners, Mount Pleasant United Methodist Church, Chair of the Board of Trustees, and the property owner to the west of them, had both provided their support for the request.

Mr. Gentry further explained that the proposed zoning was a down-zoning from existing zoning and would be consistent with the other land uses along the corridor. He asked if the Commissioners had any questions.

Hearing no further questions, Chair O'Connor thanked Mr. Gentry and closed the public hearing.

Ms. Magid made a motion to recommend approval of the annexation of the subject property, 5026 Burlington Road. Mr. Alford seconded the motion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Ms. Magid made a motion to approve the original zoning request for the subject property from County HI (Heavy Industrial) to City LI (Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considered 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, limits negative impacts on the adjacent properties and permits uses which also fit the context of 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. Ms. Skenes seconded the motion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, May 24, 2022, City Council meeting.

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Z-22-04-009: A rezoning application from R-5 (Residential Single-Family-5) to CD-O (Conditional District-Office) for the property identified as 2526 Carroll Street, generally described as north of Carroll Street and east of Walter Street (0.17 of an acre). (APPROVED)

Mr. Kirkman provided the summary information for the subject property and surrounding properties and noted there was one condition submitted with the request which stated that “permitted uses limited to all uses permitted under the O zoning district except Land Clearing and Inert Debris Landfills, Minor (Accessory Use).” Mr. Kirkman stated the Comprehensive Plan designated this site as Urban General on the Future Build Form Map and Commercial on the Future Land Use Map. The rezoning 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 Growing Economic Competitiveness Big Idea to build a prosperous and resilient economy that creates equitable opportunities to succeed. The proposed CD-O zoning designation, as conditioned, would allow a mix of office and professional service uses in immediate proximity to other office uses that are compatible with adjacent residential uses. Staff recommended approval of the request.

Chair O’Connor noted that Mr. Marc Isaacson was available to answer any questions on behalf of the applicant. It was then brought to the Chair’s attention that there were persons who wished to speak on the item. She invited them to the podium.

Mr. Greg Knehans of 2527 Carroll Street, owns the property directly across the street from the request and provided comments on the proposal. He explained that while he and his neighbors did not have a problem with the zoning change, they were concerned about the proposed entryway to the new parking lot shown on the site plan. The entryway would exit on to Carroll Street which he felt would substantially change the nature of the street which was all residential on that end of the street. He said that they would appreciate if only the existing entrance/exit was used off Oakcrest Avenue. Otherwise, he said that the new entrance/exit would impact their residential area. He thanked the Commission.

Chair O’Connor stated that even though this item was on the expedited agenda, they would be happy to provide a rebuttal period if necessary.

Mr. Marc Isaacson, 804 Green Valley Road, discussed the community meeting that held with neighbors and concurred that Mr. Knehans’ concern was raised regarding the entrance/exit on to Carroll Street. He said that the applicant, Dr. Graham Farless, had run-out of room for parking for his dental practice, and acquired the residential property to install parking spaces for parking support for his existing and growing dental practice. Mr. Isaacson recognized and appreciated the concern of vehicles exiting the property. He interpreted the concern as a site plan question that would be reviewed during the Technical Review Committee’s process. He said that this meeting was for focusing on the appropriateness and reasonableness of the land use question, an office zoned property next to another office-zoned property, with an existing mix of commercial and residential uses with Cook Out right down the street. Mr. Alford asked for the street address of the existing dental practice and Mr. Isaacson answered that the address was 2511 Oakcrest Avenue.

Eric Henry, 2525 Carroll Street, stated that he was not in opposition to the proposal of the rezoning but that it strongly depended on how the property would be used. He echoed Mr. Knehans’ comments and said that it would greatly impact their street if the applicant accessed a new parking lot from Carroll Street. If the access was from the existing point at Oakcrest Avenue, he advised that he did not think there would be a dramatic change. He said that parking next to the dental office would be fine but further explained that on Carroll Street, there are no gutters or sewer systems, just a cut-through of a road that was very small. In contrast, Oakcrest Avenue already had city

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infrastructure and services. He expressed additional concerns about the impacts of a new parking lot on the watershed, existing bushes situated on the edge of property, and dumpster access, but his main concern about the rezoning was about the access and not having an adverse effect on the residential houses that are right there.

Chair O'Connor thanked him for his comments.

Hearing no further comments or questions, Chair O'Connor closed the public hearing.

Mr. Egbert made a motion to recommend approval of the zoning request for the property described as 2526 Carroll Street from R-5 (Residential Single-family - 5) 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, permits uses which fit the context of the surrounding area and limits negative impacts on adjacent properties; and (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. Mr. Engle seconded the motion.

Chair O'Connor asked if there was any discussion. Mr. Engle said that historically, the Commission looked at transitional uses as infill development, such as office and residential being complementary, and that they did not look at ingress/egress issues, unless there was a traffic study involved. The site plan issues would be reviewed at the Technical Review Committee. However, he encouraged the neighbors to stay involved in the process, but from a land use perspective, the proposal fit well with precedent.

The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0). Chair O'Connor explained that the vote constituted final action unless it was appeal in writing to the Planning Department within 10 days and further explained the appeal process.

Chair O'Connor thanked everyone for their patience as the Commission led the first meeting back in Chambers while also having people participate online.

PL(P) 22-14 and Z-22-04-012: An annexation, original zoning, and rezoning request from County CZ-PDM (Conditional Zoning-Planned Unit Development-Mixed), County AG (Agricultural) and City CD-C-M (Conditional District-Commercial-Medium) to City PUD (Planned Unit Development) and consideration of an associated Unified Development Plan for the property identified as 1691 Greenbourne Drive, generally described as west of NC Highway 68 and south of Leabourne Road (35.179 acres); AND

PL(P) 22-14 and Z-22-04-013: An annexation and original zoning request from County CZ-PDM (Conditional Zoning-Planned Unit Development-Mixed), County AG (Agricultural) and County RS-40 (Residential Single-family) to City C-M (Commercial Medium) for the property identified as a portion of Leabourne Road and NC Highway 68 (6.64 acres), (RECOMMENDED APPROVAL).

Mr. Kirkman provided an overview of the requests. He stated the main request was to change the zoning of the private property from County CZ-PD-M and AG and City CD-C-M to PUD (Planned Unit Development). He further explained that approving the annexation and City zoning would also mean the adjacent road rights-of-way to come into the City, and the portion of right-of-way located along Leabourne Road and NC Highway 68 would be assigned the Commercial Medium (C-M) zoning designation.

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Mr. Kirkman then reviewed the summary information for the subject properties and surrounding properties. The zoning condition associated with Z-22-04-012 proposed that “Permitted uses shall be include all permitted uses in the PUD zoning district except All Cemeteries.” Mr. Kirkman then noted that with a PUD zoning there was also a Unified Development Plan and a Concept Plan. He turned the presentation over to Luke Carter to explain further the Unified Development Plan proposal.

Mr. Carter explained that Unified Development Plans establish the development standards for the PUD zoning district and those standards are made available to the public through recordation of the document with the County Register of Deeds. Mr. Carter further explained that the Concept Plan and Unified Development Plan associated with a PUD request are traditionally first reviewed and approved by the Technical Review Committee before the Planning and Zoning Commission reviews them, but in this case, the Technical Review Committee was still reviewing the details of the request with a few minor notes that needed to be added. Nonetheless, Mr. Carter stated that the request was ready for the Commission’s review and if they decided to approve the request, it would have to be a conditional approval contingent upon the Technical Review Committee’s approval as well.

Mr. Kirkman then stated that the GSO 2040 Comprehensive Plan designated this site as Urban General within a Neighborhood and District-Scale Activity Center and in an Urban Mixed-Use Corridor on the Future Built Form Map and Commercial/Mixed Use in support of the Campus Village Planning Area on the Future Land Use Map of the Western Area Plan. Mr. Kirkman explained that the request supported both 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. Additionally, the request supported the Growing Economic Competitiveness Big Idea for supporting Commercial/Mixed Use development in proximity to transit networks, community public and institutional anchors, and neighborhood and district connections within an increasingly urban area. The proposed PUD zoning designation, as conditioned, would allow a mix of uses that are generally similar to the existing uses on the site and surrounding area. Care should be given to orient the development to limit potential negative impacts of noise, traffic, and light trespass on nearby residential uses. Staff recommended approval of the annexation and original zoning request.

Chair O’Connor invited the applicant to speak. Nathan Duggins 400 Bellemeade St, Suite 800, explained that he and his client were present to speak on behalf of the Greenlea 68 development. He noted that that staff handled the description of the request accurately and he was happy to answer any questions.

Chair O’Connor asked if there were any questions. Hearing none, she closed the public hearing. She then instructed that the Commission would be looking for 4 motions.

Mr. Engle moved that the property at 1691 Greenbourne Road and the portion of Leabourne Road and NC Highway 68 rights of way be annexed. Seconded by Vernal Alford. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays, 0).

Chair O’Connor asked for a motion in regards to the Unified Development Plan (UDP) document.

Mr. Engle made a motion to approve the UDP subject to any final conditions from the Technical Review Committee. Seconded by Ms. Magid. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays, 0).

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Mr. Alford then made a motion with respect to Z-22-04-012 to recommend approval of the zoning request for the property described as 1691 Greenbourne Drive from County CZ-PDM (Conditional Zoning – Planned Unit Development – Mixed), County AG (Agricultural) and City CD-C-M (Conditional District – Commercial - Medium) 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 City PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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 Mr. Engle. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays, 0).

Mr. Alford also made a motion with respect to Z-22-04-013 to recommend approval of the zoning request for the property described as a portion of Leabourne Road and NC Highway 68 right-of-way from County CZ-PDM (Conditional Zoning – Planned Unit Development - Mixed), County AG (Agricultural) and County RS-40 (Residential Single-family) to City C-M (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 proposed City C-M zoning district permits uses which fit the context of 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 Mr. Engle. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays, 0).

Chair O’Connor stated that the Commission’s actions constituted a favorable recommendation and were subject to a public hearing at the Tuesday, May 24, 2022 City Council meeting.

Mr. Duggins thanked the Commission and Chair O’Connor said that the Commission looked forward to seeing Mr. Duggins in-person at a future meeting.

Chair O’Connor then announced that this concluded the expedited agenda items and the Commission would return to their regular agenda starting with the following cases:

PL(P) 22-09 & Z-22-04-001: An annexation and original zoning from County LB (Limited Business) and County CZ-HB (Conditional Use-Highway Business) to CD-C-M (Conditional District-Commercial-Medium) for the properties identified as 5835 West Gate City Boulevard, generally described as southeast of West Gate City Boulevard and north of Queen Alice Road (6.635 acres); AND

PL(P) 22-09 & Z-22-04-002: An annexation and original zoning request from County CZ-HB (Conditional Use-Highway Business), and Jamestown IND (Industrial) to City C-M (Commercial - Medium) for a portion of West Gate City Boulevard right of way from the northeastern right of way of Queen Alice Road extending in a northeasterly direction for approximately 900 feet to the existing primary City limits (3.32 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman stated that the request was to annex property on West Gate City and establish original zoning, and further stated that as a result of that annexation action being approved, there would be annexation and original

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zoning of adjacent road right-of-way on West Gate City Boulevard. He provided summary information for the private property at 5835 West Gate City Boulevard. He noted that the subject property was currently undeveloped at this time. He then went over other existing site conditions with the Commission and noted the condition associated with the request.

Mr. Kirkman explained the factors that supported staff's recommendation for approval of the request. He stated that the GSO 2040 Comprehensive Plan designated the property as Urban General within an Urban Mixed Use Corridor on the Future Built Form Map, and Commercial and Residential on the Future Land Use Map with the majority of the property as Commercial. He went on to say that the proposed original zoning request supported 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, and the uses permitted in the proposed CD-C-M zoning district would be compatible with existing adjacent and nearby commercial and civic uses. He asked if the Commissioners had any questions.

Hearing no questions for Staff, Chair O'Connor opened the public hearing. She instructed speakers on the 10-minute combined time they had to speak and asked them to identify themselves before they spoke.

Celeste Macmurdo, 4143 Shepherd Drive, Burlington NC, spoke on behalf of Goodwill Industries and Chris Gorham the applicant. She explained that the purpose of the request would be for the primary use of a retail store and donation center and to secure water and sewer services for the site. She said that they had reviewed existing zoning on the property and for adjacent properties and along the corridor. Ms. Macmurdo explained that they tried to be very cognizant of land use exclusions that would marry well with rest of neighborhood, including if the primary use would not be for Goodwill down the road. Ms. Macmurdo explained the outreach efforts. They reached out to 35 households and businesses in the area via letter that outlined the purpose of the request, the zoning conditions, and contact information for the applicant. The letter was sent on March 28, 2022, they received 3 responses with one letter being sent back, one call without a call-back number, and one call was about the proximity of the property to another, resolved with a plat review.

Chair O'Connor asked if there were any questions or if anyone else who would like to speak in favor of the proposal. Hearing none, she opened the floor to speakers in opposition to the request. No opposition came forward and there was no need for a rebuttal. Chair O'Connor closed the public hearing.

Mr. Kirkman advised that a motion could be made on the annexation and then there would need to be two motions made on the original zonings.

Ms. Magid made a motion to recommend approval for the annexation. Mr. Peterson seconded the motion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Ms. Magid then moved to recommend approval for Z-22-04-001, an original zoning request for the property described as 5835 West Gate City Boulevard from County LB (Limited Business) and County CZ-HB (Conditional Use – Highway Business) 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

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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 CD-C-M zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. The motion was seconded by Mr. Peterson. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Mr. Peterson then moved to recommend approval for the original zoning request for a portion of West Gate City Boulevard right-of-way from County CZ-HB (Conditional Use – Highway Business), Jamestown CIV (Civic), and Jamestown IND (Industrial) to City C-M (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 proposed City C-M zoning district permits uses which fit the context of 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. The motion was seconded by Ms. Magid. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Chair O'Connor explained that the votes constituted favorable recommendations and were subject to a public hearing at the May 24, 2022 City Council meeting.

Z-22-04-004: A rezoning request from R-3 (Residential Single-family - 3) to CD-C-L (Conditional District – Commercial - Low) for the properties identified as 4111 and 4113 Lawndale Drive, generally described as west of Lawndale Drive and north of Benton Lane (1.55 acres); AND

Z-22-04-005: A rezoning request from R-3 (Residential Single-family - 3) to CD-R-7 (Conditional District – Residential Single-family - 7) for the property identified as 4006 Lawndale Place, generally described as east of Lawndale Place and north of Benton Lane (0.74 acres) (APPROVED)

In addressing a question from Commissioners, Mr. Kirkman explained it made sense to have one public hearing on both items since the properties were adjacent to each other and the projects had some connection to each other, even though the requests were for different zoning districts. He said that the request was for two properties fronting on Lawndale Drive and one property on the backside facing Lawndale Place. He reviewed summary information for the subject properties and surrounding properties. Mr. Kirkman advised that the applicant had submitted 6 conditions for the CD-C-L (Conditional District-Commercial-Low) request for 4111 and 4113 Lawndale Drive and 1 condition for the 4006 Lawndale Place rezoning application for CD-R-7 (Conditional District Residential-7)

Mr. Kirkman then noted the Comprehensive Plan's Future Built Form Map currently designates these properties as Urban General. The Comprehensive Plan's Future Land Use Map currently designates these properties as Residential and other uses should generally be in the scale of Neighborhood or District Scaled Activity Center as described in the Future Built Form Map. He then noted the proposed rezoning requests support the Comprehensive Plan's Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development. It also supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. Finally, the proposed CD-C-L zoning district permits lower intensity retail, office, and service uses that are compatible with uses existing in the surrounding area.

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The proposed conditions would limit the negative impacts of the development on adjacent properties. Mr. Kirkman asked if the Commissioners had any questions.

Chair O'Connor said that there may be some confusion among the Commissioners as to whether there should be one or two public hearings because there were two different matters, even though the properties abut each other.

Mr. Kirkman said that he would leave the decision to the purview of the Commission. He noted that both cases had the same applicant and developer.

Chair O'Connor asked if the Commissioners had a recommendation. Ms. Skenes asked if the applicant would be agreeable to a limited timeframe for two cases heard as one. The applicant indicated that he was agreeable to the cases being heard as one.

Mr. Peterson made a motion to handle the requests as two separate matters with two presentations and separate public hearings. Mr. Engle seconded the motion. The Commission voted 4-4. (Ayes: Peterson, Magid, Engle, and Glass; Nays: Alford, Skenes, Egbert, and Chair O'Connor). Mr. Buansi, City Attorney, advised that if the motion was for two separate public hearings and the vote was a tie, the motion failed and the matter must be treated as one public hearing.

Mr. Kirkman noted that there would still be two action items at the end of the public hearing. Chair O'Connor echoed that understanding by noting that there would be two motions.

Mr. Engle shared that there was an option in the City Ordinance for combining two things together in one, and that was called a Planned Unit Development. He said that the way the cases was being presented seemed odd to him but that he was willing to proceed. However, he asked what would happen if someone tried to appeal the decision, do both cases get appealed or does one case get appealed? Mr. Kirkman responded that both items would need to be appealed to Council. Mr. Engle said that from a process perspective, he agreed with Mr. Peterson's assertion.

Chair O'Connor invited the applicant and anyone else in favor of the request to speak to the Commission.

Mr. Isaacson of 804 Green Valley Road provided the Commissioners with some paper materials and spoke on behalf of William Penn Properties, LLC with Will Stevens, as Principal of the firm. Mr. Isaacson described Mr. Stevens as a local developer and builder of medical office uses, and light commercial development in and around this area and throughout Greensboro. Mr. Stevens worked on a property north of the subject properties with two office buildings being constructed on Lawndale Drive. Mr. Isaacson said that Mr. Stevens had an interest in this development and this area of Lawndale and had acquired the subject properties. The properties fronting on Lawndale Drive could be used for professional office or light commercial use, something like a yoga studio, coffee shop or café with no drive-thru that would be neighborhood-serving and easily accessible on Lawndale Drive.

Mr. Isaacson stated that the property on the west side fronting on to Lawndale Place would be developed for single family detached homes. He started a slide presentation and went over proposed conditions that was added to the Lawndale Drive application that were also provided to Commissioners. He reiterated that there would be no drive-thru facilities allowed and that the building area would be limited to 15,000 square feet in total, with a 20-foot building height limit. 20 feet. Mr. Isaacson stated that the conditions were intended to substantiate high quality, limited, professional office, light commercial use, fronting on to Lawndale Drive.

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Mr. Isaacson addressed the question of why two cases; it had to do with the City's subdivision ordinance and its requirements. This approach also seems to avoid other issues along Lawndale Drive when City required right-of-way dedication, and with a PUD zoning, right-of-way would have been dedicated and required. This path allows Mr. Stevens to develop his property fully without road widening, the driving point to not have a PUD zoning designation.

In regards to the Lawndale Place case, Mr. Isaacson said that they have had discussions with property owners and people living in the area, and as a result of those conversations, they have agreed to a zoning condition that reduced the number of detached single family homes from 5 to 4. Mr. Isaacson note it might be the best time to call for a motion to change the zoning conditions for 4006 Lawndale Place from 5 to 4 residential dwellings. Ms. Skenes made motion to accept the modification on the zoning condition to reduce units to 4 residential dwelling units. Mr. Engle seconded the motion. The motion was seconded by Ms. Magid. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Mr. Isaacson went on to say that as a result of the reduction in dwelling units, they have received letters of support from several of the immediately adjoining property owners and neighbors in area along Lawndale Place. He had the letters on hand to share at the Commission's request and provided them to Staff.

Mr. Isaacson went over the existing conditions on Lawndale Place along with maps, views, showing similarly zoned properties with low commercial zoning designations. He also presented a rough concept of the approximate layout of the professional office buildings on Lawndale Drive and the 4 detached single-family residences on Lawndale Place. Per the landscape development ordinance, he noted that there would be a substantial landscape buffer between the two uses. He also noted for Commission's consideration that when there is one developer for two different uses, there is a self-check-and-balance. He would not do anything to one project that would adversely impact the other property. Mr. Isaacson submitted to the Commission that the properties facing on Lawndale would not adversely affect the sale of the residences that would back-up to the low commercial use, so the uses in this case, go hand-in-hand. He then shared the outreach letter sent to neighbors which sparked further discussion. He showed the Commissioners 6 signed letters of 'no opposition' or 'support' that cited the various conditions to which the applicant agreed.

Mr. Isaacson said that in conclusion, these rezoning request applications would introduce mixed use, walkable, infill development into the area in transition along Lawndale with a neighborhood-scale light commercial combined with residential use in connection with professional office space, along a heavily-traveled thoroughfare. He stated that the proposals aligned with City goals set forth in City's 2040 Comprehensive Plan. Further, the applicant would be restricted to similar development standards that are in-line with his other properties to the north, keeping the proposal in character. He also said that the development would be oriented in a way that mitigated the potential impacts on neighboring residential property owners, and that access for the commercial property would only be from Lawndale Drive with no cut-through access. He asked if he or Mr. Stevens could answer any questions.

Chair O'Connor invited Mr. Stevens or anyone in support of application to speak. Hearing no additional discussion, she opened the floor to people who may want to speak in opposition. There were no speakers in opposition. Chair O'Connor closed the public hearing and asked if there were any questions or comments from Commissioners.

Mr. Engle shared that the Commission had received a letter in opposition to the proposal and that the letter was read. Mr. Engle stated that in his opinion from a land use perspective, the points that Mr. Isaacson made were salient. He noted that he had voted against another case in which the applicant had not talked to the neighborhood.

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He said that based on precedent, this case may go through City Council and be approved as well. He stated that the conditions in the 4111 and 4113 are extremely well done and kept with character with building being done just north, and that the building height of 20 feet was less than what could have been allowed in the zoning district. He concluded that for these reasons, he would be supporting both items.

Mr. Alford also made a comment. He stated that from his perspective, these are two different types of proposals. The one on Lawndale Drive is in character with the surrounding area and cases previously considered, but when you go around the corner, the area looks much different. For these reasons, he said that he will not be voting in support of the Lawndale Place case.

Ms. Skenes said she was in a unique position in that she remembered the zoning case that approved the rezoning to R-7 on Lawndale Place and there were some objections, but despite the appeal, City Council approved it. In this case, the rezoning is from R-3 to CD-R-7 and the former large lot sizes are changing, even looking up Lawndale Drive. She said that she saw the reduction to 4 lots from 5 was an effort to work with the neighbors and they had support from most neighbors, with only one person in opposition, showed overall support from the neighborhood. The proposal also provided good infill with the 4 houses, she concluded.

Mr. Peterson said he visited the area and agreed with his fellow Commissioners that the reduction from the 5 to 4 residential lots would give the individual homeowners space and land to cut the grass. He said that he spoke to a resident across the street from the proposed development and that she had noted that the applicant was working with the neighborhood to hear their concerns. He noted that the new development would mitigate any decreased values in any homes; the subject property off Lawndale Place had two abandoned, rundown buildings as of today. Ms. Magid agreed with what had been said and that the compromise to 4 was well done in comparison for what exists for the neighborhood.

Mr. Engle made a motion to recommend approval of the zoning request Z-22-4-004, for the properties described as 4111 and 4113 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: (1) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2) The proposed City CD-C-L zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Skenes seconded the motion. The Commission voted 7-1. (Ayes: Peterson, Magid, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays: Alford).

Mr. Peterson then made a motion for Z-22-04-005 to recommend the zoning request for the property described as 4006 Lawndale Place from R-3 (Residential Single-family - 3) to CD-R-7 (Conditional District – Residential Single-family - 7) 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-R-7 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Magid seconded the motion. The Commission voted 7-1. (Ayes: Peterson, Magid, Engle, Skenes, Glass; Egbert; and Chair O’Connor; Nays: Alford).

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Chair O'Connor stated that the approval constituted final action unless appealed to the Planning Department in writing within 10 days. She explained the appeal process.

PL(P) 22-13 and Z-22-04-011: An annexation for 3607 Esterwood Road and original zoning and rezoning request from County RS-30 (Residential Single-family), City LI (Light Industrial), and City R-3 (Residential Single-family - 3) to City CD-RM-18 (Conditional District – Residential Multi-family – 18) for the properties identified as 4717-4733, and 4735 US Highway 29 North and 3605-3607 Esterwood Road, generally described as Northwest of US Highway 29 and north of Esterwood Road (23.82 acres) (RECOMMENDED APPROVAL).

Mr. Kirkman stated that the requests covered annexation, original zoning and rezoning of number of properties and bring various zoning designations into one zoning designation, CD-RM-18 (Conditional District Residential Multi-family-18). He then reviewed the summary information for the subject properties and surrounding properties and noted the associated zoning condition with the request. Mr. Kirkman then stated that the GSO 2040 Comprehensive Plan designated the majority of this site as Planned Industrial with the remainder as Urban General on the Future Built Form Map and Industrial and Residential on the Future Land Use Map. Further. He then noted the proposed original zoning and rezoning request supported 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. Finally, Staff determined the proposed CD-RM-18 zoning district, as conditioned, would allow for moderate intensity residential uses that supported nearby industrial uses and were also compatible with the various nearby residential uses. Mr. Kirkman noted that care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to adjacent and nearby lower density residential uses.

Hearing no questions for staff, Chair O'Connor opened the public hearing and acknowledged Marc Isaacson to speak on behalf of the applicant.

Mr. Marc Isaacson, 804 Green Valley Road, thanked Chair O'Connor and members of the Commission. He said that he was speaking on this case on behalf of the family of Daily Management, LLC and acknowledged representatives in the audience that had joined him and were available to answer questions.

Mr. Isaacson focused his presentation on an illustrative Sketch Plan. He provided some background that the family business had been involved in the hotel business for quite some time and owned the subject properties for several years. He stated that the proposal was an effort to diversify the business to multi-family and to address the housing need for the northeast area of city. The subject properties are located along US Hwy 29 which will be an interstate-level highway. In evaluating highest and best use of properties, especially near the Gateway Research Facility sponsored by A&T and UNCG, it made sense to market the property as market-rate multifamily. Since part of the property was still in the County, Mr. Isaacson said that City Council would make the final decision about the annexation and original zoning.

Mr. Isaacson explained that the property was challenged with a wide stream running through the middle, and in light of that the site engineer tried to adapt to the circumstances by locating the majority of units in the northern part of property (once combined) with some units south of the stream, adjoining single family, separated by a landscape buffer, parking area, and the multi-family buildings. He said that there would be a proposed amenity center or clubhouse for residents which was an indication of the quality of housing being proposed.

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Mr. Isaacson went over the neighborhood outreach efforts and took note of the wide range of land uses in the area. The community meeting was held on April 4, 2022 at 5:30pm. He reported that several people showed-up (about 6 or 7) with most of the questions revolving around the plan for the property and how it would be accessible to Highway 29. Mr. Isaacson noted that as Commissioners may have seen, there is a service road planned to be installed by the North Carolina Department of Transportation (NCDOT). NCDOT also currently owns parcels in the area. The applicant has received information from NCDOT that there will be reasonable access to this and other properties in this area. Mr. Isaacson said that he thought the trend as it occurs in development for this area should prompt NCDOT to make certain improvements to the service road and highway. He believed there was a positive trend for transportation in this growing area of northeast Greensboro, and would address the need for quality housing, and reasonably accessible housing for the Gateway Research Center, business in this area, and access to universities and other schools in the area. He concluded the presentation and asked the Commissioners had any questions.

Chair O'Connor asked if there was anyone else who would like to speak in favor of the proposal with the remaining time. Hearing none, she commended the person who designed a proposal to fit this property.

Chair O'Connor opened the hearing to those in opposition to the proposal. Mr. Engle asked if Mr. Richardson was going to speak in regards to the proposal.

Mr. Richardson, 5907 Shenandoah Road, introduced himself and said that he has no opposition to the development since it is going to happen on the southbound side of Highway 29, and he is on the northbound side of Highway 29. He wanted to get further clarity in relationship to what was being proposed.

Hearing no other speakers, Chair O'Connor closed the public hearing and asked if there was a first a motion for annexation and secondly a motion for original zoning.

Mr. Engle moved to recommend annexation of the property at 3607 Esterwood Road. Mr. Peterson seconded the motion. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays: 0).

Ms. Skenes made a motion to recommend approval of the original zoning request Z-22-04-011 for the properties described as 4717-4733, and 4735 US Highway 29 North and 3605-3607 Esterwood Road from County RS-30 (Residential Single-family), City LI (Light Industrial), and City R-3 (Residential Single-family - 3) 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 CD-RM-18 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Engle seconded the request. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays: 0).

Mr., Kirkman said that there were no other items for discussion and that he appreciated the Commissioners understanding while staff transitioned back into full in-person public hearings while still providing options for Zoom participation. He said that staff would continue to adjust their process moving forward.

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Chair O'Connor thanked staff and asked about next month's agenda. Mr. Kirkman and Mr. Carter shared that grouping the cases together, there would be 12 cases and a street closure request. There would be more information to follow.

Chair O'Connor thanked the Staff for the work getting people back to in-person hearings. She welcomed all people back in to Chambers and also noted her appreciation to people participating online.

Ms. Magid welcomed the Daily Family from Virginia to North Carolina and for considering Greensboro for their investment

Mr. Engle welcomed Commissioner Glass and commended the Chair on a well-run meeting.

Chair O'Connor thanked Mr. Engle and noted that it takes everyone for a well-run meeting. She recommended to everyone to go on tour of the Downtown Greenway. She shared that she recently went on a golf cart tour of the greenway, which is nearing completion. She noted that there was a lot to see and along the way through its development, there would be zoning matters. She said that the tour took about an hour and for the next 1-2 months, registration was open online for the Greenway or registration could be done through Action Greensboro's website. Chair O'Connor said that it was time well-spent with an abundance of art and the notable way that the Greenway touched every edge on City was so significant, any person from Greensboro would be very proud.

Ms. Magid made a comment that the 1691 Greenbourne project from Greenlea 68 was developing in District 5, and that the people there were appreciative of the development with 325 apartments, 225 hotel rooms, and it has been an exciting project.

Chair O'Connor thanked her fellow Commissioners and adjourned the meeting at 7:29pm.

Respectfully submitted;

Sue Schwartz, Planning Director
SS/ram

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person, electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Monday, May 16, 2022, beginning at 5:30 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Zach Engle, Mary Skenes, Erica Glass, Keith Peterson, Andrew Egbert, and Catherine Magid. Present for City staff were Lucas Carter, Mike Kirkman, and Rachel McCook (Planning), Deniece Conway (GDOT), and Allen Buansi (City Attorney).

Chair O'Connor asked Planning Staff for any items for the expedited agenda and Mr. Kirkman said that he would announce those items after discussing withdrawals and continuances.

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. Chair O'Connor advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. She briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties. Chair O'Connor advised those participants attending virtually would be able to view the meeting and speak when called upon. The online meeting was being recorded and televised and was also close-captioned for the hearing impaired. She further explained the expedited agenda and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Chair O'Connor introduced the Commissioner members and noted that Commissioner Egbert and she were participating on Zoom.

Mr. Allen Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

There were no absences.

APPROVAL OF THE April 18, 2022 REGULAR MEETING MINUTES: (Approved)

Chair O'Connor requested approval of the April 18, 2022 meeting minutes. Mr. Engle moved to approve the April meeting minutes as presented. Seconded by Mr. Egbert. The Commission voted 8-0-1. (Ayes: Alford, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0, Abstain: Engle). Mr. Engle abstained since he was not present for that meeting.

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor stated that the applicant for 1208-1220 Pleasant Ridge Road and 729-YY-745 Brigham Road (Z-22-04-014) had withdrawn their rezoning request and no action was needed by the Commission. She then noted the applicant for 6801 West Friendly Avenue and 6727-6729 Forsythia Drive (Z-22-05-006) has also withdrawn their request and no action was needed by the Commission. Mr. Kirkman made a point of clarification that the withdrawal was for 1208-1220 Pleasant Ridge Road and 729-YY-745 Brigham Road. Chair O'Connor thanked Mr. Kirkman for the clarification and asked for Mr. Kirkman to announce the expedited agenda items.

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EXPEDITED AGENDA:

Mr. Kirkman then introduced the items that were eligible for the expedited agenda as they were recommended by staff and no one had signed up to speak in opposition. These items were an annexation and original zoning request, PL(P) 22-11 and Z-22-04-007 for 817-YY, 819, 821, 823, 827, 827-ZZ, 827-ZZ1, and 829 Guilford College Road and 5520, 5520-YY, 5524, 5600, 5600-ZZ Sapp Road, and a portion of 5526 Sapp Road; and Z-22-04-008 for a portion of Sapp Road right-of-way from the existing City limit line extending in a westerly direction for approximately 710 feet.

Mr. Engle asked to Staff to confirm that there was no one present in the audience who wanted to speak on the expedited agenda items. He also asked the audience if there was anyone present to speak on the expedited agenda. No audience member came forward.

Mr. Kirkman also noted a group of cases to the expedited agenda for annexation and original zoning for properties and right-of-way on Presbyterian Road, identifies as the following items: PL(P) 22-16, Z-22-05-007, Z-22-05-008 and Z-22-05-009 for various portions of 4000 Presbyterian Road and portions of right-of-way for Presbyterian Road and Millpoint Road.

Mr. Kirkman asked the audience again to confirm that there was no one present to speak in opposition to the expedited agenda items. Not seeing or hearing any speakers in-person or online, he noted the last expedited agenda item, PL(P) 22-17 and Z-22-05-010 for 4100 Presbyterian Road and a portion of the Foust Road right-of-way, the intersection of Foust Road and Presbyterian Road. He asked one last time if there were any speakers in opposition to them expedited agenda items. No one indicated opposition to the items so Mr. Kirkman asked the Commission for a motion to change or re-order the agenda to hear the expedited items first.

Mr. Alford made a motion to re-order the agenda as noted by staff. Seconded by Ms. Magid. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0).

PL(P) 22-11 and Z-22-04-007: An annexation, original zoning and rezoning request from County RS-40 (Residential Single-family), City CD-C-M (Conditional District – Commercial Medium), and City R-3 (Residential Single-family - 3) to City PUD (Planned Unit Development) and consideration of associated Unified Development Plan for the properties identified as 817-YY, 819, 821, 823, 827, 827-ZZ, 827-ZZ1, and 829 Guilford College Road and 5520, 5520-YY, 5524, 5600, 5600-ZZ Sapp Road, and a portion of 5526 Sapp Road, generally described as southeast of Guilford College Road and north of Sapp Road (14.66 acres). (RECOMMENDED APPROVAL); AND

PL(P) 22-11 and Z-22-04-008: An annexation and original zoning request from County RS-40 (Residential Single-family) and County MXU (Mixed Use) to City C-M (Commercial - Medium) for a portion of Sapp Road right-of-way from the existing City limit line extending in a westerly direction for approximately 710 feet (0.85 of an acre). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman then noted the associated

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Concept Plan and Unified Development Plan for the request and stated these documents would be recorded with the Guilford County Register of Deeds office as part of the zoning action. Mr. Kirkman stated that the GSO 2040 Comprehensive Plan designated this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff concluded the request was consistent with the Comprehensive Plan's 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. He also noted that the proposed PUD zoning designation, as conditioned, would allow uses that are complimentary to uses present in the surrounding area. This request would permit moderate to high density residential uses and indoor recreation uses directly adjacent to large scale commercial uses. Staff recommended approval of the request.

Chair O'Connor thanked Mr. Kirkman for his presentation and asked Commissioners if they had any questions. Hearing none, she invited the applicant to speak on the case.

Amanda Hodierna, 804 Green Valley Road, Suite 200, said that she was representing the case on behalf of Marc Isaacson who was unable to be present at the meeting, and could answer any questions from the Commissioners in regards to the case. Chair O'Connor asked if there were any questions or comments from Commissioners, and hearing none, she closed the public hearing.

Chair O'Connor said that the Commissioners would need a series of motions starting with the annexation recommendation of the subject properties. Mr. Engle moved that the Planning and Zoning Commission annex the subject properties. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated the vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle asked if they should move to approve the Unified Development Plan (UDP) first or the zoning, and Mr. Kirkman advised to hold the vote for the zoning items first and then the Commissioners should vote on the UDP as the last action. Mr. Engle made a motion to recommend approval of the original zoning and rezoning request for the properties described as 817-YY, 819, 821, 823, 827, 827-ZZ, 827-ZZ1, and 829 Guilford College Road and 5520, 5520-YY, 5524, 5600, 5600-ZZ Sapp Road, and a portion of 5526 Sapp Road from County RS-40 (Residential Single-family), City CD-C-M (Conditional District – Commercial Medium), and City R-3 (Residential Single-family - 3) 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 surrounding area and limits negative impacts on the adjacent properties; and (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. The motion was seconded by Mr. Alford. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated that this constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle then made a motion to recommend approval of the original zoning for the property described as a portion of Sapp Road right-of-way from the existing City limit line extending in a westerly direction

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for approximately 710 feet from County RS-40 (Residential Single-family) and County MXU (Mixed Use) to City C-M (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 proposed C-M zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. The motion was seconded by Ms. Skenes. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated that this constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle then made a motion to approve the UDP (Unified Development Plan). Mr. Alford seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the vote constituted a final action but was tied to the other items that would be subject to a public hearing at the June 21, 2022 City Council meeting.

PL(P) 22-16 & Z-22-05-007: An annexation and original zoning request from County PI (Public and Institutional), County RS-40 (Residential Single-family), and County AG (Agricultural) to City PI (Public and Institutional) for the property identified as a portion of 4000 Presbyterian Road and a portion of Presbyterian Road right-of-way, generally described as west of Presbyterian Road and north of Foust Road (24.89 acres) (RECOMMENDED APPROVAL); AND

PL(P) 22-16 & Z-22-05-008: An annexation and original zoning request from County RS-40 (Residential Single-family) to City RM-12 (Residential Multi-family – 12) for the property identified as a portion of 4000 Presbyterian Road and a portion of Millpoint Road right-of-way, generally described as east of Presbyterian Road and north of Millpoint Road (1.27 acres) (RECOMMENDED APPROVAL); AND

PL(P) 22-16 & Z-22-05-009: An original zoning request from County PI (Public and Institutional), County RS-40 (Residential Single-family), and County AG (Agricultural) to City CD-RM-12 (Conditional District - Residential Multi-family – 12) for the property identified as a portion of 4000 Presbyterian Road, generally described as west of Presbyterian Road and south of Millpoint Road (12.11 acres) (RECOMMENDED APPROVAL)

Mr. Kirkman provided an overview of the requests and explained that the requests involved several different actions. He stated the main property was on the west side of Presbyterian Road and would be zoned from County PI, RS-40 and AG to City PI and that the applicant's desire was to continue the current use of religious assembly on the property. Mr. Kirkman explained that the properties across Presbyterian Road were also owned by the church and included uses related to the church so the zoning was intended to accommodate the existing uses. Mr. Kirkman then reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the CD-Rm-12 request.

Mr. Engle said that he thought the entire request was for City RM-12 and not City CD-RM-12. Mr. Kirkman further specified that the conditional district zoning of CD-RM-12 was the proposed zoning designation

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for the property on the east side of Presbyterian Road south of Millpoint Road. There was associated right of way along Millpoint Road that would be zoned RM-12. The main church property would be rezoned to PI if this request was recommended for approval.

Mr. Kirkman stated that the GSO 2040 Comprehensive Plan designated the portion of 4000 Presbyterian Road and the portion of Presbyterian Road right-of-way as Exurban on the Future Built Form Map and Residential on the Future Land Use Map. Mr. Kirkman noted that if this original zoning and annexation request was approved, the designation would change to the Urban General place type. He said that the Future Land Use Map currently designated these properties as Residential on the Future Built Form Map. He said that the proposed original zoning requests supported the Comprehensive Plan's Filling in our Framework to Framework goal to arrange land uses for a more vibrant and livable Greensboro and to attract world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. Mr. Kirkman noted that the proposed City PI zoning district would permit places of religious assembly, hospitals and parks. This zoning district was intended to accommodate mid to large-sized, campus-style development semi-public and institutional controlled by a single entity, and that the uses permitted in the proposed City PI zoning district are compatible with existing residential and religious assembly uses located on adjacent tracts. Mr. Kirkman concluded that Staff recommended approval of all of the requests.

Chair O'Connor asked the Commissioners if they had any questions. Hearing none she invited the applicant to speak on the request.

David Michaels, 4102 Oak Cliff Road, Greensboro, addressed the Commission, thanking them and Planning Staff for their time. He said that he was a long-time member of the church. He explained that the church was trying to better fit the zoning with the existing land use and that Staff had provided guidance on how to do that. The primary function of the request was to access the new water line the City installed along Presbyterian Road, and that the church was already connected to the sewer line at the back of the property. The water line would allow the church, its daycare, and other uses tied to the church on the properties to access full City services. He offered to answer any questions from the Commission and said that he would appreciate their support of the requests.

Chair O'Connor thanked Mr. Michaels and asked if the Commissioners had any questions. Hearing no questions or objections, she closed the public hearing and asked for a motion. Ms. Magid moved to annex the properties. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting. Ms. Magid then made a motion to recommended approval of the original zoning request Z-22-05-007 for the properties described as a portion of 4000 Presbyterian Road and a portion of Presbyterian Road right-of-way from County PI (Public and Institutional), County RS-40 (Residential Single-family), and County AG (Agricultural) to City PI (Public and Institutional) 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 PI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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

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community, and approval is in the public interest. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Peterson made a motion to recommend approval of the original zoning request Z-22-05-008 for the properties described as a portion of 4000 Presbyterian Road and a portion of Millpoint Road right-of-way from County RS-40 (Residential Single-family) to City RM-12 (Residential Multi-family – 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 City RM-12 zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Magid seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor stated the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Peterson then made a motion for to recommend approval of the original zoning request Z-22-05-009 for the property described a portion of 4000 Presbyterian Road from County PI (Public and Institutional), County RS-40 (Residential Single-family), and County AG (Agricultural) to City CD-RM-12 (Conditional District - Residential Multi-family – 12) as conditioned 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 CD-RM-12 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

PL(P) 22-17 & Z-22-05-010: An annexation and original zoning request from County RS-40 (Residential Single-family) and County PI (Public and Institutional) to City R-3 (Residential Single-family – 3) for the property identified as 4100 Presbyterian Road, generally described as west of Presbyterian Road and south of Foust Road (0.96 acres)

Mr. Kirkman provided an overview of the request and reviewed the summary information for the subject properties and surrounding properties, noting that some of the surrounding zoning shown on the slides were affected by the Commission's action to recommend approval of annexation and original zonings in its previous votes. He stated the Comprehensive Plan's Future Built Form Map currently designates this property as Exurban and noted that if this original zoning and annexation request is approved, the subject site is considered to be designated as Urban General. Additionally, the Comprehensive Plan's Future Land Use Map currently designated this property as Residential. Mr. Kirkman noted the proposed original

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zoning request supported the Comprehensive Plan's Filling in our Framework to Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed original zoning also supported the Plan's Creating Great Places goal to create unique neighborhoods that offer residents of all walks of life a variety of quality housing choices. He stated that the proposed City R-3 zoning district was primarily intended to promote low-density single-family detached residential development of up to 3 dwelling units per acre, and that the uses permitted in the proposed R-3 zoning district are compatible with existing uses located on adjacent tracts. Staff recommended approval of the request.

Chair O'Connor thanked Mr. Kirkman and asked if the Commissioners had any questions. There were no questions so she invited the applicant to speak on the request.

Michael Brian, 3683 Southeast School Road, stated that he was the owner of the subject property. He made the comment that on a single residentially-zoned property, he said the Commission ought to do an expedited process so he would not have to come to these meetings. He said that he was forced to annex into the City and voiced concerns that he was told he was not allowed to connect to City water that is located in the front yard of the property. However, the church next door to him was now being allowed to hook-on so he wanted to ask if he could also be connected to water at some point in time. Mr. Engle responded that there was a change at the State Legislature about twelve years ago that basically did away with cities forcibly annexing person's properties, and at that time, the City used to provide water to residents that were near existing lines. The City would then bring in properties when other services were available. When the Legislature took away the power of the City to forcibly annex, any time someone wants to connect to City water - noting that people outside of the City connecting to City water do pay a higher rate - the rule now is that properties must be annexed in order to access City water. He noted that there are some properties that were grandfathered-in to service provisions but that he would defer to Staff for additional information on that matter. He went on to say that the applicant did not have to come to the Commission meeting and that the Commission would have acted on the item, but that the Commission appreciates when property owners requesting services are present at the meeting because it let the Commissioners know that the applicant wanted the City services.

Mr. Brian asked for clarification whether or not he could hook-on to the City water line. Mr. Kirkman responded that under the City's water and sewer policy, in order for the City to provide the connection to City water and sewer and other City services like fire and police and other City services, his property would have to come into the City's jurisdiction. The City updated their policy based on the Legislature's action that Mr. Engle noted previously. Mr. Kirkman added that the church property was also being annexed for the same reason because they wanted to connect to City water. Mr. Carter said that whether or not Mr. Brian could connect to City water verses the church property was dependent on the location of the water line, how his property lays, and if a lift station would be required to provide water to the site. The City's Water Resources Department would determine the best way for the subject property to access the water. He said that Wendy Humphrey-Messer was the best person to consult and that he would provide her contact information to Mr. Brian. Mr. Carter said that if City Council officially annexed Mr. Brian's property at the next City Council meeting, Mr. Brian would have access to whatever City services were available at his property at 4100 Presbyterian Road and it was up to the City's Water Resources Department to determine what water services were available. Brian indicated that he understood. Mr. Engle said that his only question for Mr. Brian was if Mr. Brian wanted City water and if that was the reason he wanted to be annexed into the City because the Commission would not forcibly annex. Mr. Brian responded that he needed to hook-on to City sewer which was the main reason for the request. Mr.

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Kirkman noted that the initial reason for annexation would be either for water or sewer. Chair O'Connor thanked Mr. Brian. Mr. Engle commented that he wanted to make sure that everyone understood that the Commission would not forcibly annex and that they only consider annexation approval upon an applicant's request. Mr. Kirkman clarified that the terminology was "City-initiated annexation" versus "voluntarily annexation" to reflect the Legislature's position and how City interpreted its policy. Mr. Engle said that the folks who had been through the City's process may feel differently but he respectfully understood Staff's point of clarification. Chair O'Connor asked if there were any further comments and hearing none, she closed the public hearing.

Mr. Engle moved that the Commission annex the subject property. Mr. Bryson seconded the motion. Chair O'Connor called for a vote and the Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Bryson then made a motion for Z-22-05-010 to recommend approval of the original zoning request for the properties described as 4100 Presbyterian Road and a portion of the Foust Road right-of-way from County RS-40 (Residential Single-family) and County PI (Public and Institutional) 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 surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Magid seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Chair O'Connor acknowledged that the Commission had concluded their review of the expedited agenda items and would return to the remaining items on the agenda as advertised.

PL(P) 22-12 and Z-22-04-010: An annexation and original zoning request from County RS-40 (Residential Single-family) and County LI (Light Industrial) to City PUD (Planned Unit Development) and consideration of the associated Unified Development Plan for the properties identified as 908, 912, 916, 916-ZZ, 942, and 942-ZZ Edgemont Road, generally described as south of Edgemont Road and north of Wiley Lewis Road (111.45 acres) (RECOMMENDED APPROVAL).

Mr. Kirkman provided an overview of the request and reviewed the summary information for the subject properties and surrounding properties. Mr. Kirkman noted the conditions submitted by the applicant and advertised as part of the request. Chair O'Connor asked the Commission if they had any questions for Staff. Hearing none, she opened the public hearing and advised that there would be 10 minutes for the applicant and speakers in favor to provide comments, and said that Mr. Bryson would advise when the remaining time was under 2 minutes.

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Amanda Hodierno, 804 Green Valley Road, Suite 200, Greensboro, introduced herself and said that she was representing the applicant, Diamondback Investment Group, which would be the developer of the site if the Commission considered the case favorably and ultimately the City Council. She presented several slides providing site boundary information for the almost 112-acre site, a substantial area of property with water and sewer services at its door. She said that her client's desire was to provide high quality residential housing to this part of Greensboro. She noted that Greensboro needed housing everywhere but this part of Greensboro especially needed more with a lot of jobs coming to the area, and her client wanted to create a place for those people to call home. She noted that part of the property was zoned LI and that the proposed residential PUD (Planned Unit Development) request was a down-zoning for this area. Ms. Hodierno presented the Concept Plan for a two-use residential PUD for attached and detached residential homes, also described as townhomes and single-family homes. She further described the proposed development as a cohesive HOA community with declarations and amenities such as a clubhouse, amenity center, pool, pocket parks, and similar amenities for homeowners within the 525-unit development, which would be capped at this unit count. The applicant had not confirmed the proportion of attached to detached homes but Ms. Hodierno provided a color-coded visual of the areas where the home-styles would be located, and that there would be more single-family homes based on the space available. The townhomes would be concentrated closer to the highway corridor in the front part of the site. She noted the two significant streams meandering on the property which the developer would incorporate as open space and natural division of enclaves to give the community a sense of place with green trees. She then discussed the road network on the site with a spine road going through the center which is the Vandalia Extension, referring to the City's future plans for Vandalia Road being an east-west connector. As of now, Vandalia Road stops at Pleasant Garden Road. Since noted the developer did not own the property in the middle, Ms. Hodierno explained that they would build the extension to the road on her client's part of the property and would be built to City collector street standards to serve the subject property as a public road. She described that the road would lead to a signalized intersection at the 421 corridor, pursuant to the City's DOT and NCDOT requests for the area for long range planning goals and traffic mitigation for the subject site accommodating 525 homes with more direct access to the highway north or south. Drivers could still go west into the City which is no different than the existing conditions, but the new road will provide a direct connection to road infrastructure that can accommodate the higher volume without impacting the existing community as significantly. She pointed out the stormwater infrastructure on the Concept Plan and went over the UDP and proposed conditions and noted that during the TRC (Technical Review Committee) process, the proposed units may change but the conditions capped the units at no more than 525 homes, and noted the height conditions as well.

Ms. Hodierno reported that they had a Neighborhood Meeting last week and that 230 letters were mailed to surrounding community which included the City's 600 feet- notification radius and beyond in an effort to include the neighborhood at large, an effort illustrated in a slide that she showed to the Commission members that also include a visual of the outreach letter. She said that the neighborhood meeting was held at the Brown Community Center with 40 people in attendance and they had a good discussion on the project. She said that main concerns from the community were annexation and traffic, as was to be expected from a project of this size. Ms. Hodierno relayed that she and the applicant were pleased that they could work so closely with GDOT on the traffic impact study and worked on a plan to mitigate traffic impacts and to invest in Greensboro's infrastructure in the future for this part of the City. She added that there was discussion at the applicant's neighborhood meeting about limiting construction traffic on Wiley Lewis Road, the road to the south, of the proposed project, and said that it would not be the applicant's

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intent to use that road because it would not work functionally and that the more direct route would be to access the site from the north off Edgemont. Even though there was discussion about adding a zoning condition about construction traffic, Ms. Hodierné relayed that City Staff did not think it was an appropriate condition because it would be hard to enforce. But the applicant is committed to not using Wiley Lewis Road for construction traffic. She then introduced Zach Tran, the Principal and Founder of Diamondback, the developer of the proposal, and Stephen Dorn of Lennar Homes, the developer who would work on the housing for the new community. She said that they were all excited about the project and could answer any questions from the Commission.

Chair O'Connor asked if there were any questions. Ms. Skenes asked Ms. Hodierné about the East Vandalia Road extension, and specifically if the applicant would be dedicating the right-of-way or if they would be putting the roadway in as part of the construction plan. Ms. Hodierné said that the developer would be building the facility as part of the plan and when it was up to standard, it would meet and signalize at Highway 421 in Phase 2, and Edgemont would get curtailed. The development will also have sidewalks and crosswalks. Chair O'Connor asked if there were any other speakers in favor of the proposal. Hearing none, she invited speakers in opposition to speak on the proposal.

Mr. Kirkman conveyed that Teresa Stout was listed to speak in opposition and that she was on Zoom. Mr. Carter acknowledged that Jeanie Davis was also online and may want to speak in opposition, and Ms. Stout, 1000 Wiley Lewis Road, said she worried that the increased traffic on Wiley Lewis Road not only for construction but for the new neighbors in the proposed development. She also said that once neighbors learned the short-cuts, they would use Wiley Lewis Road and Liberty Road, and added that Wiley Lewis Road was known for its dangerous curves and had been the site of several car accidents since the 1980s. Chair O'Connor thanked Ms. Stout for her comments. Mr. Carter relayed that Ms. Davis said that she did not want to speak. Chair O'Connor gave a rebuttal period to the applicant. Ms. Hodierné said that they did not want to add any additional comments. Chair O'Connor invited those in opposition to offer any additional comments. Hearing none, she closed the public hearing.

Mr. Kirkman stated that the GSO 2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. He stated that the proposed zoning 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 PUD zoning designation, as conditioned, would allow uses that are complimentary to uses present in the surrounding area, and said that the request would permit moderate to high density residential uses and indoor recreation uses directly adjacent to large scale commercial uses. He concluded that Staff was recommending approval of the request.

Ms. Magid commended the developer and indicated her favorable support for the two-lane East Vandalia Road extension and the tying-in of the road into the Joseph M. Hunt expressway at their own cost. Mr. Engle acknowledged that they had received at least one note of opposition in writing that spoke to the traffic and loss of greenspace. He stated that the decisions that the Commission made were related to land use, and that there was an affordable housing crisis in Greensboro and that the City needed housing choices. He said he thought the proposal would serve the jobs coming to the area and that he would be supporting the request. He also noted time and investment in roads was dependent upon density and that the proposal would help to make the roads better.

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Mr. Engle made a motion to annex the property. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle made a motion to recommend approval of the an original zoning request for the properties described as 908, 912, a portion of 916, 916-ZZ, 942, and 942-ZZ Edgemont Road from County RS-40 (Residential Single-family) and County LI (Light Industrial) 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 surrounding area and limits negative impacts on the adjacent properties; and (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. Mr. Peterson and Ms. Skenes seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle then made a motion to approve the Unified Development Plan (UDP). Mr. Carter said that when the Technical Review Committee (TRC) voted to approve the UDP, they stipulated the following condition of approval: Any non-blue line water features would need to be identified and appropriate buffers provided. Mr. Engle revised his motion and moved to approve the UDP with the condition added by the TRC, as noted by Mr. Carter. Mr. Alford seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor announced that the Commission's vote constituted a final action, subject to approval of the associated requests that would be heard at a public hearing at the June 21, 2022 City Council meeting.

Z-22-05-001: A rezoning from R-3 (Residential Single-family - 3) and CD-RM-12 (Conditional District – Residential Multi-family – 12) to CD-RM-18 (Conditional District – Residential Multi-family – 18) 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). (APPROVED)

Mr. Kirkman provided an overview of the request and reviewed the summary information for the subject properties and surrounding properties. Mr. Kirkman noted that the applicant had submitted one condition originally that stated that (1) Exterior building materials shall consist of not more than 25% wood, stone, glass, brick and/or cementitious material. The applicant had added an additional 4 conditions which Mr. Kirkman read into the record for the Commission to review and accept. The proposed conditions were as follows: (2) Only the following uses shall be permitted: Single-family detached dwelling, Duplexes, Traditional Houses, Townhouses, Twin Homes, Multi-family Dwellings, and Multi-family (Elderly); (3) The portion of the property adjacent to South-Elm Eugene Street shall be encompassed by a black wrought iron or high quality metal (but not chain link) fence with brick columns at the maximum height allowed under the development ordinance, subject to openings for vehicular and pedestrian entry and exit to the property; (4) A Type B buffer yard with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 linear feet shall be required around the

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perimeter of the property except along the South-Elm Eugene Street right-of-way. Existing vegetation may be utilized to meet the Type B buffer yard requirement, subject to approval by City of Greensboro; and (5) A community room or clubhouse with a minimum meeting space size of 450 square feet shall be provided on-site for use by all members of the residential community. Mr. Kirkman asked the Commission to accept the conditions.

Chair O'Connor asked for a motion to accept the new conditions, 2-5. Mr. Engle moved that the Commission accept the conditions as submitted. Ms. Magid seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the conditions were approved.

Mr. Kirkman said that he could answer any questions from Commission members.

Chair O'Connor asked the Commission if they had any questions for Staff. Hearing none, she opened the public hearing and advised that there would be 10 minutes for the applicant and speakers in favor to provide comments.

Amanda Hodierna, 804 Green Valley Road, Suite 200, Greensboro, spoke on behalf of the applicant, Davindra Patel, and was presenting on behalf of Marc Isaacson. She reminded the Commission that they had approved a rezoning at the location last Fall at the same location but the request had included a retail component with fuel pumps and even though the Commission had approved it, the request was denied by City Council. Ms. Hodierna conveyed that the developer listened to the feedback and was proposing an all-residential request to the Commission that would not include a retail component while trying to contribute to the community with multi-family housing. Ms. Hodierna said that the first condition originally submitted to Staff had also changed and was now being proposed as follows: (1) Exterior building materials shall consist of no less than 40% wood, stone, glass, brick and/or cementitious material.

Mr. Kirkman asked the Commission to accept the change to the first condition. Chair O'Connor called for a motion. Mr. Engle made a motion to update the first condition to 40% wood, stone, glass, brick and/or cementitious material, per the applicant's request. Mr. Alford seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the first condition has been amended and approved.

Ms. Hodierna continued her presentation and an overview of the site of adjacent properties and land uses, noting the existing mobile home park community to the north of the request. She said that a multifamily project would be a good transitional land use from the interstate, to heavy commercial, to multifamily, and then existing residential uses towards downtown. Next she showed the Commission an illustrative Sketch Plan of the layout of the proposal which included a stream corridor on the left side of the request. She explained that the up-zoning was necessary to RM-18 due to the existing stream corridor, and that the applicant needed to capture density on the remaining area of the site to justify the purchase of the property and nice quality housing. She went on to show illustrative housing types. She shared the community meeting notice; the community meeting was held on Zoom and no one attended virtually; however, she noted that Mr. Isaacson had a community dialogue with the Southeast Greensboro Coalition. She said that the zoning conditions were a product of that dialogue and that the effort was a good example of how to get a zoning request where it needs to be by the time it gets to the

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Commission for consideration. Ms. Hodierna echoed Staff's report that the request was consistent with the GSO Comprehensive Plan for the Land Use and Built Form. Chair O'Connor asked if anyone wanted to speak in favor of the application online or present in Chambers. Seeing none, she invited anyone in opposition to speak on the case.

Cheryl McIvor, 404 West Montcastle Drive, Greensboro, thanked the applicant for amending the conditions and requested that Staff update the first condition to state "at least 40 % wood, stone, glass, brick and/or cementitious material" instead of "no less than 40%." Mr. Kirkman thanked Ms. McIvor for the further clarification and expressed to the Commission that the adjusted language was the intention and read aloud the corrected the first condition for approval: "The exterior building materials shall consist of at least 40% wood, stone, glass, brick and/or cementitious material." He asked Ms. McIvor if the reading was correct and Ms. McIvor confirmed that it was. Mr. Engle made the motion to approve the first condition as further amended, and requested the applicant's approval once more. She indicated her approval. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the first condition has been amended and approved.

Ms. McIvor stated that she was originally opposed to the request but the conditions were a result of the collaboration between the community and the applicant. She thanked the attorney and developer for making sure that the community was heard. Ms. McIvor made a comment regarding page 8 of the Staff Report that noted a "PUD zoning request" but that should be changed as well, if not already updated. Mr. Engle thanked Ms. McIvor for being present and for calling the Commission's attention to changes that needed to be made and invited her to serve on the Planning and Zoning Commission in the future. He thanked her for her time. Ms. McIvor thanked Mr. Engle and said that she and her neighbors were very passionate about their community and knows that there is growth but wanted the community to grow to benefit those who had been paying taxes all along. Ms. McIvor asked Mr. Kirkman if he would correct the zoning district note in the Staff Report and Mr. Kirkman said that if the case moved forward, the report would be corrected and that the correct zoning classification was CD-RM-18. Mr. Engle said that when the motion was read, the correct zoning would be read into the record and that it would be binding. Ms. McIvor said that she had no further comments unless the Commission had questions for her. Mr. Bryson also invited Ms. McIvor to serve on the Commission and they both agreed that time is not free. Mr. Kirkman said that Staff always appreciates the Commission volunteers. Ms. McIvor thanked the Commission and Chair O'Connor invited other speakers in opposition to speak. Seeing none, she offered the applicant a rebuttal period.

Ms. Hodierna said that they had no rebuttal comments. Mr. Bryson asked Ms. Hodierna if residents were against the case for the subject properties last time recalling some signs in opposition he saw on Vivian Lane. Mr. Kirkman said that opposition was from residents on South Elm-Eugene Street specifically in opposition to the commercial component of the request. Chair O'Connor said that when the retail component was removed in this request, it would reduce the amount of traffic, a main reason for the objection. Ms. McIvor clarified that she and her neighbors were a part of the effort in opposition to the request the first time around because of the proposed gas station. Mr. Bryson and Chair O'Connor thanked her for the clarification and for working together. Ms. Magid asked the applicant if there was any outreach directly to the Cedar Creek Mobile Home Park. The applicant replied that the Mobile Home Park was within their outreach radius and that they had sent a letter to the leasing office manager and asked that the invitation be shared with the tenants. Ms. Hodierna said there was no

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response. Ms. Magid asked her if the letter was in Spanish and Ms. Hodierna replied that the letter was only in one language, English. Mr. Bryson noted that the communication only being in English was an issue the last time the case was heard by the Commission because the population in the Cedar Creek Mobile Home Park mostly speaks Spanish. Mr. Engle asked if Commissioner Bryson was referring to the Hiatt Street off Spring Garden about the community living there but that he thought the subject property was vacant and had no mobile homes. Mr. Kirkman said that Mr. Bryson was referring to the Property to the north of the request.

Chair O'Connor asked if there were any other comments and hearing none, she closed the public hearing and invited Mr. Kirkman to continue his presentation of the case.

Mr. Kirkman stated that the GSO 2040 Comprehensive Plan designated this site as Urban General within a High Frequency Transit Service Corridor on the Future Built Form Map. The GSO 2040 Comprehensive Plan designated this site as Residential on the Future Land Use Map of the Comprehensive Plan. He said that the proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development. It also 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. He concluded by saying that the proposed CD-RM-18 zoning request, as conditioned, allowed moderate density residential uses adjacent to large scale commercial uses. The request also provided 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. He said that Staff was recommending approval of the request.

Chair O'Connor asked for a motion. Mr. Bryson made a motion to approve the rezoning request for the properties 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 CD-RM-18 (Conditional District – Residential Multi-family – 18) as conditioned 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 surrounding area and limits negative impacts on the adjacent properties; and (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. Mr. Alford seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the approval constituted final action unless appealed in writing to the Planning Department within 10 days and that anyone may file such an appeal and that all appeals would be subject to the June 21 City Council meeting and that all surrounding property owners would be notified by such an appeal.

She noted that it was customary to take a 10-minute break around the 7:30pm time and called for a 10 minute break starting at 7:12pm.

Chair O'Connor called the Planning and Zoning Commission back into session at 7:22 p.m. and introduced the next case.

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PL(P) 22-15 & Z-22-002: An annexation, original zoning, and rezoning request from County AG-SP (Agricultural with a Special Use Permit), RS-40-SP (Residential Single Family with a Special Use Permit), and City AG (Agricultural) to CD-PI (Conditional District – Public and Institutional) for the property identified as 1317 Pleasant Ridge Road, generally described as north of Pleasant Ridge Road and east of Brigham Road (23.115 acres) (RECOMMENDED APPROVAL); AND

PL(P) 22-15 & Z-22-003: An annexation and original zoning request from County RS-40 (Residential Single-family), County AG-SP (Agricultural with a Special Use Permit), County LI (Light Industrial), and County AG (Agricultural) to City LI (Light Industrial) for the property identified as a portion of 1511 Pleasant Ridge Road and portions of right-of-way for NC 68, I-73 and Pleasant Ridge Road, generally described as north of Pleasant Ridge Road and including portions of NC 68, I-73, and Pleasant Ridge Road (8 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman provided an overview of the requests and the adjacent zoning designations and discussed the existing land uses; he said that the subject property contained a former golf academy and golf course and associated road right-of-way. He then noted the condition associated with the request and advertised with the hearing. Mr. Kirkman then noted an additional zoning condition from the applicant which he read aloud stating that (2) Any required plantings in the buffer yard along the western property line that is common with Lot 30 (2200 Brigham Road), Lot 29 (2202 Brigham Road), Lot 28 (2204 Brigham Road), and Lot 27 (2206 Brigham Road) of the Woodfield Subdivision shall be of evergreen material for year-round screening as shown on Exhibit "A" dated 5/13/2022.

Mr. Engle asked Staff about the required planting for this site. Mr. Kirkman answered that the Type B Planting Yard of 25 feet was the standard requirement. Chair O'Connor called for a motion. Mr. Engle moved that the Commission accept the new condition as presented. Ms. Magid seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that the second condition was unanimously approved. Mr. Kirkman said that he had no other Staff comments at that point.

Chair O'Connor invited the applicant to speak on the application.

Andrew Hopper, 7616 Business Park Drive, introduced himself as the lead pastor of Mercy Hill Church, and said that his church had locations throughout Greensboro, and was now expanding into High Point and McLeansville. He said that Greensboro was their base and that they had many members on Boards of non-profits throughout Greensboro and that the church was especially focused on adoption and foster care ministries and many other interests. He said that the church's current main location was about a mile from the subject site and even though they have a multi-site model, they wanted to create a new home and hub in the community they that have already been in for about 8 years. He said that much of the church's base comes from a few miles of the subject site and that they were excited about it. Pastor Hopper turned over the remaining remarks to Pastor Randy Titus who had helped lead efforts with the application.

Randy Titus, 7616 Business Park Drive, noted that a portion of the property had already been annexed by the City as a result of interstate development. He stated that the church had worked with Planning Staff on the zoning classification of Public and Institutional. Mr. Titus said that the church had worked on the presented conditions for the proposal and had mailed outreach letters to the adjoining Woodfield

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subdivision as well as to other property owners within 600 feet of the property line, inclusive of residential and commercial property owners. Mr. Titus relayed that the neighborhood meeting was held at the old driving range and 7 people attended. Mr. Titus said that they had a great discussion with neighbors regarding concerns ranging from the proposed building being too close to property lines, noise and security, and other issues. Mr. Titus said that he presented to the attendees the plans for the building, prohibited land uses, peak use time, traffic impacts being concentrated to Sunday mornings and some Thursday night service traffic. He and his team made outreach calls to all attendees after the meeting as well. He said that the church had added the additional condition as a direct result from the conversation with the neighbors regarding visibility, sight lines, and noise. Mr. Titus said that the meeting helped them establish some good relationships with the neighbors and felt that they had addressed many of the concerns of the neighbors. He thanked the Commission for its consideration.

Chair O'Connor thanked Mr. Titus and asked if anyone else wanted to speak in favor of the application. Hearing none, she invited those opposed to the application to speak.

Luke Diventi, 2212 Brigham Road, said he was a resident of the Woodfield subdivision located next to the request. He thanked the Commissioners for listening to his remarks and that attending the meeting was a chance to see democracy at work. He said that he was not opposed the building of the church. Rather, he was opposed to annexation and explained that he does not want there to be any forced annexations. He said that forced annexation came-about by providing water service in cases like that of the church. He said that he would help build the church, so to speak, but opposed the annexation of the area. He said that he did not want to pay thousands of dollars more in taxes and that he already had his own water and sewer, and that the church should build a well for water. He added that not all neighbors were aware that annexation could occur because he did not see a rezoning sign on the property and that not all neighbors received notification letters. He said that the meeting the Pastor mentioned was not a community meeting but just a meeting with people who lived in the neighboring subdivision and 4-5 people attended out of 26 neighborhood households. He concluded his remarks by saying that he wanted to stop the annexation, provide water to the church, and build the church. He asked if the Commissioners had any questions or comments for him.

Chair O'Connor asked if there were questions or comments. Hearing none, she asked if anyone else wanted to speak in opposition. Seeing none, she opened the floor to the rebuttal period and invited the applicant to add anything to their comments.

Mr. Titus, 7616 Business Park Drive, Greensboro, said that he appreciated Mr. Diventi's comments and acknowledged that his name was on their mailing list. He said that the church was not necessarily seeking to be rezoned but that they had purchased property that was partially within the City limits which required rezoning and annexation to tap into water and sewer as their only recourse. With that said, he noted that he understood Mr. Diventi's position. Mr. Titus said that in regards to the sign, he was not aware if the sign was required to be placed on the property by the applicant. He also noted that some of the neighborhood surrounding the site was already within the City limits.

Mr. Diventi, 2212 Brigham Road, Greensboro, spoke in rebuttal and said that he did not want to add confusion regarding the annexation. He said that the City limits stop at Pleasant Ridge Road and that the church's property is the first property beyond that point. He continued by saying that he thought it was just the beginning of annexation as noted in the GSO 2040 Plan. He said that the City should annex the area outlined in the Plan and not to do it piece by piece, and that the neighbors were

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concerned about the plans for annexation without transparency. Mr. Diventi said that Pleasant Ridge Road was a narrow road. He recalled Mr. Engle's comment about streets being widened to support the density of an area, but that in this case, Pleasant Ridge Road area already had density because zoning put 300 apartments across the street. However, the street is still narrow, he said, and on Sunday morning, there will be more traffic. He said that we need to strengthen our streets but that the areas did not need to be incorporated into the City in order to provide water service.

Chair O'Connor opened the floor to anyone else who wanted to speak during the rebuttal time. Seeing no additional speakers, she closed the public hearing. She asked Commissioners if they had any additional questions. Mr. Engle asked two questions. He asked if a zoning sign had been placed on the Property. Mr. Carter answered that yes, a sign had been placed on the Property. Mr. Engle asked if there was a picture of the sign on the Property and Mr. Carter showed and described where the sign was located across the street from the R-3 block on Pleasant Ridge Road. Mr. Engle asked if notification letters were sent out to only City property owners or also to County property owners as a practice. Mr. Carter replied that letters were always sent out to all property owners within 600 feet of the property whether they were located within the City jurisdiction or the County.

Chair O'Connor asked Mr. Kirkman to provide a description of how the annexation process worked.

Mr. Kirkman explained the annexation process by referring to the City's water and sewer extension policy that requires private property owners who wished to add water or sewer service, and the City could provide all other required services such as solid waste, fire, and police protection, to be annexed into the City in order to receive services. Mr. Kirkman explained that this policy included the extension of new services and for upgrades of existing services. He said that in application of the proposal tonight, the applicant was seeking to access City services, and in order to do that, the property had to be annexed into the City's jurisdiction and also needed to be zoned in order to be regulated under the City's zoning authority.

Mr. Engle asked Mr. Kirkman about the fact that part of the property was already located within the City limits and what complications could be added if the rest of the property were not annexed into the City zoned concurrently. Mr. Kirkman replied that the part of the property adjacent to Pleasant Ridge Road had been annexed into the City many decades ago in conjunction with road right-of-way areas that were annexed into the City. The existing state of things was that part of the property was subject to City regulations and part of the property was subject to County provisions, and while there were similarities in regulations, the dynamic could lead to complications when two jurisdictions are working on the process. Mr. Engle said that in regard to the community across the street, there was nothing the City could do to annex the property unless they requested annexation. Mr. Kirkman replied that if those properties wanted to come into the City's jurisdiction they would have to petition the City for annexation, and it could be for a variety reasons such as City services, the potential for development, they wanted City rules applied, or consistency of properties being under one ownership and other set of regulations. Ms. Magid confirmed that the residents on Brighton Road and Merrick Court would not be annexed with this annexation request. Ms. Magid also asked for confirmation that the said residents would not be forced to accept City water services. Mr. Kirkman also confirmed that properties connected under older City water and sewer extension policies could not be annexed by the City under current law unless they petition the City to do so. There are some situations where property is within the County's jurisdiction currently but had City services but was not under the City's jurisdiction. In the future, any properties that

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wanted City services would need to be annexed into the City. Ms. Magid thanked Mr. Kirkman. Mr. Engle asked if properties contiguous to property being annexed into the City do not have to pay City taxes unless they are annexed into the City. Mr. Kirkman confirmed that if a property was not within the City's jurisdiction, it would pay taxes to the County and receive County services.

Chair O'Connor requested a motion. Mr. Engle moved that the property be annexed into the City. Ms. Skenes seconded the motion for annexation. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that this constituted favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle moved to recommend approval of the original zoning and rezoning request for the property described as 1317 Pleasant Ridge Road from County AG-SP (Agricultural with a Special Use Permit), RS-40-SP (Residential Single-family with a Special Use Permit), and City AG (Agricultural) to CD-PI (Conditional District – Public and Institutional) as conditioned 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-PI zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Skenes seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that this constituted favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Mr. Engle then made a motion to recommend approval of the original zoning request for the properties described as a portion of 1511 Pleasant Ridge Road and portions of right-of-way for NC 68, I-73 and Pleasant Ridge Road from County RS-40 (Residential Single-family), County AG-SP (Agricultural with a Special Use Permit), County LI (Light Industrial), and 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 City LI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; and (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. Ms. Skenes seconded the motion. The Commission voted 9-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Glass; Bryson, and Chair O'Connor; Nays, 0). Chair O'Connor said that this also constituted favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Z-22-05-004: A rezoning request from CD-C-H (Conditional District - Commercial - High) to CD-C-M (Conditional District - Commercial - Medium) for the property identified as 2400 Kings Mill Road, generally described as south of West Gate City Boulevard, east of High Point Road, and north of Kings Mill Road (0.43 acres) (DENIED).

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Mr. Kirkman provided an overview of the request and noted the zoning condition submitted by the applicant. He offered to answer any questions from Commissioners. Chair O'Connor asked if there were any questions. Hearing none, she invited the applicant to speak on their application.

Ali Maanaki, 1510 Bridgetown Court, said that the current zoning conditions made the lot unbuildable with 40-foot required setbacks on all sides of the property. Mr. Maanaki said that the existing zoning made more sense before the highway intersection was put-in that divided the property, but as of now, the property was unusable. He said that one of the main reasons for rezoning would be to secure better setbacks for a potential tire shop. He said that he sought to provide more business to the area, a taxable enhancement to the land, and something that should be beneficial to surrounding areas. He asked if the Commissioners had any questions.

Mr. Bryson greeted the applicant and asked him if he had an illustrative drawing of the building he would be proposing for the site. Mr. Maanaki answered that he had a drawing but that it was currently be redesigned based on feedback and concerns from the Greensboro Department of Transportation. Mr. Maanaki conveyed that the proposal had been through Sketch Plan review and that they had been in touch with the Technical Review Committee (TRC) and thought that he could do all that the TRC had requested for the site and he did not foresee any problems. Mr. Engle asked Mr. Maanaki to discuss his outreach efforts. Mr. Maanaki said that he had not reached out to the community because he did not get a mailing list from Planning Staff. He indicated that asked for a list but had never received a list. Mr. Engle asked if he had reached out to any neighboring businesses. Mr. Maanaki said that he had not because he was waiting to receive the mailing list from Staff in order to send letters, so he had been unable to reach out. He noted that the properties within 600 feet of the subject property were store shops and similar, and he was under the impression that he had to reach out to residential areas. He conveyed that he did not have an accurate representation of what the 600-foot radius would include.

Chair O'Connor asked if there were any other questions. Ms. Magid asked Mr. Maanaki if he was planning to build a tire shop and he asked that they were trying to create something like a Firestone design layout with 3-bay garage for alignments, regular garages, and a waiting area. Ms. Magid thanked him for the information. Mr. Peterson discussed the importance of reaching out to residents in the community especially in consideration of a tire shop to such a magnitude and its potential impact on existing residents. Mr. Peterson said that the Commissioners were impressing the importance of outreach in light of the proposed use. Mr. Maanaki responded that he understood and was under the impression that the City would send out letters to surrounding property owners whether or not he reached out directly. Ms. Magid asked Mr. Carter and Mr. Kirkman to speak to matter of sharing a notification list with Mr. Maanaki. Mr. Kirkman said that it was a general practice to share the outreach list with the applicant. Mr. Carter verified that Mr. Maanaki had requested a notification list but had not been sent that and for that Mr. Carter apologized. Mr. Kirkman said that the City conducted its required notification to nearby property owners but that Staff had missed sending the notification list to the applicant, unfortunately. Chair O'Connor asked Mr. Kirkman to confirm that the City sent notices to property owners within the 600-foot radius. Mr. Kirkman confirmed that Staff sent out notices and placed a rezoning sign on the subject property as well. Chair O'Connor asked for any other questions or comments from Commissioners.

Ms. Skenes commented that the Commissioners had received many letters in opposition to the proposal which she thought was based on the City's notification letter regarding the request to the neighboring property owners. Mr. Egbert asked that in reference to the letters in opposition that the

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Commissioners received, would the applicant be notified of the opposition as well, especially since many of the neighbors were against the request. Mr. Kirkman replied that Staff had not missed sending the letters of opposition to Mr. Maanaki. Mr. Egbert said that he thought the situation put the applicant at disadvantage where Planning did not provide the applicant with the information that he needed and that it was unfair to the applicant. Ms. Magid noted the one condition tied to the rezoning request that did not mention anything about a drive-through repair shop. She asked how the neighbors knew about the concept. Mr. Kirkman noted that people had called the City to ask about the general intent of the proposal and Staff had responded with the information available and noted uses in the C-M zoning district. Mr. Engle said that he looked at rezoning as a collaborative process with applicants and the community around them. Mr. Engle said that he would look at the case as presented but also offered the applicant the option of requesting a continuance of a month. In that time, Mr. Engle suggested that Mr. Maanaki could take the time to have discussion and conversations with the neighbors and that he put this option to Mr. Maanaki to consider. Mr. Maanaki said that he thought it was best to proceed with the case with the purchase of the property being contingent on the Planning and Zoning Commission's decision, which would determine if he proceeded with his plans or if he needed to abandon the project. Mr. Engle said that he understood the applicant's wishes.

Chair O'Connor asked if the case was a down-zoning since it was going from Commercial-High to Commercial-Medium. Mr. Kirkman said that in terms of numbers of uses, Commercial Medium offered more uses than Commercial-High, which was more of a shopping center model with outparcels, for example. He said that auto service were more expansive in Commercial-Medium than they were in Commercial High. Chair O'Connor asked that if the Commission voted in favor of the request, they would be voting in favor of any uses allowed in Commercial-Medium, not just a tire store. Mr. Kirkman confirmed this understanding, minus the uses excluded in the conditions. Ms. Skenes said that the downzoning permitted more noxious uses wherein more major auto repairs could occur on properties zoned C-M and listed some examples, where only minor repairs could be performed on properties zoned C-H. She expressed that the downzoning was a bit of a contradiction, the proposed rezoning would open-up more uses that may or may not be conducive to the neighbors. Mr. Bryson said that he had listened to the presentation but that without an illustration of the proposal, it was too hard for him to imagine and visualize what it would be used for on only 0.3 acres of land. He said that for those reasons, he would not be able to support the request.

Chair O'Connor said that the public hearing was still open and asked if the applicant if he had any additional comments to make to which he declined respectfully. She welcomed any other speakers to share comments in favor of the application. Hearing none, she opened the floor to anyone in opposition to the case.

Joel Howard, 4915 High Point Road, spoke in opposition to the rezoning request. He described his office south of the subject property where he had run his engineering business since 2014 within a community building where all the tenants knew each other. He said that he also did property management for the building and that the building was owned by his father, Dennis Howard, also present at the meeting. He continued by saying that the building was part of a small, family-owned business in Greensboro and that his family was proud of the building. The building provided retail services including a barber shop, a tailor, a cell phone shop, a cleaning agency, a nail salon, a health spa, a nutrition and supplements store, and his engineering business. When he saw the rezoning sign, he was worried because he did not have background information on the proposal. When they reached out to the City, the City noted the proposed use of a tire store. Mr. Joel Howard said that he was

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displeased with the proposed use and that the property could be used to store junk cars in a similar way as the corner of Groometown Road and West Gate City Boulevard. He said that he and his family would prefer the corner to look like Koury's development closer to the intersection with the Publix Distribution Center off Burlington Road and Guilford Technical Community College to enhance real estate value because it was developed the proper way. Mr. Howard said that he realized that everyone had cars and everyone needed their cars worked on but that there were better places for this type of business that already exist. He suggested retail and apartments for the area to beautify the area not detract from the area. He noted that the Kings Mill highway exit came out to the intersection for East Gate City was a main exit for the neighborhood. Next, Mr. Howard described his outreach efforts to the community wherein he distributed a letter and photographs to the surrounding property owners and business owners by personally going door to door and requesting signatures in opposition to the rezoning request. He said that the response among the small business owners regarding the development of the property was mostly of concern and they signed his letter.

Dennis Howard, 3305 Gaston Road, introduced himself as the owner of the large green-roof building at 4915 High Point Road, the building his son had referenced. He described the view of the intersection showing his building and the Hunt Shopping Center which have contributed to the City's efforts to beautify Gate City Boulevard. He thought that a repair garage in the area with engines and tires could be an environmental issue. He said that there had not been outreach to local business owners and the only information they had on the proposal was from Planning Staff, so they assumed the proposed rezoning would allow a high-impact tire business in contrast to the existing businesses which he considered to be low-impact service-type businesses. He said that he was proud of the beautiful building he created and he had spent extra money to make it so. He said that the subject piece of property was not big enough for any business, especially not for a Firestone-style tire shop. He said that they were concerned about the appearance of a tire shop in contrast to his existing building.

Chair O'Connor invited anyone else to speak in opposition to the request. Seeing none, she opened the rebuttal period.

Mohammad Maanaki, 1510 Bridgetown Court, spoke in regard to the application and offered an apology to those who he and his brother did not speak to about their proposal. He and his brother wanted to use the City's list to reach out and were informed that the City would provide notification to surrounding properties along with posting a zoning sign. He said he and his brother, Ali, were planning to put a lot of money into their proposed building to match the design of the surrounding buildings. He explained that he and his brother were raised in Greensboro, NC, and that they loved the City, and that they saw a trend upwards for business and traffic in the area and would want it to continue to look beautiful. However, in hearing so much opposition to the proposal, they would not want to do business on their end by upsetting the community. He said that they had their answer and did not believe that they would move forward with the proposal. He thanked everyone for their input and time. Chair O'Connor thanked Mr. Mohammad Maanaki.

Ali Maanaki, 1510 Bridgetown Court, explained that his proposal was to use the existing entrance to access the property. He responded to the opposition's comments regarding how a building would be able to fit on the property by saying that he had hired an architect to design the building to fit the property. They had submitted a Sketch Plan to the TRC already, he conveyed, and noted that even though he was young-looking, he had funds to put into a nice-looking building with at least half a million

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dollars going into the project. Mr. Maanaki said that it sounded like the only entities in opposition to the proposal were existing business who may not like the competition in the area and that no resident in 600 feet had provided opposition; he had not heard anything from residents who would not want a new business, just from business owners. Mr. Engle responded that every land owner within 600 feet of the property were notified.

Mr. Kirkman stated that the Zoning Ordinance stipulated that if there were residential uses located within 600 feet of the subject property and there was a conditional zoning application, the applicant was supposed to contact City Staff to inform them of what efforts they took to talk to the community. Mr. Engle asked Mr. Kirkman who would receive the letters. Mr. Kirkman answered that every property owner within 600 feet received the notification letter. Mr. Engle responded that when the Commission considered the letter, they would look at the entire 600 feet radius from a land use perspective. Mr. Maanaki thanked the Commission for the discussion and said that he appreciated their concerns.

Joel Howard, 4915 High Point Road, Greensboro, engaged in the rebuttal period. He said that he was a structural engineer and that his father was a general contractor and that they liked buildings a lot. However, the proposal was not right for the area, there was no outreach from the applicant. He that he himself was the one who had done the grassroots outreach efforts. Without knowing what the building would look like, and with all of the what-ifs, he said that the project already started out as a poor development project and that it started bad and would finish bad. Even if that was not to be the outcome, there should have been more information provided to the community like other applicants had presented earlier in the meeting. He urged the Commission not to support the rezoning.

Chair O'Connor invited any other speakers in opposition to the case to use the remaining time. Seeing none, she closed the public hearing.

Mr. Kirkman spoke on the factor's supporting Staff's recommendation of the request. He said that the GSO 2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General. The Comprehensive Plan's Future Land Use Map designates the property as Commercial. He stated that the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed CD-C-M zoning district would permit a variety of commercial, retail, office and service uses along a major thoroughfare that are consistent with the commercial and industrial zoning and uses existing or allowed on adjacent and nearby properties. He said that Staff was recommending approval of the request.

Chair O'Connor asked if Commissioners had any comments or questions. Mr. Engle said that he felt that as an organization, we did not do right by the applicant by not getting them the notification list and sharing the opposition communications with them. He said that he appreciated when members of the community came together and had conversations about intentions and impacts regarding the case prior to coming into the hearing. With this in mind, he explained why he had encouraged the applicant to continue the case in order to support those types of conversations. Mr. Engle relayed that despite the zoning conditions, the concept did not seem to be cohesive at this point in time. He shared an experience that he was also a young entrepreneur in his 20s who started his own business and that Greensboro has a wonderful ecosystem, and that even though he would be voting against the

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application, he was not voting against what Ali Maanaki was trying to do and hoped that he would continue to work on his business. From a land use perspective, Mr. Engle would not be voting for the proposal. Mr. Peterson spoke to the applicant and said that he and Mr. Engle had hoped Mr. Maanaki would have considered a continuance so he could be more prepared. He acknowledged that Mr. Maanaki may be discouraged because of the nature of the business or business competition. However, it was the practice of the Commission to help new applicants fulfill their dreams but there is a great preparedness that the Commissioners have to go through in making their decisions as well, but that they did not want him to be discouraged. Mr. Bryson said that he was a visual person and that an illustrative drawing would have helped him understand how the building would fit on the property, and without that, it was hard for him to envision the proposal. He encouraged Mr. Maanaki to keep working on his dream to build a business. Ms. Magid commented that there was a learning curve for the Planning Department as well and that she hoped that in the future, Staff would explain better the process to new applicants in more specifics and what would need to be done all along the way for them to be successful in their presentation and outreach efforts for their proposal. Ms. Glass asked Mr. Kirkman and Mr. Carter in regard to the public notification required by General Statute 30-4-1.4 to send notification to appropriate land owners, would Staff confirm that requirement was met. Mr. Kirkman said that yes, the requirement was met and that the Greensboro notification requirement goes further to the 600 feet; Staff sent out notices to property owners of record within 600 feet of the subject property and posted the zoning sign. Ms. Glass asked a follow-up question as to if there was a requirement, Statute or local ordinance that requires the land owner to send additional notifications. Mr. Kirkman replied that there was no such requirement but that the Ordinance said that if there were residential uses within the 600-foot area, the applicant would need to inform City of efforts taken or not taken to communicate with those persons. Staff strongly recommends outreach by applicants to adjacent property owners. Ms. Skenes made the comment that the case was not conditioned to meet her comfort level because it is not conditioned to a tire store, so without additional conditions in the C-M district, she was concerned about other noxious uses. She said also that Gate Way City Boulevard was an entrance to the City and without having a better idea of the appearance and the use, she could not support the request as presented.

Chair O'Connor requested a motion. Ms. Skenes made a motion to recommend denial of the rezoning request for the property described as 2400 Kings Mill Road from CD-C-H (Conditional District - Commercial - High) to CD-C-M (Conditional District - Commercial - Medium) as conditioned to be inconsistent 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2) The proposed CD-C-M zoning district, as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of 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, and denial is in the public interest. Mr. Engle seconded the motion to deny the request. The Commission voted 8-1. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Egbert; Bryson, and Chair O'Connor; Nays: Glass). Chair O'Connor announced that the Commission's vote constituted a denial and final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals would be subject to a public hearing at the June 21, 2022 City Council meeting.

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Z-22-05-005: A rezoning request from R-5 (Residential Single-family - 5) to RM-12 (Residential Multi-family - 12) for the property identified as 1007 Willard Street, generally described as north of East Wendover Avenue and west of Willard (4.5 acres) (DENIED).

Mr. Kirkman provided an overview of the request and noted the adjacent zoning designations and discussed the existing land uses, specifically that the subject property was undeveloped and that all surrounding properties were zoned single-family. He offered to answer any questions from Commissioners. Hearing no questions, Chair O'Connor invited the applicant to speak.

Dwight Tatum of 3 Pillars Homes representing Feedgate Investment Company, 3912 Battleground Avenue, Suite 112, said that he had designed the proposal for multi-family townhomes. He explained that the proposal had been reviewed via Sketch Plan with the Technical Review Committee (TRC) for 21 townhomes for the site. The 3-bedroom townhomes were going to be designed with brick-and-vinyl siding with a half-bath and one-car garage. Mr. Tatum showed the layout of the 21 townhomes on a plat he provided to Staff and further explained that he and his company had been building scale luxury and affordable housing for the past 2 years. He further described the details in the units as high-end with granite counter tops and hardwood floors, brick elevations with vinyl accents, board-and-batten as well as stone, ceramic tile, 9-foot ceilings, and other features. He said that he did not have the final townhomes drawing available but it had been designed in consideration of the subdivision of the property and stream delineation for both areas of water on the property. Chair O'Connor thanked Mr. Tatum for his comments. She asked if there were any other speakers in favor of the application. Mr. Engle asked Mr. Tatum to explain his outreach efforts. Mr. Tatum replied that they had done very little outreach upon receiving the property owner notification list from Planning Staff the past Wednesday. He conveyed that he had received a phone call from a neighbor asking what they were planning to build on the site and she did not have an issue with the building but that she was concerned about the traffic impact with the 21 townhomes and 42 cars. He said that they drafted a letter that went out to neighbors on Saturday to neighbors on the street and behind the subject property that included the elevations of the townhomes and copy of the plat that showed the project proposal.

Hearing no other speakers, Chair O'Connor invited speakers in opposition to the request to the floor.

Karen Leak, 1015 Willard Street, Greensboro, said that she lived two doors down from the proposed townhome development. She described a naturally-flowing creek in front of the subject property. She asked how the development would impact the environment and where would the water go. She said that the creek can be seen on either side of the street because the street is only 19-feet wide. She expressed concerns about the traffic and additional foot-traffic combined from the proposed townhomes and the impact it would have on the narrow street. She described the development layout as going directly behind existing single-family residential that faced Willard Street and Holt Avenue; the development would be in the backyard of existing homes. Cars already have to slow down or stop when passing each other on Willard Street. 1007 Willard Street is a low-income neighborhood with a median income of \$39,000 per household. She also expressed concerns about crime in the City at large, and in her neighborhood, 71 records had already been reported in the area within the last 130 days. She asked if there would be only one exit out on to Willard Street and asked how the traffic and residents be accommodated and if the street would be widened or speed bumps put-in. She noted her elderly neighbors who could not attend the meeting but they are highly concerned and expressed her concern that the applicant had not done any community outreach. She said that she had never spoken in public about something so dear to her

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heart. She explained that she had cut grass and paid a mortgage at her home for the past 30 years, and planned on retiring there and spending the rest of her life there, and it was for these reasons that she came to speak to the Commission. She thanked the Commissioners.

Chair O'Connor thanked her and asked if there were others to speak in opposition to the request.

Ron Williams, 908 Willard Street, spoke in opposition to the request. He described the width of the street as two driveway aprons without curb and gutter. He also described the condition of the streets saying that kids that play in the street, cars that speed down the road, and he had a truck and trailer parked in his driveway that were hit that were a total loss. He does not see much police presence in the neighborhood. There is only one way in and one way out of the neighborhood at this point in time, so a new development would create a tightening of the neighborhood. During the proposed construction phase, he discussed how the street would be tied-up for several months. His main concern is about safety of the kids, protection of property on either side of the street from additional impacts of the development, and that he did not think that the proposal was a good idea. He acknowledges that everyone should have a place to stay but that the apartment proposal would be a thorn in the middle of a rose bush.

Chair O'Connor opened the floor to rebuttal and welcomed the applicant to respond. Mr. Tatum said that he understood the concerns of the residents and that it was his perspective that the development would bring value to the neighborhood with townhomes, not apartments that had 1,555 square-feet in area. He said that the proposed design considered the existing stream and that the units would be out of the buffer area of the streams. The first iteration of the drawing included 71 units but the proposal changed to 21 units based on feedback from the TRC and the development team. He said that the area needed new homes and that there was room for it. He said that the trees would act as a buffer around the existing homes with a secluded driveway into the community from the road and that the only trees disturbed would be in the road area and building footprint area. He said that many communities have a one way in, one way out road network and that 21-unit impact would not be burdensome. He said that with more time, he would have reached out to the neighbors and speculated that the new neighbors would have the same opportunity to retire in a great community because of its peacefulness of the area. He said that first-time homebuyers wanted to live in the area where they have been building affordable housing. He said that they are looking forward to bringing beautiful townhomes to the community. Mr. Engle said that he appreciated Mr. Tatum's good and honorable intentions but that in the evaluation of application, there were no conditions offered to limit the units to 21 townhomes. He said that there was nothing in the application that limited the buffers or held the development to a unit count. Mr. Engle said that the limitations described by Mr. Tatum were not offered in the application as zoning conditions and asked why that was the case. Mr. Tatum responded that he had only sought rezoning once before, he was still learning the process. He said that the RM-8, RM-12, or RM-18 zoning designations were somewhat the same; the main issue was the streams on the property, and the advice from his site engineer was not to build in the stream areas. With this in mind, Mr. Tatum did not want to max the property out but also wanted to offer products that allowed for homeownership. Mr. Peterson asked Mr. Tatum if he wanted to seek a continuance so that he could send the Commissioners the sketch plan, the outreach letters he sent out, and work on continued collaboration with the community regarding issues of traffic and other issues the community had with the request. Mr. Tatum replied that he had provided the sketch plan and preliminary floor plans to Staff already. He said that he did not see a need to continue the case because they had their proposal together and that when

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they met with the City, they did not have concerns. He said that he understood community opposition but since he had already sent out letters to them, he would not want to seek a continuance. Ms. Magid asked Staff if there was a sketch plan that could be shared with the Commission. Mr. Carter shared the sketch plan on the screen for the Commission. Mr. Tatum said that as the applicant who has paid a fee to go through this process, he thought it was important that the City start the information out about the process so that the applicant can get communications out to the community for dialogue sooner. He said that he was glad to sit down with residents to talk about his plans, but as a business, he weighed being faced with a continuance which could cause them to cease operations. He said that ultimately, he was open for discussion because they wanted to build the townhomes on the site. Mr. Peterson asked the applicant for the entrance and exit road – was it on Willard or Wendover Avenue? Mr. Tatum replied that it would be off Willard Street and noted yellow section identifying the road on the plan as presented and the stream with a 50-foot buffer on either side. He hired a surveyor and environmental team to identify all site features, inclusive of the land area being disturbed, with water and sewer already on-site. He said that he could get in touch with the community ahead of time and did not intend to ruffle feathers with the proposal. Mr. Peterson said that he understood Mr. Tatum's comments about how the site would come together, but that the Commissioners are not trying to make the process painful for the applicant. Mr. Tatum indicated that he could provide questions to site engineering questions but that he thought this meeting was for the developer.

Chair O'Connor invited speakers in opposition to provide comments in rebuttal.

Ron Williams, 908 Willard Street, said that the road that Mr. Tatum was describing was really a driveway off another driveway, which is Willard Street. Willard Street goes out to Wendover Avenue. He said that as far as land and streams go, how would the land percolate with the existing stream conditions which could be like quick sand, which would result in problems. Mr. Williams thanked the Commission for their consideration.

Karen Leak, 1015 Willard Street, asked the applicant why he would put fantastic townhomes in the backyards of existing residents when they will not be seen from the street, and why he would not have chosen a different location like the huge lot at 300 West Wendover where a church used to sit that had a bigger accessible entrance front and back. She shared again her concern regarding the one narrow access road with the development of new townhomes in the backyards. In conclusion, she stated that the development did not fit with the land.

Chair O'Connor thanked Ms. Leak for her comments.

Ron Williams, 908 Willard Street, commented again that the idea that the Mr. Tatum offered about seclusion of the proposed townhome site said there was no such thing. He said that there every tree would have to be cut down and the units would be in Willard Street backyards and everything would be tight in backyards without seclusion at all.

Chair O'Connor thanked Mr. Williams and Mr. Williams again thanked the Commission. Chair O'Connor closed the public hearing and asked Mr. Kirkman to provide Staff's recommendation.

Mr. Kirkman said that the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map. He noted that the GSO 2040 Comprehensive Plan also designates this site as

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Residential on the Future Land Use Map of the Comprehensive Plan. He said that the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro 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. He also said that the proposed RM-12 zoning district allows a variety of medium intensity residential uses consistent with other multifamily zoning in the larger area that can also be compatible with adjacent low intensity residential uses directly adjacent to the subject property. 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 these adjacent properties. He concluded by saying that Staff recommended approval of the request.

Chair O'Connor asked if the Commissioners had any questions. Ms. Skenes commented that this case was much like the last – without proper conditions that establish the site elements regarding unit count, building materials, and other such site design components that were only described in Mr. Tatum's presentation. She said that she noticed the ribbon paving on Willard Street without curb and gutter when she drove to the site and that the site did not seem suitable, especially without assurance of any zoning conditions. It was for these reasons that she said she could not support the request. Mr. Engle said that he was a huge proponent of infill development and affordable housing to increase supply in the City. He said that he was also looking for conditional zoning. He acknowledged Commissioner Glass' earlier comment about no requirement for the notification of neighbors but that he thought the Commission should have a conversation with Staff about how they communicate with applicants in the future. Mr. Engle said that the property in the request was ringed by R-5 zoning and residential use and even though there were site limitations in the request, he wanted to see more details of the layout of the buildings and that a straight zoning from a land use perspective would not work for him. Mr. Alford said that when he visited the site, he was concerned about the proposal working for the site, and he wanted to be convinced tonight, but since he had not been, he would not be supporting the proposal.

Chair O'Connor said that she was confused about her fellow Commissioners' responses about needing to see conditions. She said that in other similar cases from recent meetings that the Commission rarely required proposals to be strictly conditioned where there is only allowance for one thing. She said that many Commissioners are challenged when they do not have an illustration because they wanted to envision what will go on-site, and even though they often have illustrations, she said that rarely are things so strictly conditioned that they are only put what they characterized in illustration. She said that she was having trouble reconciling this. She said that in her opinion, 21 units would fit on 4.5 acres of land and it fit based on the illustration that the applicant provided, so in that respect, she thought the rezoning would fit. She wished things were more specific and that the Commission and Staff could provide more and better guidance about communications. She noted that people are often more concerned about what went in their backyard, even if it was infill development, and she felt sympathetic to that, but the illustration looked appropriate to her and she would be supporting the request. Ms. Magid said that she agreed with Chair O'Connor and would be voting in favor of the proposal.

Chair O'Connor called for a motion. Mr. Alford made a motion to recommend denial of the rezoning request for the property described as 1007 Willard Street from R-5 (Residential Single-family-5) to RM-12 (Residential Multi-family-12) to be inconsistent 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use

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Map; (2) The proposed RM-12 zoning district does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area; and (3) The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detrimental to the neighbors and surrounding community, and denial is in the public interest. Mr. Peterson seconded the motion to deny the request. The Commission voted 6-2. (Ayes: Alford, Engle, Skenes; Peterson; Glass, Bryson, Nays: Magid, O'Connor). Mr. Egbert was not present at this point in the meeting. Chair O'Connor announced that the Commission's vote constituted a denial and final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals would be subject to a public hearing at the June 21, 2022 City Council meeting.

PL(P) 22-19: Street Closure described as Marian Road from the northern right-of-way line for David Street northward a distance of approximately 310 feet to its terminus, David Street from the western right-of-way line for North Church Street westward a distance of approximately 510 feet to the western right-of-way line for Windsor Road, Windsor Road from its current terminus northwestward a distance of approximately 165 feet to the northwest corner of Lot 352 (+ 1.015 Acres); and 2) Edgemore Road from the western right-of-way line for Pax Road southeastward a distance of approximately 425 feet to its terminus (+ .491 Acres) (RECOMMENDED APPROVAL).

Mr. Carter said that the proposed rezoning associated this request was for a Planned Unit Development (PUD) and with that request, certain portions of rights-of-way were included in the request. Mr. Carter said that traffic was evaluated as part of the request. He said that these streets proposed for closing were created on a plat in 1927 and were never constructed. The street closing was being requested so that the land could be added to the abutting property to aid future development. Mr. Carter advised that the City must make two determinations in order to close a street: (1) closing the street to traffic would not be contrary to the public interest; and (2) no property owner in the vicinity is deprived reasonable means of access. Mr. Carter stated that in order to provide reasonable means of access, the applicant was advised that some existing lots will need to be recombined so that all lots have reasonable means of access. Mr. Carter further advised that the street closures would become active upon the recording of a plat with the Guilford County Register of Deeds that combines all lots with frontage on Marion Road, David Street, Windsor Road, Edgemore Road, with abutting properties so that the resulting lots have frontage and direct vehicular access to a public street. He offered to answer any questions from Commissioners.

Chair O'Connor asked if there was anyone to speak in favor of the application.

Patrick Lineberry, 400 Bellemeade Street, introduced himself and said that he was before the Commission on behalf of the applicant. The petition for paper road closures related to the recent rezoning to develop the site in following the Planned Unit Development zoning. Mr. Lineberry noted that all owners of abutting properties signed the petition and that the proposed road closure would be in the public interest because it would allow the applicant to continue developing the site, add to the tax base, and provide needed housing for the area. He noted that only 15-linear feet or so of property that the applicant did not own abuts the streets that the applicant is proposing to close, whereas there are hundreds of feet that the abutting owner still has to access their property, so there would not be interference with access.

Chair O'Connor asked if there were any questions for the applicant. Hearing none, she asked if there was anyone else present to speak in favor of the application. She then asked if there was anyone to

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speak in opposition to the application. Mr. Engle asked Mr. Carter if there was any speakers signed up to speak in opposition. He answered that no, there was not. Chair O'Connor closed the public hearing. She asked for any questions or comments.

Mr. Engle moved to close the streets as proposed. Mr. Bryson seconded the motion. The Commission voted 8-0. (Ayes: Alford, Engle, Magid, Skenes; Peterson; Glass; Bryson, and Chair O'Connor; Nays: 0). Mr. Egbert was not present for the vote. Chair O'Connor announced that the Commission's vote constituted a favorable recommendation and was subject to a public hearing at the June 21, 2022 City Council meeting.

Chair O'Connor noted that the public hearing portion of the meeting was complete and asked for any other items of discussion.

Mr. Kirkman noted the date of the next Planning and Zoning Commission meeting due to the City holiday honoring Juneteenth on Monday, June 20, 2022. The June Planning and Zoning Commission meeting will instead take place on Thursday, June 23, 2022. Mr. Engle and others recommended that Staff reference the Commission for Human Rights calendar for next year's schedule so that holidays and other important days and Commission meetings did not overlap. In the future, Mr. Kirkman said that Planning Staff would work more closely with applicants on communications and to provide other support in order to provide assistance as well as to get ahead of issues that may become problems at the meeting. Mr. Bryson expressed concerns about getting the applicants outreach lists ahead of time and why Mr. Tatum was not given a notification list sooner. Mr. Kirkman discussed his communications with Mr. Tatum and that he would follow-up with applicants that did not get outreach lists in a more timely manner to aid in their efforts for neighborhood communications. Mr. Engle expressed his concerns about the Kings Mill Road case, specifically that we should not give two levels of service, one to an attorney and another to a common applicant for rezonings. He emphasized that Commissioners and applicants should both receive all neighborhood communications about the case, both in favor or and against, which may help applicants work more collaboratively with the community and would uphold equity in our practices. Mr. Engle said that it was an established practice that the City Staff share all communications between applicants and the community. Mr. Kirkman echoed that this was Staff's typical practice and that they would strive to improve upon it in all cases moving forward. Mr. Bryson said that the Planning and Zoning Commission signs out in the field can be difficult to read, especially when it comes to reading the number to contact for people needing information on the applications in Spanish. He worried that the Hispanic Community was not getting the information because the City does not give them the right information for the signs. Mr. Kirkman said that the signs are meant to draw attention and spur further conversation and that Staff would look at that way of notification as well. Chair O'Connor said that there is a line in Spanish on the notifications and signs, but that in the absence of a requirement of notifications sent to tenants, just property owners, it is important to find a creative way to notify tenants as well. Often tenants are most effected, as in the case of the Hiatt Street property, and may call on Staff to look into law practices for notifying tenants. Ms. Magid noted that in 4 or 5 cases there were zoning conditions or pieces of information sent to the neighborhood like a map or drawing that were not sent to the Commission ahead of time and that she would like to have those materials ahead of time as well to help them with their decisions. Mr. Kirkman said that he heard the Commission and that he recognized that Staff had some things to work on and would work to provide the Commission with the information they needed to make decisions in the future. Chair O'Connor noted that ensuring that the applicant's case was not extended for another hearing and that it was a balancing act. Chair O'Connor thanked Staff and recognized that

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Staff received materials late in many cases as well and that she appreciated Staff striking the middle ground. Mr. Bryson finally welcomed Ms. Glass to the Chamber. Chair O'Connor concluded the meeting.

Commissioners and adjourned the meeting around 9:30pm

Respectfully submitted;

Sue Schwartz, Planning Director
SS/ram

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person and electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Thursday, June 23, 2022, beginning at 5:35 p.m. Members present were: Vice Chair Richard Bryson, Mary Skenes, Andrew Egbert, Vernal Alford, Zac Engle, Catherine Magid, and Erica Glass. Present for City staff were Luke Carter, Mike Kirkman, and Rachel McCook (Planning), Noland Tipton (GDOT) and Allen Buansi (City Attorney).

Vice Chair Bryson welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. Vice Chair Bryson advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. Vice Chair Bryson briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties and advised those participants attending virtually would be able to view the meeting and speak when called upon. He noted the online meeting was being recorded and televised and was also close-captioned for the hearing impaired. He further explained the expedited agenda for items without any speakers in opposition and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Alan Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

Roll Call for attendance was taken by Vice Chair Bryson, who then introduced the Commission members and noted that Commissioners Alford, Engle, Magid, and Glass were participating via Zoom. Mr. Kirkman advised that Mr. Peterson was unable to attend the meeting and Mr. Engle moved to excuse his absence. Second by Ms. Skenes. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

ACKNOWLEDGEMENT OF ABSENCES:

Vice Chair Bryson advised that Mr. Engle also moved to excuse Ms. O'Connor, second by Ms. Magid. The Commission voted 7-0, (Ayes: Engle, Alford, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

APPROVAL OF THE MAY 16, 2022 REGULAR MEETING MINUTES: (APPROVED)

Vice Chair Bryson requested approval of the May 16, 2022 meeting minutes. Mr. Egbert moved to approve the May meeting minutes as presented. Seconded by Ms. Skenes. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised there were no withdrawals or continuances.

EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition and were eligible for expedited agenda. Review. The items were Z-22-06-006 for 704, 706, and 730 Brigham Road and Z-22-06-008 for 6801 West Friendly Avenue and 6727-6729 Forsythia Drive. Ms. Magid made a motion to re-order the

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agenda as noted by staff for these items for expedited review. Second by Mr. Engle. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

PUBLIC HEARINGS:

NEW BUSINESS:

Z-22-06-006: A rezoning from R-3 (Residential Single-family – 3) and BP (Business Park) to CD-LI (Conditional District – Light Industrial) for the properties identified as 704, 706, and 730 Brigham Road, generally described as east of Brigham Road and south of Pleasant Ridge Road (25.36 acres). (APPROVED)

Mr. Kirkman reviewed the 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 designated this site as Urban General on the Future Built Form Map and Future Employment Area on the Western Area Plan Future Land Use Map. Staff concluded the request was consistent with the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous and resilient economy that creates equitable opportunities to succeed. The proposed CD-LI district allows a variety of contractor, warehouse, distribution and limited manufacturing and assembly uses which in their normal operations have little or no adverse effect upon adjoining properties. Care should be taken with respect to outdoor storage area location, 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.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, he inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Mr. Engle moved to close the public hearing. Second by Ms. Skenes. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

Mr. Engle then stated regarding agenda item Z-22-06-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 704, 706, and 730 Brigham Road from R-3 (Residential Single-family – 3) and BP (Business Park) 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, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Magid seconded the motion. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Vice Chair Bryson advised the approval 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 Tuesday, July 19, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-22-06-008: A rezoning from R-3 (Residential Single-family – 3) to CD-RM-18 (Conditional District – Residential Multi-family – 18) for the properties identified as 6801 West Friendly Avenue and 6727-6729 Forsythia Drive, generally described as south of West Friendly Avenue and west of Forsythia Drive (2.38 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions related to the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designated this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff concluded the request was consistent with the Comprehensive Plan's Filling in Our Framework strategy to encourage higher density, mixed-use, walkable infill development and to ensure mixed-use projects both strengthen and add value to the Community. The request also supports the Comprehensive Plan's Creating Great Places strategy to meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed CD-RM-18 zoning district limits the overall number and scale for residential uses to be consistent with other multifamily in the area while also allowing compatibility with adjacent lower intensity residential uses. Staff recommended approval of the request.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, he inquired if the applicant was present to speak.

Henry Isaacson, 804 Green Valley Road, attorney representing Simaan Brothers Holdings, LLC, stated that the applicant was available for any questions the Commission may have. Vice Chair Bryson inquired if there were questions or comments from the Commissioners. Hearing none, Vice Chair Bryson asked if there was anyone else to speak in favor of the request. Hearing none, Vice Chair Bryson closed the public hearing by consent. Ms. Magid then stated regarding agenda item Z-22-06-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the properties described as 6801 West Friendly Avenue and 6727-6729 Forsythia Drive 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 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 adjacent properties; (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: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Vice Chair Bryson 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 would be subject to a public hearing at the Tuesday, July 19, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-20 & Z-22-06-001: An annexation and original zoning request from County RS-40-MH (Residential Single-family in a Manufactured Home Overlay District) to City CD-R-3 (Conditional District – Residential Single-family – 3) for the property identified as 682 Knox Road, generally described as west of Knox Road and west of Forbes-Tate Road (3.781 acres). (RECOMMENDED APPROVAL)

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Mr. Kirkman reviewed the 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 as Residential on the Future Land Use Map. Staff determined the proposed original zoning 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 City CD-R-3 zoning district, as conditioned, promotes low-density single-family detached residential development that is generally compatible with existing uses located on adjacent tracts. Staff recommended approval of the request.

Vice Chair Bryson inquired if there were questions from the Commissioners. Mr. Engle asked Mr. Kirkman for an explanation of the Manufactured Home Overlay district, as he believed manufactured homes were not allowed by the City. Kirkman said he did not have the specifics of the County ordinance that was currently in place for this property but noted the city does permit manufactured homes in certain configurations of multi-family zoning and manufactured home overlay districts. Mr. Engle asked if this annexation was mostly for access to utilities, which Mr. Kirkman said was the case. Vice Chair Bryson inquired if the applicant was present to speak.

Kaiya Clay, 5216 Cragganmore Drive, McLeansville, stated she was hoping to gain access to water and sewer by annexation so that she can build a single-family home, and that there will never be more than 3 single family homes on the property.

Vice Chair Bryson inquired if there were questions or comments from the Commissioners. Hearing none, Vice Chair Bryson asked if there was anyone else to speak in favor of the request. Hearing none, he requested those speaking in opposition to identify themselves and provide their address.

Thomas Smith, 715 Knox Road, stated his belief was that the sewer service was not available in the area and he did not see where annexation would help the applicant since water is already available on the site. Ms. Skenes stated that city services had been evaluated and the Commission was advised that infrastructure was in place and the Technical Review Committee supported the application. Mr. Smith asked again for someone to confirm the status of the sewer infrastructure in the area, as his understanding based on communications with contractors that purchased some of his property is that an adjacent parcel proposed to be annexed does not currently have sewer access. Mr. Kirkman asked Mr. Smith to follow up with Planning staff to put him in touch with Water Resources staff that could more fully answer his questions.

Vice Chair Bryson inquired if there was anyone else wishing to speak in favor of the application. Hearing none, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the application.

Josh Anthony, 710 Knox Road, stated he was not in opposition to the proposal, but concerned about the implications of annexation on adjacent properties. Mr. Kirkman noted that this request was only for the identified property and would have no impact on adjacent properties. Mr. Anthony stated he was confused why an annexation so far out into the county would be undertaken. Mr. Kirkman stated that this was for access to water and sewer due to city policy which requires annexation for service provision. Mr. Carter confirmed that City water and sewer were both currently available pending

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extension at the owner's expense and that annexation would be required for connection to either service individually if the other was not currently available, given that the property is in Growth Tier 1.

Vice Chair Bryson inquired if there were any other speakers in opposition. Hearing none, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Ms. Clay reiterated her motivation in this process is to obtain City services. Vice Chair Bryson advised the opposition had 5 minutes for rebuttal. Mr. Anthony stated he didn't think there was any opposition.

Mr. Engle moved to close the public hearing. Second by Ms. Skenes. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0). Ms. Skenes made a motion to annex the property. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0). Ms. Skenes then stated regarding agenda item Z-22-06-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 682 Knox Road, from County RS-40-MH (Residential Single-family in a Manufactured Home Overlay District) to City CD-R-3 (Conditional District – 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 CD-R-3 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the motions constituted a favorable recommendation and were subject to a public hearing at the Tuesday, July 19, 2022, City Council meeting.

PL(P) 22-21 & Z-22-06-002: An annexation and original zoning request from County RS-40 (Residential Single-family) to City CD-C-M (Conditional District – Commercial Medium) for the property identified as 5701 West Gate City Boulevard, generally described as southeast of West Gate City Boulevard and southwest of Anson Road (1.591 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the original condition related to the request. Mr. Kirkman then advised there were changes to the conditions after the item was advertised. New conditions added were:

2. Any garage bay doors shall be oriented towards West Gate City Boulevard.
3. Vehicular access shall not be permitted from Anson Road.
4. A minimum 6-foot high fence or wall shall be installed between parking areas and the adjacent residential property at 5705 Anson Road
5. A landscape buffer with a minimum width of 60 feet shall be installed along the southeastern property line adjacent to the residential property at 5705 Anson Road. This buffer shall incorporate existing healthy vegetation with approval of the City of Greensboro
6. Any new required plantings within the required landscape buffer along the southeastern property line abutting the property at 5705 Anson Road shall be of evergreen material to ensure year round screening. Such evergreen materials shall be no less than 8 feet in height at time of planting.

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7. A vegetative buffer a minimum 15 feet in width shall be established between any buildings and parking areas and Anson Road. Within this buffer there shall be a minimum of 4 canopy trees (at least 2 of which must be evergreen for screening), 4 evergreen understory trees and 17 evergreen shrubs for every 100 linear feet of road frontage. Evergreen planting materials must be a minimum of 8 feet in height to ensure year round screening.
8. Any use of the property will not be open to the public after 8:30 p.m. and before 8:00 a.m.

Ms. Skenes motioned to approve the additional new conditions as submitted, second Mr. Alford. Voted 7-0 (Ayes: Alford, Magid, Engle, Glass, Skenes, Egbert, Bryson). Vice Chair Bryson inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road, was present on behalf of Mavis Tire Supply. He stated MVS locations are typically open from 8pm to 5 or 6pm, excepting Thursdays when they're open until 8pm. Mr. Isaacson noted other commercial uses in this area are open much later. He stated that a traffic impact analysis was not required according to GDOT. He then stated that all work at Mavis Tire locations is conducted inside the building, and there is no storage of tires or vehicles outside. Mr. Isaacson stated that fairly intensive commercial uses surrounded the property on Gate City Boulevard and that many commercial uses back up against residential properties in this area. Mr. Isaacson noted that concerns about noise and buffers were brought up in neighborhood meetings. He stated that the applicant has planned for significant natural screening, noise abatement walls and a storm water control device, as well as facing all bays on Gate City Boulevard, not Anson Road, in response to concerns from neighbors. Mr. Isaacson stated that the only point of access is Gate City Boulevard with no access from Anson Road, which would have likely been the case with higher intensity residential development. Mr. Isaacson displayed similar stores in other cities that were built near residential areas. Mr. Isaacson then noted that they distributed letters, conducted a neighborhood meeting, and met with multiple neighbors to discuss concerns. He stated that the outcome of those discussions were the numerous conditions added to the rezoning request. He then noted the Future Land Use Map designates this property as Commercial, it is located in the Urban Mixed Use and Reinvestment Corridor on the Future Built Form Map, and that this development is consistent with the GSO 2020 Comprehensive Plan and other uses around the thoroughfare.

Vice Chair Bryson requested those speaking in opposition to identify themselves and provide their address.

Lisa Jones, 5705 Anson Road, stated that she was pleased with Mr. Isaacson's addressing of the neighborhood's concerns. She stated the neighborhood has concerns, but can't say they haven't been addressed and thanked Mr. Isaacson publicly. As such she was no longer in opposition to the request.

Mr. Engle moved to close the public hearing. Second by Mr. Egbert. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0).

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this property as Urban General within an Urban Mixed Use Corridor and within a Reinvestment Corridor on the Future Built Form Map. The GSO 2040 Comprehensive Plan also designates the property as Residential on the Future Land Use Map. Staff concluded the proposed original zoning request supports the Comprehensive Plan's Growing

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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, as conditioned, would permit a variety of commercial, retail, office and service uses. The uses permitted in the proposed CD-C-M zoning district are compatible with existing commercial and civic uses located on adjacent tracts, and with the additional conditions the request is compatible with the existing residential uses on adjacent tracts as well. Staff recommended approval of the request.

Mr. Engle stated he commended the applicant and community for coming together and coming to a conclusion before the case came to them. Mr. Engle then made a motion to annex the property. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Mr. Engle then stated regarding agenda item Z-22-06-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 5701 West Gate City Boulevard from County RS-40 (Residential Single-family) 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 proposed CD-C-M zoning district, as conditioned, limits negative impacts on the adjacent properties 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: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, July 19, 2022, City Council meeting.

Z-22-06-003: A rezoning from CD-RM-5 (Conditional District – Residential Multi-family – 5) to CD-RM-8 (Conditional District – Residential Multi-family – 8) for the properties identified as 3112 and 3118 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Brinton Drive (7.5 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition related to the request. Mr. Kirkman then advised there were changes to the conditions after the item was advertised. The applicant was requesting a new condition as follows:

2. Permitted uses limited to residential uses only.

Mr. Engle motioned to approve the new condition as submitted, seconded by Ms. Skenes. Voted 7-0 (Ayes: Alford, Magid, Engle, Glass, Skenes, Egbert, Bryson Nays: 0). Vice Chair Bryson inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road, spoke on behalf of ORP Development, LLC. He stated that this property was rezoned last year to CD-RM-5 and that the company has since acquired more land and its engineers recommended a new layout based on the oddly configured parcel and changes in the housing market for more affordably priced housing. Mr. Isaacson stated the that engineers

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recommended rezoning to CD-RM-8, allowing approximately 6 more smaller townhomes on the property with one-car garages versus two-car. He stated this development was compatible with existing development in the area given its variety of density levels and housing types. Mr. Isaacson stated that he believed this application is reasonable and complies with the expectations of the City's plans and maps, keeping the same conditions as before while adding one additional condition to ensure the property's use would only be residential and not allow any other uses in RM-8.

Vice Chair Bryson requested those speaking in opposition to identify themselves and provide their address, but Mr. Carter stated he did not see the opposition speaker present. Mr. Engle asked Mr. Carter what the neighbor's concerns were. Mr. Carter stated that the concerns were regarding the housing type, what the Planning and Zoning Commission can and cannot consider, and that a traffic impact study was not required for this project.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, Mr. Engle then moved to close the public hearing. Second by Ms. Skenes. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0).

Ms. Skenes then stated regarding agenda item Z-22-06-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3112 and 3118 Horse Pen Creek Road from CD-RM-5 (Conditional District – Residential Multi-family – 5) 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 adjacent properties; (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 Ms. Magid. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the action constituted final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 19, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-06-005: A rezoning from R-3 (Residential Single-family – 3) and R-5 (Residential Single-family – 5) to CD-RM-12 (Conditional District – Residential Multi-family – 12) for the properties identified as 2813, 2815, and 2823 Randleman Road, generally described as east of Randleman Road and north of Apple Ridge Road (14.96 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition related to the request. Mr. Kirkman then advised there were changes to the conditions after the item was advertised. The changes including adjusting language in condition 1 and then adding several new conditions as follows:

1. Building façade shall consist of no less than 33% wood, stone, glass, brick and/or cementitious material.
2. Uses limited to Single-family Detached Dwellings, Duplexes, Traditional Houses, Townhomes, Twinhomes, Multi-family Dwellings, Multi-family (Elderly), and related ancillary uses (i.e.

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amenity facilities). Uses located south of any new access road/drive to Randleman Road shall be limited to Townhomes.

3. A Type B landscape buffer shall be installed along the southern property boundary and shall incorporate existing healthy vegetation with approval of the City of Greensboro
4. Required screening for dumpster facilities shall be constructed of either brick or brick veneer
5. A community room or clubhouse, swimming pool and play area shall be provided on-site for use by all members of the residential community.
6. A minimum 5 foot fence shall be installed along the eastern line of subject property for a distance of approximately 240 feet from the northeast corner, subject to approval by City of Greensboro.

Ms. Magid motioned to approve the new conditions as submitted, seconded Ms. Skenes. Voted 7-0 (Ayes: Alford, Magid, Engle, Glass, Skenes, Egbert, Bryson). Vice Chair Bryson inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road, was representing Nava Realty LLC and stated that the original intent was to develop this property for solely multi-family apartments. He stated that after meeting with Councilwoman Hightower, the Southeast Greensboro Community Coalition, and community members, there was a preference for townhomes for sale to allow the community to invest in itself and build equity. Mr. Isaacson's client agreed, adding townhomes to the south to the previously planned apartment buildings and with significant vegetative buffer. After negotiations with residential neighbors to the east, a fence pending approval by the City given concerns over watershed regulations was also included. Mr. Isaacson said significant changes were made following discussion with the local neighborhood coalition. He noted that a letter was sent and a neighborhood meeting was held, with one person attending and having their concerns addressed. Mr. Isaacson said they believe the conditions presented would set a high standard for this area of Randleman Road. He noted the Future Land Use Map designated the property Residential, the Future Built Form Map was Urban Mixed Use, and stated that this development was compatible with the GSO 2040 Comprehensive Plan.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, he asked if there was anyone else to speak in favor of the request. Hearing none, he requested those speaking in opposition to identify themselves and provide their address.

Cheryl McIvor, 404 West Montcastle Drive, stated she signed up in opposition only because they were going through a number of new conditions and she wanted to make sure they were added correctly. Ms. McIvor stated that following Mr. Isaacson's presentation, she is no longer in opposition, and thanked Mr. Isaacson for the dialogue and letting neighbors have input on their community. She then stated that she received a mailed notification on Saturday for a meeting held on the following Tuesday, and that zoning signs were not placed until Monday. Ms. McIvor stated that this did not give residents enough time to digest what was happening.

Mr. Kirkman stated that there were two meetings regarding this case, the sign from the city being associated with this public hearing tonight and not the applicant's separate neighborhood meeting which was being held on that Tuesday. Mr. Kirkman stated State regulations dictate when advertising could occur and noted that there was some minor delay on the signs being posted in this instance. Mr.

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Carter stated that other people were interested in commenting, and added Anthony Izzard to the speaker list. Mr. Engle commended Ms. McIvor for her repeated visits to the Commission's hearings and for representing her community well. Ms. Magid inquired if Mr. Izzard was going to speak, and Mr. Carter advised he did not wish to.

Mr. Engle then moved to close the public hearing. Seconded by Mr. Alford. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0).

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this property as Urban General along a Frequent Service Transit Corridor and along a Reinvestment Corridor. The GSO 2040 Comprehensive Plan's Future Land Use Map designates the majority of the subject parcels as Residential and the remainder of the properties as Commercial. Staff concluded the request was consistent with the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro 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 CD-RM-12 zoning district allows a variety of medium intensity residential uses consistent with other multifamily zoning in the larger area that can also be compatible with adjacent low intensity residential uses directly adjacent to the subject property. 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 these adjacent properties. Staff recommended approval of the request.

Ms. Magid then stated regarding agenda item Z-22-06-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 2813, 2815, and 2823 Randleman Road from R-3 (Residential Single-family – 3) and R-5 (Residential Single-family – 5) to CD-RM-12 (Conditional District – Residential Multi-family – 12), as conditioned, 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 fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Mr. Bryson 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, July 19, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-06-007: A rezoning from R-5 (Residential Single-family – 5) to PI (Public and Institutional) for the properties identified as 2200, 2200 Rear Randall Street, and a portion of Randall Street Right-of-way, generally described as north, east and south of Randall Street and west of Eastwood Avenue (12.05 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

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Donna Bell, 501 West Washington Street, stated this rezoning request is to permit the construction of a parking lot connected to a new school which the current R-5 zoning district does not permit. She stated that Guilford County Schools held a community meeting on June 16th to explain the reasons behind the rezoning request and address any questions. Ms. Bell stated that GCS is planning to build a visual and performing arts magnet elementary school and that with the PI zoning, about 23 parking spaces used only for staff can be added on this small separate parcel across Randall Street. She stated that this would not modify the student drop-off position on the northeast side of the property on Randall Street, and then introduced David Smith of the construction management firm to answer any questions.

Vice Chair Bryson inquired if there were questions from the Commissioners. Mr. Egbert asked if there was opposition to the school being built, Mr. Kirkman replied there was opposition to the rezoning. Mr. Bryson asked if any other commissioners had questions. Hearing none, he requested those speaking in opposition to identify themselves and provide their address.

Cassandra Israel, 2020 East Florida Street, asked if the rezoning was only for the parking lot. Mr. Kirkman replied that was correct, because this parcel is not on the main campus of the new school and the existing R-5 zoning district does not permit offsite parking. Ms. Israel stated she was attending the hearing because she received a letter about rezoning for Public and Institutional, and it did not include information about the intended use of the property. She stated she heard fears in the neighborhood that this use could be multi-family homes. She then stated that in the future, more detail on what the land use types permit would be helpful. Ms. Israel does not oppose the rebuilding of Peeler Elementary, but was not aware of what was being considered based on the material mailed to her.

Barbara Israel, 2020 East Florida Street, stated she did not receive a letter about the neighborhood meeting. She asked if anyone attended the meeting and what the response was. Vice Chair Bryson noted that this would be addressed in the rebuttal period. Ms. Israel asked if the parking lot would be between houses. Mr. Bryson asked Planning staff if site photographs were available, and Mr. Kirkman displayed aerial photographs depicting the site. Ms. Israel asked if there was going to be any buffer between the homes. Mr. Kirkman stated that the City requires landscaping for screening parking lots. Ms. Magid stated that the site sketch drawing received today showed a buffer zone. Ms. Israel asked what kind of buffer was being proposed, given the proximity to homes. Mr. Carter then displayed a sketch from the neighborhood communications summary. Ms. Israel requested more specifics about the illustration, because the parking lot was surrounded by homes. Mr. Kirkman stated that the City's parking lot requirements typically have a 25 foot landscape buffer from single family residential dwellings, but the final design would depend on what the architect decides.

Anne Purcell, 1802 Eastwood Avenue, stated she attended the hearing to make sure the rezoning would not include public housing. Mr. Kirkman stated that the PI zoning district does not permit standalone multi-family dwellings. Vice Chair Bryson inquired if Ms. Bell or anyone else in favor of the application wished to speak in rebuttal.

Ms. Bell stated she wished to apologize to community members for the confusion surrounding the letter about the zoning district. She stated GCS only intends to go forward with the construction of the new school on the previous Peeler school site. She introduced construction project management advisor David Smith to speak on the issue of buffering.

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David Smith, 3609 Turnberry Lane, stated they were in a preliminary stage of design development, and as that process continues the buffer around the site will be defined in terms of tree specifications fitting the City's standards which are high for this kind of land use in proximity to residential areas. He offered to answer any questions the Commission or speakers might have.

Vice Chair Bryson inquired if there were questions from the Commissioners. He then asked how notice of the neighborhood meeting was disseminated and how many people attended. Ms. Bell stated approximately 260 letters were sent out to property owners with the list furnished by the Planning Department, and renters may not have been made aware of it. She stated she received 2 phone calls with no concerns. Ms. Bell stated that the community meeting was productive and GCS attempted to clarify information about the PI zoning district and their intended the land use. Mr. Engle commended Ms. Bell for the outreach, and asked her to consider sharing the presentation materials with the speakers present at the hearing. Ms. Bell agreed, and stated that the process is moving forward but that it takes time, and that while all elements of the site plan are not yet available to share with the community, GCS wishes to do so when available.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, he inquired if anyone in opposition of the application wished to speak in rebuttal.

Ms. Cassandra Israel stated she is a homeowner and did not receive the letter that Ms. Bell is referring to. She stated that her main concern is that the rezoning request does not have very much detail on what is going to be built and surrounding homeowners have to hope that buffering requirements will be met. Mr. Skenes asked Ms. Israel to confirm her address, and Mr. Carter stated that her address was part of the notification list. Mr. Engle then moved to close the public hearing. Seconded by Ms. Skenes. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0).

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban Central on the Future Built Form Map. The GSO 2040 Comprehensive Plan designates this site as Residential on the Future Land Use Map of the Comprehensive Plan. Staff concluded the proposed rezoning request supports the Comprehensive Plan's Community Connections Goal for Greensboro to be unique and memorable based on our quality of life, culture, arts and places and the ties that bind us together as a community and the Creating Great Places Goal to create interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro, in downtown and with our historic resources. The proposed PI zoning district generally allows mid and larger scale institutional uses such as medical campuses, colleges/universities and large religious assembly uses but in this case is intended to facilitate the existing elementary school campus, including off-site parking. Care should be taken with respect to outdoor storage area location, 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.

Mr. Bryson asked if the Commission could help facilitate contact between Ms. Bell and the speakers to keep the community involved in the process. Mr. Engle stated that he thinks GCS' conduct and outreach in this case had been very good. He understands the residents' concerns around conditions and hopes this hearing can help facilitate conversations between the community and GCS. Mr. Engle stated he is comfortable what's being proposed here and with the group doing it, and that everyone involved is a constituent of GCS and expects positive engagement given the productive track record of communication as demonstrated in this case.

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Mr. Engle then stated regarding agenda item Z-22-06-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the zoning request for the property described as 2200, 2200 Rear Randall Street, and a portion of Randall Street Right-of-way from R-5 (Residential Single-family – 5) to PI (Public and Institutional) 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 PI zoning district limits negative impacts on the adjacent properties 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. Skenes. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Vice Chair Bryson advised the action constituted final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 19, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-22: Street Closure described as Luray Drive from the Northern Right-of-way Line for West Florida Street to the Northern Right-of-way Line for Hyde Drive (± 980 feet), Hyde Drive from the Eastern Right-of-way Line for Luray Drive to the Western Right-of-way Line for Hudgins Drive (± 1,010 feet), and Hudgins Drive from the Northern Right-of-way line for West Florida Street to the Eastern Right-of-way Line for Freeman Mill Road (± 1,320 feet). (RECOMMENDED APPROVAL)

Mr. Carter stated that the Housing Authority of Greensboro submitted this request as part of a redevelopment project and has 100% ownership along the frontages of the streets, making it a valid application. He stated that TRC heard the case on March 18th and the Fire Department had some items to read into the record. Mr. Carter noted the conditions necessary for the city to consider when closing a street. The Fire Department notes that no fire apparatus access roads can be closed until the structure that requires this road is demolished and debris removed. Fire access shall be maintained within 100 feet of all temporary or permanent FDCs. All required fire hydrant coverage shall be maintained for buildings that are still intact or demolished until debris has been removed from site. Any fire apparatus access road shall not exceed 150 foot long without a fire truck turnaround sufficient for a 10 foot wide and 50 foot long fire apparatus. All fire apparatus access roads shall be maintained at 20 foot wide and 13.5 foot height and be an all-weather surface. Mr. Carter then read the conditions given by TRC with its recommended approval:

1. That the City shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use.
2. That all existing buildings that take their required fire access from these streets are to be demolished and debris removed.
3. That the street closure is to become effective upon the recording of a plat in the Guilford County Register of Deeds that depicts the streets to be closed being combined with the abutting property so that each resultant lot has frontage and direct vehicular access to a public street after it has been confirmed by the City's Fire Marshall that the streets are no longer required for fire access.

Mr. Carter stated that staff recommended approval.

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Vice Chair Bryson inquired if there were questions from the Commissioners. Mr. Alford stated that the documents presented had the number PL(P) 22-19 not 22-22, and wanted to confirm 22-22 was correct, which Mr. Carter confirmed. Vice Chair Bryson inquired if there were any other questions. Hearing none, he requested those speaking in favor to identify themselves and provide their address.

Jaymar Joseph, 450 North Church Street, stated that this project is part of an effort to expand affordable housing in Greensboro and offered to answer any questions. Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, he closed the public hearing by consent.

Mr. Engle moved to recommend street closing with the conditions referenced. Seconded by Mr. Alford. The Commission voted 7-0, (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0). Vice Chair Bryson advised the motion constituted a favorable recommendation and was subject to a public hearing at the Tuesday, July 19, 2022, City Council meeting.

ITEMS FROM PLANNING DEPARTMENT & COMMISSIONERS:

None.

ITEMS FROM COMMISSIONERS:

Mr. Engle moved to excuse the absence of Chair O'Connor. Seconded by Ms. Magid. The Commission voted 7-0. (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0).

Vice Chair Bryson noted that the public hearing portion of the meeting was complete and asked for any other items of discussion from members. Ms. Skenes asked about next month's agenda. Mr. Carter indicated there are 10 items at this point and Mr. Kirkman stated that the Commission would be back on its regular schedule and the next meeting would be held on Monday, July 18th. Ms. Magid stated she thanked all the Isaacsons for being here and doing such an outstanding job. Mr. Bryson also expressed his appreciation as well as to Planning staff.

ADJOURNMENT:

Ms. Skenes moved to adjourn the meeting. Second by Mr. Alford. The Commission Voted (7-0), (Ayes: Alford, Engle, Magid, Glass, Skenes, Egbert, Bryson; Nays, 0).

There being no further business for the Commission, the meeting was adjourned at 8:04pm.

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JULY 18, 2022

The regular meeting of the Greensboro Planning and Zoning Commission was held in person and electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Monday, July 18, 2022, beginning at 5:33 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Catherine Magid, Mary Skenes, Andrew Egbert, Keith Peterson, Zac Engle and Erica Glass. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Nolan Tipton (GDOT), and Alan Buansi (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. Chair O'Connor advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. Chair O'Connor briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties and advised those participants attending virtually would be able to view the meeting and speak when called upon. She noted the online meeting was being recorded and televised and was also close-captioned for the hearing impaired. She further explained the expedited agenda for items without any speakers in opposition and staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Roll Call for attendance was taken by Chair O'Connor, who then introduced the Commission members and noted that Commissioners Engle and Glass were participating on Zoom.

Alan Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 City's Planning Department or Technical Review Committee as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

There were no absences.

APPROVAL OF THE JUNE 23, 2022 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the June 23, 2022 meeting minutes. Ms. Magid moved to approve the meeting minutes as presented. Seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor, Engle, Glass; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised there were no withdrawals or continuances.

EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition and were eligible for the expedited agenda. The items were Z-22-07-001, Z-22-07-002, PL(P)22-24 & Z-22-07-004, Z-22-07-005. Chair O'Connor asked if anyone in attendance wished to speak in opposition to any of those items. Hearing none, the agenda was reordered to address the expedited items first.

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PUBLIC HEARINGS:

NEW BUSINESS:

Z-22-07-001: A rezoning request from LI (Light Industrial) to CD-C-M (Conditional District – Commercial Medium) for the property identified as 901 South Elm Street, generally described as west of South Elm Street and south of East McCulloch Street (.42 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban Central within an Urban (Mixed-Use) Corridor on the Future Built Form Map and Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-C-M zoning district, as conditioned, limits uses to Retail Sales and Service (without drive through); Personal and Professional Services (without drive through), all Office Uses; and Mobile Food Vendor, Motorized. The uses permitted in the proposed CD-C-M zoning district are consistent with surrounding uses and provides services to the adjacent neighborhoods while being located along a collector street to limit impacts on the adjacent neighborhoods. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

T. Leavitt Raynor, 901 South Elm Street, stated that he has spent multiple years working on this property and that he intends to provide a service to the community by selling healthy fruit and vegetable drinks. He stated that nothing had been built in the area in 35 years, and he has a lot of support in the neighborhood for his plans.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Vice Chair Bryson then stated regarding agenda item Z-22-07-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 901 South Elm Street from LI (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: (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, permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Peterson seconded the motion. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the action constituted a final action unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 16, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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Z-22-07-002: A rezoning request from CD-LI (Conditional District – Light Industrial) to CD-LI (Conditional District – Light Industrial) for the property identified as 5680 Millstream Road, generally described as south of Millstream Road and east of Roosevelt Court (12.55 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this property as Planned Industrial on the Future Built Form Map and as Industrial on the Future Land Use Map. Staff determined the proposed rezoning request supports 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-LI zoning district, as conditioned, will allow a variety of contractor, warehouse, distribution and limited manufacturing and assembly uses which in their normal operations have little or no adverse effect upon adjoining properties. Care should be taken with respect to outdoor storage area location, 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 from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Paul Stimpson, 939 Burke Street Suite H Winston-Salem was present on behalf of the applicant and stated they sent out letters to neighbors with no responses.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak on the application. Hearing none, Chair O'Connor closed the public hearing.

Mr. Egbert then stated regarding agenda item Z-22-07-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 5680 Millstream Road from CD-LI (Conditional District – Light Industrial) to CD-LI (Conditional District – Light Industrial), as conditioned, 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 adjacent properties; (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. Ms. Magid seconded the motion. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays, 0). Chair O'Connor advised the approval constituted a final action unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 16, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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PL(P) 22-24 & Z-22-07-004: An annexation and original zoning request from County CZ-PD-R-SP (Conditional Zoning – Planned Development – Residential with Special Use Permit) to City R-3 (Residential Single Family – 3) for the property identified as 2805 Kings Mill Road, generally described as east of Kings Mill Road and southeast of North Danby Castle Road (.31 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and as Residential on Future Land Use Map. Staff determined the proposed original zoning 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 City R-3 zoning district is primarily intended to accommodate low-density single-family detached residential development of up to 3 dwelling units per acre. The uses permitted in the proposed zoning district are compatible with existing uses located on adjacent tracts. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak. Hearing none, she requested those speaking in opposition to identify themselves and provide their address.

Corrine Knight, 411 Apartment B Hendrix Street, stated that she believed some form of malfeasance had occurred with properties owned by her family and that her family had been attempting to build medical facilities in the area.

Chair O'Connor inquired if there was anyone else wishing to speak in favor of or opposed to the application. Hearing none, Chair O'Connor closed the public hearing.

Mr. Peterson then made a motion to annex the property. Seconded by Mr. Bryson. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Mr. Peterson then stated regarding agenda item Z-22-07-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 2805 Kings Mill Road from County CZ-PD-R-SP (Conditional Zoning – Planned Development – Residential with Special Use Permit) 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 limits negative impacts on the adjacent properties 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 Mr. Alford. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, August 16, 2022, City Council meeting.

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Z-22-07-005: A rezoning request from R-3 (Residential Single-family – 3) to CD-O (Conditional District – Office) for the property identified as 4057 Battleground Avenue, generally described as west of Battleground Avenue and east of Laurel Run Drive (4.66 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman then advised there were changes to the conditions after the item was advertised. The change was to add an additional to the prohibited uses list and the updated condition would read as follows:

1. Permitted uses shall include all uses allowed in the O zoning district except for Cemeteries; Funeral Homes and Crematoriums; Hotels and Motels; Junked Motor Vehicles; Recycling Collection Points; Satellite Dishes/TV and Radio Antennae Towers; Land Clearing and Inert Debris Landfills, Minor; Portable Storage Units; and all Drive-through Facilities.

Mr. Alford moved to accept amended condition, Seconded Ms. Magid. The Commission voted 9-0, (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0).

Mr. Kirkman then stated the GSO 2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General with the northeastern part of the site also within an Urban Mixed-Use Corridor. The GSO 2040 Comprehensive Plan's Future Land Use Map designates this property as Commercial and Residential. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework Big Idea to arrange our land uses for where we live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro. The proposed CD-O zoning designation, as conditioned, would allow a mix of office and personal and professional service uses in immediate proximity to other office, educational and commercial uses that are also compatible with 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.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Nick Blackwood, 804 Green Valley Road Suite 200, was present on behalf of Mirificus LLC and stated he was available to answer any questions.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if there was anyone else wishing to speak on the application. Hearing none, Chair O'Connor closed the public meeting.

Ms. Magid then stated regarding agenda item Z-22-07-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 4057 Battleground Avenue 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, permits uses which fit the context of the surrounding

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area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 16, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor noted this completed the expedited portion of the agenda and the Commission would review the remaining items with the standard review procedures.

PL(P) 22-23 & Z-22-07-003: An annexation and original zoning request from County AG (Agricultural) to City CD-R-7 (Conditional District – Residential Single-family – 7) for the properties identified as 231 Ritters Lake Road, 151 Wolfetrail Road, 155-ZZ Wolfetrail Road, Cranford Road and McCall Place rights of way and a portion of Ritters Lake Road right of way, generally described as north of Ritters Lake Road and south of Wolfetrail Road (33.94 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Nathan Duggins, 400 Bellemeade Street Suite 800, was present on behalf of Bridge Tower Properties. He stated they conducted a neighborhood meeting with three participants. He noted that there had been recent zoning activity nearby, and that this project was intended to create single-family rental housing community which is in high demand in the area. Mr. Duggins asked the Commission to consider the number of housing units this area will need as the City continues to grow.

Justin Saverin, 5430 LBJ Parkway Suite 1050 Dallas Texas, stated that they anticipated building a 76-unit community and had been working with Planning staff on what the best use of the land would be. He stated that the property had wetlands which precluded industrial development. After discussion with neighbors about the agricultural history of this area, he stated that they intend to potentially offer community farming as an amenity to go with the planned low-impact style of development.

Mr. Duggins stated that this is a new type of residential development which has a high level of interest. He stated that the developer has constructed multiple similar projects around the southeastern US and that they believe this is an important part of providing additional housing in a variety of styles for Greensboro.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, she requested those speaking in opposition to identify themselves and provide their address.

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Cheryl Mclvor, 404 West Montcastle Drive, stated that she could not access the Zoom meeting held by the applicant to have a discussion. She stated she had not received a call back from the applicant until the afternoon of the hearing. She thought multiple uses permitted inside the CD-R-7 district were not acceptable to her community and that since zoning is tied to the parcel and not current owner, there was no guarantee about the future. Ms. Mclvor stated that she preferred for the applicant to have additional conditions outlining how the land would be used. Her belief was that there would be a mix of single family homes and townhomes, but that she now understands it to be exclusively townhomes. She stated that building materials are a significant concern for the neighborhood and she wished for conditions requiring specific materials, given recent development in the area which had included substandard work.

Mr. Kirkman stated that because this was also an annexation it would require action by the City Council. Ms. Mclvor asked if the zoning goes with the annexation, and Mr. Kirkman replied that both would need to be voted on by Council.

Chair O'Connor inquired if there were any other speakers in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Duggins stated that he did contact neighborhood groups and had offered more conversations with them about the property, but he did not think more conditions were needed. He stated that the applicant intends to setup a homeowners association to ensure that some of the concerns addressed tonight would be addressed satisfactorily. Mr. Peterson asked why they were opposed to additional conditions. Mr. Duggins stated that he did not know what the conditions would be, and that as prices are increasing, exterior materials can decide whether development of affordable housing is economical or not. He offered to continue having dialogue with community members on this or other points.

Ms. Magid asked Mr. Kirkman to confirm that the hearing book listed this as having single family detached housing, and asked about other possible uses in this zoning district. Mr. Kirkman stated that there were some other uses such as schools and churches allowed but that the primary use in the R-7 district was single family residential. Ms. Magid asked to clarify if these units were attached townhomes, and Mr. Kirkman stated that the development as presented qualified as single family detached, and that the term "townhouse" was specifically defined in the land development ordinance and is only permitted in multi-family districts. Mr. Duggins confirmed this development would be individual lots.

Mr. Engle asked if the frontage requirement in the R-7 district was involved in the process, whereas under RM-5 it would be permissible to have Twinhomes in a similar footprint. Mr. Kirkman confirmed this. Mr. Bryson asked if each lot is deeded by itself. Mr. Duggins stated that initially it would be a single purchase but that the individual lots would be created for potential fee simple ownership in future. Mr. Bryson asked if someone in the future could buy one of the lots. Adam Green, 5430 LBJ Parkway Suite 1050 Dallas Texas, stated that the lots are fee simple and that the HOA is established to avoid the concerns stated. He stated that with this style of development, the final property can be sold as a whole or individual renters can buy them, but only a single lot so as to avoid multiple landlords owning units. He stated that their staff will be working with Ms. Mclvor to hear her concerns and move forward for the City Council meeting.

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Ms. Skenes asked to clarify that R-7 meant single family, and that the HOA will restrict ownership to "one unit, one owner". Mr. Green replied yes, and stated again that it was "one unit, one owner", and all the units are single family fee simple. Mr. Engle asked Mr. Kirkman for confirmation that the Commission is not permitted to ask if a property is for rental or for sale. Mr. Kirkman stated that this is correct.

Ms. McIvor stated that her concern was not so much the type of community being built or the long-term ownership, but it was the number of units and building materials. She stated that there was nice construction in the area and wanted to make sure the zoning conditions required the development to fit the character of the area.

Chair O'Connor noted that this item will automatically advance to the City Council meeting in August and there will be time for further discussion between the applicant and neighbors.

Ms. Skenes asked staff whether individuals requesting conditions could be considered contract zoning. Mr. Kirkman replied that any new or modified conditions must be proposed by the applicant. Ms. Skenes stated that the opposition has recently been requesting conditions to get the process completed and she was concerned this may be considered contract zoning. Alan Buansi stated that the concern with contract zoning is Commissioners trying to extract conditions, but that citizens are free to express their opinions and request more conditions. The Commission cannot prevent citizens from asking for conditions. Chair O'Connor asked if this meant the public can make any request for conditions. Mr. Buansi stated the public is free to express their concerns and wishes but that he would not advise Commission members to express their desires for certain conditions.

Chair O'Connor then closed the public hearing by consent. Mr. Bryson then made a motion to annex the property. Seconded by Ms. Magid. The Commission voted 8-1. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Skenes, Bryson, O'Connor; Nays, Alford). Mr. Egbert then stated regarding agenda item Z-22-07-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 231 Ritters Lake Road, 151 Wolfetrail Road, 155-ZZ Wolfetrail Road, Cranford Road and McCall Place rights of way and a portion of Ritters Lake Road right of way from County AG (Agricultural) to City CD-R-7 (Conditional District – Residential Single Family – 7) 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-R-7 zoning district, as conditioned, limits negative impacts on the adjacent properties 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. Skenes. The Commission voted 6-3. (Ayes: Engle, Egbert, Magid, Skenes, Bryson, O'Connor; Nays: Glass, Peterson, Alford). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, August 16, 2022, City Council meeting.

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PL(P) 22-25: An annexation request for 1341, 1353 and 1357 Pleasant Ridge Road, 1025 NC Highway 68 North, a portion of 1511 Pleasant Ridge Road, and a portion of NC Highway 68 North right-of-way (east and west of NC Highway 68 North and north of Pleasant Ridge Road) (130.62 acres).

Z-22-07-006: An original zoning request from County AG (Agricultural), County AG-SP (Agricultural with a Special Use Permit), County HB (Highway Business) and County RS-40 (Residential Single-family) to City CD-LI (Conditional District – Light Industrial) for the properties identified as 1341, 1353 and 1357 Pleasant Ridge Road and 1025 NC Highway 68 North, generally described as west of NC Highway 68 North and north of Pleasant Ridge Road (97.87 acres).

Z-22-07-007: An original zoning request from County HB (Highway Business), County AG-SP (Agricultural with a Special Use Permit), County AG (Agricultural), County LI (Light Industrial) and County RS-40 (Residential Single-family) to City LI (Light Industrial) for the properties identified as a portion of 1511 Pleasant Ridge Road and a portion of NC Highway 68 North right of way, generally described as east of NC Highway 68 North and north of Pleasant Ridge road (32.75 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the original condition related to the request. He then advised of an additional condition the applicant wished to add to their request. The new condition added was:

2. The planting yard between the subject property and parcel number 97704 (1317 Pleasant Ridge Road) shall be increased to a Type A planting yard.

Ms. Skenes moved to accept the condition, Seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Engle, Glass, Egbert, Peterson, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0).

Chair O'Connor asked Mr. Kirkman to explain differences between the types of planting yards. Mr. Kirkman stated that the use to the south is a religious assembly, and that the proposed Type A yard increases the width to 45 feet and requires additional canopy trees, understory trees and shrub planting, with the intent to visually screen off industrial uses.

Chair O'Connor inquired if the applicant was present to speak.

Amanda Hodierna, 804 Green Valley Road, was present on behalf of Edgefield Road Partners LLC. She stated that the public areas surrounding the applicant's properties will not be developed, and are only being annexed due to City requirements. The applicant intends to build a logistics facility in this location, which makes sense given the growth of the City in this area and the property's proximity to the highway corridors. She stated the intended use fits the character of uses adjacent to the property and the request is conditioned to prohibit uses considered objectionable in the area. The new condition was added after discussion with a neighbor, and they intend to add to the existing mature vegetation on the property for augmented natural screening while preserving the vegetation. Ms. Hodierna stated they conducted a virtual neighborhood meeting with one participant and answered questions from neighbors individually. Their traffic impact study concluded the main connection should be to Greenbourne Drive, and they had not considered connecting to Brigham Road but anticipated potentially being required to

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connect to Pleasant Ridge Road by TRC. The geography and hydrology of the property is highly compatible with buffering the proposed industrial uses from neighboring properties.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, she requested those speaking in opposition to identify themselves and provide their address.

Luke DiVenti, 2212 Brigham Road, stated that the subject property was supposed to be part of his neighborhood's residential development when it was originally platted. He does not oppose the development, but stated that all of the information he has seen at the hearing is new. He does not believe he is ready to decide if he's comfortable with it or not, and that the neighborhood has not considered it yet and wishes for the Commission to postpone making a decision until the neighborhood has heard all the information. His concerns are about the kind of uses allowed in the LI district, and is not sure the buffering discussed is sufficient in this residential neighborhood. Traffic egress onto Brigham road is a major concern, and he stated that this should be a condition of approval.

Jim Martineau, 2401 Brigham Road, stated that he is also an original owner in the neighborhood and has accepted that the development will not be residential but that given the number of changes in the area, traffic is getting unmanageable. He asked the Commission to consider these concerns for future choices. He also stated that a lot of the vegetation in the area had already been cleared and burned and he can now see businesses off the highway and the neighborhood has been dealing with additional noise as a result.

Chair O'Connor inquired if there were any other speakers in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Ms. Hodieme stated that this will be going to City Council and there is time for additional conversation with neighbors. She stated there needs to be a distinction made between land use and future requirements with the Land Development Ordinance and any potentially imposed by TRC. Vegetation removed in a potential buffer area would be replaced as required. The property has riparian buffers and their preservation will be a part of their building phase, apart from any buffering yard requirements. She stated the applicant does not wish to connect to Brigham Road, and would offer a condition to that effect unless required to by TRC for safety requirements. She offered to share site plans with neighbors in the future, but they do not have anything settled at this point.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if there was anyone in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public hearing.

Ms. Magid then made a motion to annex the property. Seconded by Mr. Bryson. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-07-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 1341, 1353 and 1357 Pleasant Ridge Road and 1025 NC Highway 68 North from County AG (Agricultural), County AG-SP (Agricultural with a Special Use Permit), County HB (Highway Business) and County 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

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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, limits negative impacts on the adjacent properties 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 Mr. Bryson. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-07-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as a portion of 1511 Pleasant Ridge Road and a portion of NC Highway 68 North right of way from County HB (Highway Business), County AG-SP (Agricultural with a Special Use Permit), County AG (Agricultural), County LI (Light Industrial) and County RS-40 (Residential Single-family) 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, limits negative impacts on the adjacent properties 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 Mr. Bryson. The Commission voted 9-0. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, August 16, 2022, City Council meeting

Chair O'Connor advised there would be a 10-minute break at 7:18pm, and the meeting resumed at 7:29 pm.

Z-22-07-009: A rezoning request from RM-12 (Residential Multi-family – 12) to CD-C-L (Conditional District – Commercial Low) for the properties identified as 4525 and 4527 Lawndale Drive, generally described as west of Lawndale Drive and north of New Garden Road East (2.23 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. He then advised the applicant wished to add a new condition to their request. The new condition added was:

2. Where allowed a minimum 6 foot high opaque fence shall be installed along the northern border of the property for a distance of approximately 430 feet as measured from the northeast corner.

Mr. Alford moved to accept the new condition, Seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0).

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Nathan Duggins, 400 Bellemeade Suite 800 on behalf of Happy Tails, stated that the applicant had outgrown their current facility and was seeking to relocate their operations to this property, not start an

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additional practice. This is infill development, compatible with the character of development nearby. He stated that the applicant sought feedback from neighbors including conducting a neighborhood meeting, and added conditions accordingly.

Dr. Kelly Gebhardt, 2936 Battleground Avenue, stated that emergency veterinary services are needed in the area and her practice is locally owned. The facility does not board animals or have outside runs, as the clinic serves injured and sick animals only. She stated the business had operated with no complaints in 14 years in its current location, and they were seeking to relocate because the business had reached capacity at its current location. They intend to build the site in such a way as to prevent issues with headlights and noise.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, she requested those speaking in opposition to identify themselves and provide their address.

Warren Sackett, 4619 Lawndale Drive, stated he represented the homeowners of the Magnolias and residents of the Hamptons developments. They received a notification letter offering to host a meeting the same day the meeting was held, and he could not attend. He stated most of the neighborhood did not understand the proposal, and that all of the neighbors he had talked to opposed destruction of the woods in the area. The woods are necessary because the sidewalks in the area are unsafe. He stated that the woodlands and the wildlife in them are a major part of the cultural experience for residents in the area. The operating hours of the business are a concern for the neighborhood, given that it exclusively operates at night during the week. He then displayed the applicant's current business location and the subject property as it exists now, and stated that they were very different in character and that the intense commercial nature of the area around the current business location would explain a lack of noise complaints. Mr. Sackett reiterated that the woods are important to the people in his neighborhood, and questioned why this residential area was suitable for commercial development.

Sharon Bibby, 4603 Lawndale Drive, stated that the arrangement of the properties in this area mean that many of the townhomes overlook the subject property and will be heavily impacted by any added nighttime traffic. She is concerned about the destruction of habitat for the wildlife in the area. The traffic and noise in the area is already significant, but is reduced in the evening and she is concerned this development will change that.

Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Lee Whitley, 4606 Highberry Road, stated that he had owned the subject properties for many years and he believes the development proposed would have a minimal impact given what could be built instead given the growth of the area.

Dr. Gebhardt stated that her practice is the main contracted emergency clinic for the animal shelter, and also cares for wildlife where few other local providers do.

Mr. Duggins stated that some of the opponents were discussing trespassing on the applicant's property. They take neighborhood contact seriously and have undertaken significant efforts in this case, but that if neighbors do not want to speak to them, they cannot do anything about it. At that point the

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applicant has to move forward without discussion or a possibility for compromise. He stated that they intend this to be a productive, low-impact infill development.

Ms. Skenes asked about the fence condition, and asked about the depth of the property as it backed up to the Magnolias properties. Mr. Duggins stated that the depth of the parcel is approximately 703 feet, and they intend to keep the woods in the back undisturbed. The fence will run to where the development ends. If they ran the fence all the way to the end of the property line, they would instead have to remove trees and disrupt the woods further. Additional vegetation and landscaping inside the buffer around the fence should provide adequate separation for the neighbors while retaining much of the woods' natural state. Ms. Skenes asked if Mr. Duggins would be willing to display a sketch plan. Mr. Duggins agreed, and Mr. Kirkman displayed it. Mr. Duggins stated that the clinic building should be a further buffer between the neighborhood and parking, limiting disruptions. He stated that it is likely there will only be one entrance off Lawndale Drive.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Sharon Bibby stated people are afraid of lawyers and might not want to speak to them. A six-foot fence is insufficient to provide screening for a business, given the height of the residences in the neighborhood. She does not oppose development, but feels this is not compatible with the residential character of the neighborhood.

Haley Shirley, 4663 Lawndale Drive, stated that she has worked hard to buy her home and this jeopardizes the reason why she wanted to buy it and live in this neighborhood forever. She does not oppose development but does not understand why it has to be a 24-hour business as opposed to more homes.

Patrick Jones, 4661 Lawndale Drive, stated that the area has been a quiet residential area for nearly twenty years. He understands the woods may eventually get removed, but does not wish for it to be commercial development.

Janelle DeLeon, 4613 Lawndale Drive, stated that many people in the neighborhood are pet owners but do not necessarily want an emergency vet right next door. She stated that if the applicant is so successful and draws traffic from outside the city and even the region, they should build in a more central location for future growth as opposed to a residential neighborhood.

Sharon Bibby, stated this is extremely important for their neighborhood. They understand the need for the business, but that once this area is rezoned commercial, it may permanently change the character of the neighborhood.

Chair O'Connor inquired if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Mr. Egbert then stated regarding agenda item Z-22-07-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 4525 and 4527 Lawndale Drive from RM-12 (Residential Multi-family – 12) to CD-C-L

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(Conditional District – Commercial Low), as conditioned, 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, permits uses which fit the context of the surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Magid seconded the motion.

Mr. Engle stated that he visited the property and that it seems like a remainder parcel after the existing multi-family developments were built. He had some hesitations about a 24-hour business, but that the GSO 2040 Comprehensive Plan emphasizes mixed uses and the Commission had approved similar rezoning requests in predominantly residential areas. This property is going to be developed, and the Commission can only look at land use. Mr. Engle suggested for the neighbors to engage with the applicant and find some middle ground, which is what the Commission seeks in this process. The Commission voted 7-2. (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Bryson; Nays: Skenes, O’Connor). Chair O’Connor advised the approval constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 16, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-26: A street closure request for Berry Lane from the southern right-of-way line for Parkwood Drive southward a distance of approximately 180 feet to its terminus. (± 180 feet). (RECOMMENDED APPROVAL)

Mr. Carter reviewed the information for the request and stated that the petition was signed by all property owners on the street, making up 100% of those on the road right-of-way. He noted the conditions necessary for the city to consider when closing a street and stated that TRC recommended approval of the street approval request at its July 8th meeting with two conditions:

1. That the City shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use, and
2. That the existing roadway for Berry Lane is to be disconnected from Parkwood Drive by removing at least ten feet of the existing pavement, installing curb and gutter, and installing sidewalk across its entire width prior to the street closing becoming effective.

Mr. Carter stated that staff recommended approval of the street closing

Chair O’Connor inquired if there were questions from the Commissioners. Hearing none, Chair O’Connor inquired if the applicant was present to speak.

Michelle Reed, 3007 Honor Court, speaking on behalf of Guilford County Schools. She stated the adjacent property to the street closure is related to their construction of the new Brooks Global Academy, and that the closure is necessary to continue construction and keep their commitments to neighboring property owners. Ms. Reed stated they are committed to providing the improvements required by TRC.

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Dave Smith, 3609 Turnberry Lane, stated that they met with the adjacent property owners and explained what they were planning to do to complete the work.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the application. Hearing none, Chair O'Connor closed the public hearing.

Mr. Engle moved to recommend street closing with the conditions referenced. Seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Engle, Glass, Peterson, Egbert, Magid, Alford, Skenes, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, August 16, 2022, City Council meeting.

ITEMS FROM PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSIONERS:

Mr. Bryson asked how many items were on the agenda for next month. Mr. Carter stated at least 12. Chair O'Connor asked Mr. Carter the date for the next hearing, and he replied Monday, August 15th.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 8:22pm.

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person and electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Monday, August 15, 2022, beginning at 5:36 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Catherine Magid, Mary Skenes, Andrew Egbert, Keith Peterson, Zac Engle and Erica Glass. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Nolan Tipton (GDOT), and Alan Buansi (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. She advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. She briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties and advised those participants attending virtually would be able to view the meeting and speak when called upon. Chair O'Connor noted the online meeting was being recorded and televised and was also close-captioned for the hearing impaired. She further explained the expedited agenda for items without any speakers in opposition and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Roll Call for attendance was taken by Chair O'Connor, who then introduced the Commission members and noted that Commissioner Magid was participating on Zoom and Commissioner Engle would join later via Zoom.

Alan Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

APPROVAL OF THE JULY 18, 2022 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the July 18, 2022 meeting minutes. Ms. Magid moved to approve the July meeting minutes as presented, seconded by Mr. Egbert. The Commission voted 8-0, (Ayes: Magid, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised there were no withdrawals or continuances.

EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition and were eligible for the expedited agenda. The items were Z-22-08-002, Z-22-08-004, Z-22-08-005, Z-22-08-008, Z-22-08-009, and Z-22-08-012. Chair O'Connor asked if anyone in attendance wished to speak in opposition to any of those items. Hearing none, the agenda was reordered to address the expedited items first.

PUBLIC HEARINGS:

NEW BUSINESS:

PL(P) 22-27 & Z-22-08-002: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-R-7 (Conditional District Residential Single Family – 7) for the property identified as 4513 McKnight Mill Road and a portion of Whiterock

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Road right of way, generally described as west of McKnight Mill Road and on both sides of Whiterock Road (15.097 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the 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 the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed original zoning 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 City CD-R-7 zoning district, as conditioned, allows single-family detached residential development that is compatible with existing uses located on adjacent tracts. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Ms. Skenes then made a motion to annex the property, seconded by Mr. Bryson. The Commission voted 8-0, (Ayes: Magid, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Alford then stated regarding agenda item Z-22-08-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 4513 McKnight Mill Road and a portion of Whiterock Road right of way from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-R-7 (Conditional District Residential Single-Family – 7) 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 CD-R-7 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on adjacent properties; (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 8-0, (Ayes: Magid, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

Commissioner Engle joined the meeting in progress via Zoom at 5:50 p.m.

Z-22-08-004: A rezoning request from R-5 (Residential Single-family - 5) to CD-RM-8 (Conditional District – Residential Multi-family - 8) for the property identified as 325 Erwin Street, generally described as south of Erwin Street and east of Randleman Road (.33 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban Central on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the

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Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro and the Building Community Connections goal where everyone does their part to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-8 zoning district allows a variety of medium intensity residential uses and low intensity nonresidential uses (i.e. daycare center) consistent with other land uses in the larger area. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to lower density residential uses on adjacent properties. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Ms. Skenes then stated regarding agenda item Z-22-08-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 325 Erwin Street from R-5 (Residential Single-Family - 5) to CD-RM-8 (Conditional District – Residential Multi-Family - 8), as conditioned, 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 surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-08-005: A rezoning request from CD-C-M (Conditional District – Commercial - Medium) to CD-LI (Conditional District – Light Industrial) for the properties identified as 619 and 623 Millwood School Road, generally described as east of Millwood School Road and west of NC Highway 68 (9.23 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-LI zoning district allows a variety of warehouse, industrial, distribution and office uses; that are generally consistent with surrounding uses on adjacent or nearby properties. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

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Mr. Peterson then stated regarding agenda item Z-22-08-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 619 and 623 Millwood School Road from CD-C-M (Conditional District – Commercial - Medium) 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, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Magid seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O’Connor; Nays: 0). Chair O’Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-08-008: A rezoning request from PI (Public and Institutional), O (Office), and C-M (Commercial – Medium) to PUD (Planned Unit Development) and consideration of the required Unified Development Plan for the property identified as 801 Green Valley Road, generally described as north of Green Valley Road and east of Lendew Street (11.977 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, advised of the conditions and the Unified Development Plan associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates these properties as Planned Campus within an Urban (Mixed-Use) Corridor on the Future Built Form Map and Municipal, Institutional, or Office Campus on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Filling In Our Framework goal to arrange our land uses for to create a more vibrant and livable Greensboro 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 district would permit a variety of residential uses and additional commercial, office and service uses that will complement the existing office and services uses on adjacent and nearby properties. Staff recommended approval of these requests.

Chair O’Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O’Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O’Connor closed the public hearing.

Ms. Skenes then stated regarding agenda item Z-22-08-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 01 Green Valley Road from PI (Public and Institutional), O (Office), and C-M (Commercial – Medium) to PUD (Planned Unit Development) with the required Unified Development Plan 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 surrounding area and limits

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negative impacts on the adjacent properties; (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. Mr. Bryson seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Engle then made a motion to approve the associated UDP, seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-29 & Z-22-08-009: An annexation and original zoning from County AG (Agricultural) and County RS-40 (Residential Single-family) to City CD-RM-18 (Conditional District - Residential Multi-family – 18) for the property identified 6001 Burlington Road, generally described as north of Burlington Road and east of Knox Road (13.25 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Exurban on the Future Built Form Map. If approved, the Exurban designation is considered to be re-designated to Urban General. The Comprehensive Plan's Future Land Use Map designates this property as Residential. Staff determined the proposed original zoning 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 City CD-RM-18 zoning district, as conditioned, promotes multi-family residential development that is compatible with existing uses located on adjacent tracts. The requested zoning is also located along a major thoroughfare appropriately sized to handle increased residential densities. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Ms. Magid then made a motion to annex the property. Seconded by Ms. Skenes. The Commission voted 9-0. (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-08-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 6001 Burlington Road from County AG (Agricultural) and County RS-40 (Residential Single-Family) to City CD-RM-18 with conditions 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 CD-RM-18 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle,

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Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

Chair O'Connor noted this completed the expedited portion of the agenda and the Commission would review the remaining items with the standard review procedures.

PL(P) 22-32 & Z-22-08-012: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-LI (Conditional District – Light Industrial) for the properties identified 203-229 Willowlake Road and 4329-4399 Burlington Road and a portion of the Willow Lake right of way, generally described as north of Burlington Road and west of Willowlake Road (55.33 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General within a Neighborhood Scaled Activity Center and an Urban Mixed Use Corridor on the Future Built Form Map. The Future Land Use Map designates the properties as Commercial and Residential. Staff determined the proposed original zoning request supports 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 Big Idea to attract world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. 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 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 or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak or if there was anyone to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Mr. Bryson then made a motion to annex the property, seconded by Mr. Alford. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Bryson then stated regarding agenda item Z-22-08-012, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 203-229 Willowlake Road and 4329-4399 Burlington Road and a portion of the Willow Lake right of way from County AG (Agricultural) and County RS-30 (Residential Single-Family) to City CD-LI (Conditional District – Light Industrial) with conditions 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 CD-LI zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford Seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford,

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Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

Z-22-08-001: A rezoning request from R-3 (Residential Single Family – 3) to CD-RM-8 (Conditional District Residential Multifamily – 8) the property identified as 2608 Pleasant Ridge Road, generally described as east of Pleasant Ridge Road and north of Long Valley Road (16.52 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined 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-8 zoning district limits the maximum number of dwelling units and building height and allows uses compatible with existing residential uses and densities in the surrounding area. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

David Michaels, 1007 Battleground Ave speaking on behalf of Windsor Companies, reviewed the conditions offered for the request, and stated that they believe the CD-RM-8 zoning district is compatible with the existing conditions in the area. He displayed a conceptual plan and stated that it was presented to neighbors at a virtual meeting. The current plan calls for 85 townhomes with the previous owner's home on a larger lot in the center of the subject property, which may be redeveloped in the future. He stated that the perimeter of the parcel would require landscape buffering, either preserving existing vegetation or with new planting. Mr. Michaels stated that access would be provided on Pleasant Ridge Road and Long Valley Road, both of which he anticipates upgrading to GDOT standards, but noted they had no planned connection into Highland Grove. He stated that the plan calls for 2-story Townhomes with garages, and displayed typical housing units from a similar project.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Mr. Engle asked staff to clarify how the 40 foot height limit offered in the conditions related to the height limits in the current R-3 single family zoning district. Mr. Kirkman stated that the R-3 district permits up to 50 feet or three stories in height. Mr. Engle then asked to clarify the relationship between feet and stories under the Land Development Ordinance. Mr. Kirkman stated that staff has made an effort to move beyond stories in conditional district zoning due to the potential for confusion, and confirmed the height restriction is from the base of the structure to the highest point of the roof. Mr. Engle asked if there would be no buffer requirements were the subject property to remain zoned R-3 or if the applicant requested R-5 zoning. Mr. Kirkman confirmed that was correct. Ms. Skenes asked what the maximum height permitted in the R-3 district was and Mr. Kirkman replied 50 feet. Ms. Skenes asked if the proposal was less than what would be available in R-3. Mr. Kirkman stated yes, as conditioned. Ms. Skenes asked to confirm that single family districts require no buffering in the LDO, which Mr. Kirkman

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confirmed. Ms. Skenes asked if this request could be considered less intensive than existing development in the area. Mr. Kirkman stated that the request, as conditioned, has more restrictions on building height and landscape buffering than neighboring single family properties.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Kim McCaskill, 2504 Pleasant Ridge Road, Summerfield, stated she lives one lot away in Summerfield and did not receive notification about the request. The nature of the area has changed significantly with new development, creating issues with noise, light, and traffic, and that she hoped to preserve the remaining rural space. She stated she does not believe the proposed density is appropriate even with the required buffering and that other areas of the City are more appropriate for this development.

Kermit W. Robinson Jr., 4703 Long Valley Road, Summerfield, presented a petition signed by neighbors opposing this request, and read the petition which stated that the neighbors in the area do not oppose development of single family homes, only the density proposed by this request. He stated that this is a highly rural area and that there are two working farms in view of the subject property. He then displayed a photograph of the subject property and Long Valley Road, and stated that increasing density would overtax the area. He stated that the neighborhood knew the property was going to be developed and they supported building places for people to live, but that this level of density was inappropriate for the area. Mr. Robinson then asked about setback changes in this City district versus county single family districts. Mr. Kirkman confirmed there was a reduced setback in multi-family zoning districts. Mr. Robinson displayed photographs of Long Valley Road and stated the road conditions were unsafe for the proposed development.

Roy Moore, 5411 Willow Ridge Drive, Summerfield, stated he would not be speaking at the hearing tonight if he had gotten a notification about the request. He stated that the RM-8 zoning district in this area is out of control development.

With opposition speaking time expired, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Michaels stated he has heard from neighbors that they are comfortable with the density, but not the attached nature of the proposal. He stated that single family zoning would result in potentially taller smaller houses with more lots and no buffering, and he stated that their goal was to provide a different type of housing in the area with less maintenance obligation to meet varied market needs. He understands the concern about the change of the area. Mr. Michaels then stated that their development will require them to improve Long Valley Road and that they had been in contact with GDOT about the City's concerns.

Tom Hall, 1007 Battleground Ave on behalf of Windsor Homes, stated that he understood the concerns of the neighbors and heard similar concerns in 1995 with previous development in the area but ultimately that development was productive for the area and they intend the same to happen with this request.

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Ms. Skenes asked to confirm the proposed number of units with this request is 85 along with Mr. Spangler's house, versus under R-5 district the maximum allowed units would be 82 units. Chair O'Connor stated she believed the density sought in the request was to plan for the future if Mr. Spangler leaves. Ms. Skenes asked if the conditions limit the height to less than what would be possible in the R-5 district, which Mr. Hall confirmed.

Mr. Egbert stated he did not hear any concessions being made to the neighbors. Mr. Hall stated that he believes his group has a very reasonable request, and that given the different land use requirements in R-5 zoning, he did not know how much give and take was necessary. Mr. Michaels stated that they intended for their meetings to inform neighbors of their plans, and that they believe the proposal is reasonable. He stated that some changes to the project are possible based on feedback from neighbors or if site conditions require it, but he does not believe the density would be much lower. Mr. Engle stated that as a local to the area he was aware of the higher density development, but is uncomfortable with the level of engagement with the community.

Ms. Magid stated that she reviewed the neighborhood communications summary and felt the applicant's presentation had addressed many of the neighbors' concerns.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Moore stated that the applicant's presentation is not accurate to the conditions of Long Valley Road, which would have a 40 to 50 percent increase in traffic due to this development. He stated that multiple times in recent years, ice storms have made the road unpassable. He then stated his research into the developer does not give him confidence in the nature and quality of the project.

Jodi Knox, 4681 Long Valley Road, stated that Long Valley Road has consistent maintenance and sanitary issues already and adding more driveways onto the road would make conditions unacceptable. She stated she also has concerns about schools in the area, which are already overcrowded.

Stephanie Hutchens, 5924 Highland Grove Drive, Summerfield, asked about the requirement for a retention pond in the area. Mr. Kirkman stated that the subdivision plan will require addressing stormwater generated by the development. Ms. Hutchens asked if this would take away from the land available for housing units on the property, and Mr. Kirkman stated that was correct.

William Marshburn 4693 Long Valley Road, stated that this development would require removing most or all of the wooded area surrounding his house and increasing the street right of way. He stated his property was forcibly annexed by the City and feels he and the neighborhood will not benefit from this development. Mr. Marshburn then stated he has been a resident of the area since 1954 and feels the changes happening are not in the character of the community.

Chair O'Connor inquired if there were questions from the Commissioners. Mr. Alford asked about forcible annexation, and Mr. Kirkman stated that in the past the City was able to initiate annexations, but State law no longer permits this and annexation can now only happen by petition of property owners.

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Chair O'Connor closed the public hearing. Alan Buansi restated the guidelines of what the Commission was allowed to consider. Chair O'Connor asked for any comment on transportation and school impact. Mr. Buansi stated those issues were reviewed by TRC and not within the purview of the Commission.

Mr. Engle asked about frontage requirements in the R-3 and R-5 single-family zoning districts. Mr. Kirkman stated that the R-3 district has a minimum lot size of 12,000 square feet and a frontage requirement of 75 feet for an interior lot and 80 feet on a corner lot. The R-5 district reduces the minimum lot size to 7,000 square feet and reduces the frontage requirement to 50 feet for interior lots and 58 feet on corner lots. Mr. Engle asked if the same number of driveways could happen on Long Valley Road with the R-5 district, which Mr. Kirkman confirmed was correct. Mr. Engle stated that he is comfortable with the proposed density lower than the maximum of the RM-8 district, thinks the nature of townhomes benefits the area, and that he cannot consider things not germane to land use.

Mr. Bryson then stated regarding agenda item Z-22-08-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 2608 Pleasant Ridge 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 surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Glass, Bryson, O'Connor; Nays: Egbert, Peterson). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor advised there would be a 10-minute break at 7:16 p.m., and the meeting resumed at 7:28 p.m.

PL(P) 22-28 & Z-22-08-003: An annexation and original zoning from County AG (Agricultural) to City CD-RM-8 (Conditional District - Residential Multi-family – 8) for the properties identified as 222 and 226 Clapp Farms Road, generally described as northwest of Clapp Farms Road and west of Mount Hope Church Road (31.52 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He then advised there were changes to the conditions after the item was advertised. The change was to the type of dwellings permitted in the district and a new condition on buffering requirements, and the updated conditions would read as follows:

1. Permitted uses shall be limited to a maximum of 120 single-family dwelling units.
2. Applicant will incorporate a Type "C" landscaped buffer yard the eastern property line of the subject property extending from Clapp Farms Road north for the length of the western property

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line of Guilford County Parcel Number 119220 (218 Clapp Farms Road). The buffer yard will be delineated as common area within the proposed development and will be HOA-maintained. The buffer yard shall remain free of any vehicular and/or pedestrian improvements.

Mr. Alford moved to accept the amended and new condition, seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Aye, Bryson, O'Connor; Nays: 0).

Mr. Kirkman then stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed original zoning 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 proposed City CD-RM-8 zoning district, as conditioned, is limited to single-family residential development that is compatible with existing residential uses located on adjacent tracts. Additionally, the subject properties have some site challenges that limit opportunities for larger scale industrial development proposed for the larger area. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Ryan Moffitt, 522 South Lexington Avenue, Burlington, on behalf of Eastwood Homes, thanked neighbors and staff for their collaboration and work with this request. He stated that they worked with TRC and staff to tailor this application to the property's unique conditions. He then stated that they sent letters to neighbors and were subsequently contacted by several persons. They worked with those persons to address their concerns, which led to the modified conditions presented tonight. Mr. Moffitt then displayed the current preliminary working sketch plan, and stated that they pursued a conditional district request because of the complicated features of the subject property. Their use of the RM-8 zoning district allows for design flexibility but not the increased density of the district, as their projected maximum density is 3.6 units per acre. He stated that there is significant growth in the county and the city is moving east, and this housing capacity is needed and compatible with the area given the goals and expectations outlined in the Comprehensive Plan and the Future Land Use Map.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor requested those speaking in opposition to identify themselves and provide their address.

Hendal Price, 241 Clapp Farms Road, stated that he appreciated the work of staff and that he does not oppose the concept but is uncomfortable with the density, and that neighbors had not been shown the sketch plan before tonight. He stated that daily farm traffic is present in the area which can regularly use the entire width of the road, and that he believes this development will change the character of this rural area too significantly. Mr. Price stated that this level of density seems more like an apartment complex than single family homes. He then stated that this area is already considered a food desert, and stated that this would only make the situation worse. He stated that a light industrial land use would likely be more compatible with the community, given traffic and disruption concerns. The road conditions are already unsafe and he anticipates it getting worse with an increased residential density. Mr. Price questioned if police and sanitation service in the area would be acceptable, and that the area

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is already dealing with issues in that regard. He also stated that he is concerned about poor quality construction happening in the area.

Edgar Clark, 300 Debanne Road, McLeansville, asked if the City would improve the roads in the area to support the proposed density.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Moffitt stated that this site is in the Growth Tier 1 area, and that residential expansion in this area is on pace to increase and that they intend for this development to help set high standards.

Ms. Skenes asked to confirm that the applicant's request as conditioned limits density to half of the maximum possible units normally allowed in the RM-8 district. Mr. Moffitt stated that was correct and they were using the RM-8 district for site design needs and not for density. Mr. Bryson asked if they had any illustrative material for how the project will look when completed, Mr. Moffitt stated they did not at this time.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Hendal Price, 241 Clapp Farm Road, stated that the sketch plan displayed would have helped neighbors to understand this project earlier in the process. He stated that the stated number of units per acre is not accurate given the roads, landscaping, and other supporting elements required. The development may be good, but the density is too high for this area, and he believes this could set a bad precedent for other parts of the city. Mr. Price then stated that the attractiveness of this area has been due to controlled growth, and he does not think this is productive to that end.

Chair O'Connor inquired if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting. Mr. Engle stated that he does not see an issue with the density proposed in this request, and that city services are high quality and service delivery is suitable for this area.

Mr. Engle then made a motion to annex the property. Seconded by Ms. Skenes. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, O'Connor; Nays: Bryson). Mr. Engle then stated regarding agenda item Z-22-08-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 222 and 226 Clapp Farms Road from County AG (Agricultural) to City CD-RM-8 (Conditional District - Residential Multi-Family – 8) with conditions 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 CD-RM-8 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Magid. The Commission voted 7-2, (Ayes: Magid, Engle, Alford,

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Skenes, Egbert, Glass, O'Connor; Nays: Peterson, Bryson). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

Z-22-08-006: A rezoning request from RM-26 (Residential Multi-family - 26) to City CD-CB (Conditional District – Central Business) for the properties identified as 409 Guilford Avenue, 201, 211-A, 217, 217-YY, 229, 233, and 235 North Cedar Street, generally described as north of West Friendly Avenue, west of North Cedar Street and south of Guilford Avenue (4.04 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Downtown on the Future Built Form Map and Downtown on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places strategy to protect and enhance the unique character of every neighborhood and the Building Community goal to maintain stable, attractive, and healthy places to live and raise families. The proposed rezoning also supports the Becoming Car Optional Big Idea with the site being in close proximity to the future greenway and downtown networks encouraging new development that is compatible with the intended use of adjacent roadways. The proposed CD-CB zoning district will allow a variety of residential and nonresidential uses that are compatible with existing uses and densities in the surrounding area. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road speaking on behalf of Lomax Investments, stated that this request is to facilitate redevelopment of the area and believes this is a good infill project. The CB zoning district requested permits creativity by reducing setback requirements and thus allowing parking and lighting to be incorporated in an interior courtyard away from the street. He stated that the City's policy is to permit CB rezoning adjoining to existing CB, which this property is. Mr. Isaacson displayed aerial photography of the subject property and stated that the parcel has good access to main thoroughfares and the Downtown corridor. He then displayed a sketch plan, and stated that the design makes use of the reduced setback requirements permitted by the CB district versus those required by the RM-26 district, and then displayed illustrative renderings of a similar project by the developer. He stated that letters were sent to neighbors and a neighborhood meeting was held, and that they are conducting multiple follow-up meetings with neighbors and representatives of the Westerwood neighborhood. In those contacts, concerns about traffic were expressed, and he stated that they then contacted GDOT to work on improvements to mitigate any concerns.

Hart Crane, 109 North Cedar Street, stated that he supported this request. The subject property has been vacant for years and in need of redevelopment, the proposal makes sense given the proximity to downtown, and that the style of development proposed is good for the area and the City overall.

Tracy Furman, 412 North Cedar Street, stated she also welcomes this development and has had positive communication with the developer, but traffic remains a concern for the neighborhood given the increasing scale of development in the neighborhood.

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With support speaking time expired, Chair O'Connor inquired if there were questions or comments from the Commissioners. Chair O'Connor then inquired if there was anyone wishing to speak in opposition of the application.

Deana Coble, 600 Guilford Avenue, stated that traffic was her primary concern, as it is already very difficult to navigate the area without adding density. She stated that she believes separating traffic from land use is unreasonable, and does not permit a comprehensive consideration of the situation. She asked for a condition that traffic would be considered, as well as conservation in the area given the proximity to the Greenway. Chair O'Connor stated that the Commission cannot initiate conditions. Ms. Coble asked what neighbors can do about conditions, and Mr. Kirkman stated that conversation with the applicant is how conditions can be tailored. Ms. Coble asked what their neighborhood can do to provide input on this. Mr. Kirkman stated that GDOT would be involved with site development review.

Jamey Lowdermilk, 413 Hillside Drive, stated that she was not fully in opposition but is concerned with the displacement of affordable housing near downtown. She stated that she was not aware of the meetings, and asked for conditions making some units available for affordable housing.

Spencer Conover, 1005 Fairmont Street, stated that the applicant engaged very earnestly with the Westerwood neighborhood, and he hoped that this engagement will continue. He stated he was not strictly opposed to the request, but he wished for a traffic impact analysis for the area. He stated the project seemed to have overall positive impact in the area, but this will be increasing density which neighbors have reservations about. He asked the Commission to consider conditions requiring a traffic impact analysis given the neighborhood's historic nature and older infrastructure, and for possible sidewalk expansions and street improvements for walkability and bike use. He stated that the neighborhood was largely in favor of the request, but the conditions would be appreciated.

Sam Bridges, 510 Prescott Street, thanked Mr. Lomax for his investment in the neighborhood and stated that the area is in need of this kind of development activity.

Ms. Coble asked why the CB district was necessary, and asked if a PUD zoning district would require a traffic study. Mr. Kirkman stated that PUD district does not have a maximum density, but that the number of units in a request would dictate whether or not a traffic impact study was required. Ms. Coble asked what it would take for a TIS to be conducted. Mr. Kirkman stated that conditions have to be enforceable by the City on the private property associated with the request. The city would not be in a position, in the zoning process, to require the traffic work suggested by neighbors. Ms. Coble asked what the Commission could do to acknowledge their concerns with this request. Mr. Engle stated that the Commission is not the City Council, and that their only area of authority is land use. The development standards do not require a TIS, so reaching out to Councilmembers is the next step for neighbors to address traffic concerns. Chair O'Connor reiterated that the Commission can only address land use considerations, and that the purpose of the hearing is for the sides to speak for and against the request, and that this format is not necessarily suitable for fact-finding. Ms. Magid stated that this the subject property is in District 3, and suggested concerned neighbors to speak with their representative. Mr. Buansi stated that the scope of the Commission is limited in part because it is an appointed board and not an elected body, and recommended neighbors to engage with elected officials. Ms. Coble stated that the next request is also nearby and contributes to their concerns.

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Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Isaacson stated that they intend to engage with neighbors on their concerns, including studies involving traffic and any land use considerations as appropriate. Mr. Bryson asked when the traffic study would be conducted. Mr. Isaacson stated that these studies take time and they have just begun the process, so it may be a bit.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Lowdermilk asked again for a minimum affordable housing condition.

Chair O'Connor inquired if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Mr. Peterson then stated regarding agenda item Z-22-08-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 409 Guilford Avenue, 201, 211-A, 217, 217-YY, 229, 233, and 235 North Cedar Street from RM-26 (Residential Multi-Family - 26) to City CD-CB (Conditional District – Central Business) with conditions 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-CB zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Magid seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-08-007: A rezoning request from LI (Light Industrial) to PUD (Planned Unit Development) for the property identified as 800 West Smith Street, generally described as north of West Smith Street, west of Prescott Street and south of Battleground Avenue (1.39 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Downtown on the Future Built Form Map and Downtown on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places strategy to protect and enhance the proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework goal to arrange our land uses for to create a more vibrant and livable Greensboro 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 district would permit new office and residential

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uses in close proximity to similar uses and increase the intensity of activities in this area to the northwest of the main core of downtown. This zoning request supports a mixture of uses consistent with the continued intensification of areas in and around downtown Greensboro. Staff recommended approval of these requests.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Amanda Hodierna, 804 Green Valley Road, displayed aerial photography and stated that the subject property is located on the Downtown corridor, in an area which is redeveloping quickly coinciding with both private investment and the completion of the Downtown Greenway. This parcel is part of an area which is changing from its older industrial zoning to a modern vision of downtown, and that this is a collaborative infill project to make good use of the property. She then displayed a large-scale zoning map of the near-west downtown area, and stated that this request was reasonable given the rapidly changing character of the area. Displaying illustrative elevations, Ms. Hodierna stated that because the subject property is in the Downtown Overlay District, there are strong requirements for construction materials automatically applied to the property. She stated that the maximum units requested is likely to be lower given site requirements. They conducted a virtual neighborhood meeting, where they heard concerns about the growth in the area contributing to traffic issues, and that they intend to work with TRC in the site plan review process to address any problems that arise, and that they welcome a greater discussion about traffic in the area overall. Ms. Hodierna then stated that given the previous intensity of use in the parcel and adjacent area, they expect minimal if any additional impact on traffic in the area.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Hearing none, Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the application.

Ms. Coble stated that she is confused about the separation of zoning with traffic concerns and is concerned about the ability for the neighborhood to provide input later when the process is further along. She stated that given the other project happening in the neighborhood as well, there needs to be a consideration on traffic and pedestrian safety. She reiterated that she felt traffic concerns are a part of land use.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Bridges thanked Planning staff for their efforts to help him understand the process and communicate information to appropriate parties. He stated that in talking with GDOT, he expects the traffic concerns to be addressed, and that new development like this is needed in the area.

Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal. Hearing none, Chair O'Connor closed the public hearing.

Mr. Bryson then stated regarding agenda item Z-22-08-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property

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described as 800 West Smith Street from LI (Light Industrial) to PUD (Planned Unit Development) with the associated Unified Development Plan 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 surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Bryson then made a motion to approve the associated UDP, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the votes constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-31 & Z-22-08-011: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City PUD (Planned Unit Development) for the properties identified 3911, 4007, 4007-ZZ, 4009, 4011, and 4013 South Elm-Eugene Street, 4209 and 4300, 4315, 4318, 4324 Cahill Drive, generally described as east South Elm-Eugene Street and south and east of Lambert Drive (29.54 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He then advised there were changes to the conditions after the item was advertised. The Unified Development Plan references three tracts, and new conditions were added to each tract relating to phasing and access, and the new conditions would read as follows:

Tract 1

4. Tract 1 shall not be developed until all required access is established per the final, approved Traffic Impact Analysis, as amended.

Tract 2

3. Tract 2 shall not be developed until required access to a public street is established per the final, approved Traffic Impact Analysis as amended.

Tract 3

4. Tract 3 shall not be developed until required access to a public street is established per the final, approved Traffic Impact Analysis as amended.

Mr. Engle moved to accept the amended and new conditions, seconded by Ms. Magid. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Glass, Bryson, O'Connor, Nays: Peterson).

Mr. Kirkman then stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential and Industrial on the Future Land Use Map. Staff

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determined the proposed original zoning request supports both 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 proposal also supports the Filling in Our Framework Big Idea through the strategy of ensuring mixed use projects both strengthen and add value to the Community. The proposed PUD zoning designation, as conditioned, would allow a mixture of residential, commercial and service uses similar to those uses found in the surrounding area and expanding housing choices in close proximity to a major thoroughfare. With the planned improvements discussed in the Traffic Impact Study, the proposed development is compatible with the scale and design of the adjacent road and nearby uses. Staff recommended approval of these requests

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road on behalf of Kyle DiPretoro, displayed aerial photography of the subject property and immediate area and stated that this property is the last remaining undeveloped corner at the interchange of I-85 and South Elm Eugene Street and is well suited for the mixed use developed proposed. He then displayed the UDP as submitted, and stated that the second tract may be used for either commercial or residential use depending on market needs or the conditions of the property. Mr. Isaacson stated that they will need to submit further zoning requests with regards to this project for additional properties as this process requires a two-phase development schedule. The new conditions mean that no development can occur on the subject property until access is secured with the second phase. He then displayed illustrative photographs of the type of projects the applicant has been involved with. He stated that they sent a letter to immediate neighbors and offered to hold a meeting, which received no responses. Mr. Isaacson then stated they initiated contact with local neighborhood groups and offered to continue communicating with them as the process moves forward to address any concerns they may have.

O'Connor asked for any questions or comments from Commissioners. Hearing none, Chair O'Connor requested those speaking in opposition to identify themselves and provide their address.

Cheryl McIvor, 404 West Montcastle Drive, stated she felt her neighborhood organization's conversations with the applicant did not sufficiently explain what the development will be. She stated that she believes this PUD district request does not limit impact on adjacent communities given the increase in development of condominiums and townhomes in this area. She stated that she is concerned about the possibility of undesirable five-story apartment buildings being permitted, and displayed photographs depicting a newly developed multi-family development in another part of Greensboro with construction deficiencies.

Crystal Black, 1120 Highstone Drive, stated she met with Mr. Isaacson and felt the possible tenants in the commercial tract could be detrimental to the community, that the pictures displayed in the applicant's presentation were not provided at their meeting, and that she did not receive information she had requested from the applicant before the hearing tonight. She stated her neighborhood cannot say if they are for or against the request because they have not been given enough information on what

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the development could be. She stated that this proposal would let almost anything be built, and that makes them uncomfortable given the lack of communication.

Ms. McIvor stated that multiple potentially objectionable uses are permitted in the PUD district and she feels approval is inappropriate at this stage. Mr. Engle asked Mr. Kirkman to confirm that sexually oriented businesses are not permitted in close proximity to residential zoning. Mr. Kirkman stated that was correct, and that while the C-M district permits some sexually oriented businesses, they have separation requirements which would not permit any such uses to be within 1,000 feet of the property line and depending on the site configuration in this case it may or may not be permissible at all. Ms. McIvor asked what the tract configuration would mean in this situation. Mr. Kirkman stated that there is residential zoning across the street of the property which would preclude that use.

Ms. Black stated that there are already sexually oriented businesses in the proximity of Randleman Road they find objectionable. She stated that their neighborhood has significant traffic and crime concerns which are not addressed in this proposal. Mr. Engle asked if she was referring about a lack of activity by zoning compliance officers. Ms. Black stated that she was referring to not having the appropriate public safety considerations in staff recommendations about service quality levels, and asked what the process was for making determinations about what an area needs. Mr. Engle stated he wanted to make sure she was not speaking to any issues with zoning compliance enforcement. Ms. Black reiterated that she has concerns about how recommendations are made, and asked for Commissioners to help ascertain if the data provided by various departments to planning staff accurately reflect situations across the City.

Ms. Magid asked Mr. Isaacson how many neighbors in the notification area attended the neighborhood meeting. Mr. Isaacson stated that their meeting was advertised and sent to the property owners' list used by the City for official notice of the hearing, and they received no responses. Ms. Magid asked to confirm that no one responded, and Mr. Isaacson stated that was correct. He stated that he has been in contact with Ms. McIvor and Ms. Black and intends to continue this conversation, specifically on conditions the neighborhood may want considered, but this had so far been unsuccessful. He stated they will continue to communicate on this project.

Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Kyle DiPretoro, 1314 Mockingbird Lane, Charlotte, stated that he has no issue eliminating any specific uses the neighborhood finds objectionable when they are communicated to him. He stated that they were explicit that tract 1 and 2 could be any uses in commercial or office districts, but their focus is on the multi-family aspect of this mixed use development and they intend to be a good steward of this area for their own long-term management of the community. He stated that the option of a fifth story on the residential tracts is only if it becomes necessary based on site conditions to maintain financial viability. Mr. DiPretoro stated that they intend to pay for GDOT connectivity and provide road improvements to the area. He stated that they are conducting negotiations with owners of neighboring parcels and are in the process of completing their plan as part of their commitment to the development. Some details were not immediately available because they have been doing a lot of work in preparation for this hearing and specifics were not available until they were distributed. He stated that they are willing to offer exterior materials conditions and multiple commercial uses have been in discussion, but they have not come to an agreement with any potential tenants.

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Chair O'Connor then advised that anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Black stated that the improvements Mr. DiPretoro is talking about are not benefits for their community. She stated that when they asked about convenience stores, they were not given specifics about it, and that they could not ask for conditions without more information about what the applicant intends to develop. Ms. Black stated that the timing of the applicant's communications were inconvenient and they were unable to respond effectively.

Ms. McIvor stated that the neighborhood does not have enough information to decide how they feel about it, and seeks more transparency from the applicant. She stated that the applicant should delay this request until all the properties are in place to handle zoning at one time, and asked if she could appeal a rezoning decision. Mr. Kirkman stated that final actions of the Commission can be appealed.

Mr. Bryson asked Mr. Kirkman if the appeal fee is \$155, and Mr. Kirkman stated it was.

Mr. Peterson asked Mr. DiPretoro why a continuance couldn't be sought given what the neighborhood has expressed and his property acquisition process. Mr. DiPretoro stated his development contract would be in peril if he continued this request. He stated he gave as much information as was available to the neighbors when it was requested, and that they sought the PUD district to be flexible to market conditions. It is a challenging parcel which makes development extremely complicated, and they have no ownership or relationship to the properties east of those that are part of this request. Mr. Peterson stated that the Commission has to represent the citizens of Greensboro, and Mr. DiPretoro stated he understood that.

Mr. Egbert asked if this automatically went to City Council, and Mr. Kirkman stated that was correct. Mr. Egbert stated that there was a built-in continuance because they lack final approval authority. Mr. Kirkman stated that this is a conditional application so additional conditions could be added between a recommendation by the Commission and the City Council meeting. Ms. Magid asked how long it would be until the next City Council meeting, and Mr. Kirkman stated the next council meeting was approximately 30 days away. Ms. Magid stated she assumed the applicant would not want a tenant in the commercial tracts that detracts from its overall value, and Mr. DiPretoro agreed. Ms. Skenes stated the request was conditioned to a maximum of 360 units and that the Commission makes site visits to understand the conditions. She stated that multiple apartment complexes in the area are already full, and that there is an obvious need for this kind of residential development.

Ms. Black asked about the differences in heights anticipated in different rezoning requests. Ms. Skenes stated that her comments in a previous hearing were to note that the multi-family district requested was limiting height available to the developer versus what would be available in a single-family district. Ms. Black stated that she perceived a difference in concerns about building heights. Mr. Engle stated that he was also asking about height restrictions as it relates to density in multi-family districts versus single family detached districts. Ms. Black stated that her neighborhood is concerned that zoning conditions and development standards are not suiting the needs of their neighborhood.

With opposition rebuttal time expired, Chair O'Connor closed the public hearing.

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Mr. Alford then made a motion to annex the property, seconded by Mr. Peterson. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Bryson, O'Connor; Nays: Glass). Ms. Skenes then stated regarding agenda item Z-22-08-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 3911, 4007, 4007-ZZ, 4009, 4011, and 4013 South Elm-Eugene Street; and 4209, 4300, 4315, 4318, 4324 Cahill Drive from County AG (Agricultural) and County RS-30 (Residential Single-Family) to City PUD (Planned Unit Development) with the required Unified Development Plan 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 PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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 Mr. Alford. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Bryson, O'Connor; Nays: Peterson, Glass). Mr. Engle then made a motion to approve the associated UDP, seconded by Ms. Skenes. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Bryson, O'Connor; Nays: Peterson, Glass). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

PL(P) 22-33: Recommendation on a request for a Type 4 Modification to the provisions of 30-12-4.2 (B), Land Disturbance, for properties located within Tier 3 of the Watershed Critical Area for 4485 Old Battleground Road (south of Old Battleground Road and south of White Horse Drive). (RECOMMENDED APPROVAL)

Johnny Hill, Water Resources Engineering Division, provided background information on the property. He stated that the ordinance requires 20% of the land remain undisturbed, and the applicant seeks to reduce the amount from the required 3.38 acres to 2.01 acres but increase the number of stormwater control mechanisms to compensate for this. He stated that Water Resources believes this will improve conditions on and adjacent to the site and that TRC recommended the modification request.

Chair O'Connor inquired if there were questions from the Commissioners. Ms. Skenes asked if there was paving in the application considered permeable. Mr. Hill stated this was correct, and will divert water to an underground pond. Ms. Skenes expressed her support for this technique and asked if this was a new system being used more often. Mr. Hill stated that permeable pavers are increasingly being used in the City to manage stormwater runoff.

Chair O'Connor inquired if there was anyone else to speak in favor of or in opposition to the request. Hearing none, Chair O'Connor closed the public hearing.

Mr. Egbert then made a motion to approve the Type 4 Modification, seconded by Mr. Peterson. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

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ITEMS FROM PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSIONERS:

Chair O'Connor noted that the public hearing portion of the meeting was complete and asked for any other items of discussion from members. Ms. Skenes asked if staff anticipated as heavy of a workload next month, Mr. Kirkman stated they did not think so.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 10:25 p.m.

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person and electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Monday, September 19, 2022, beginning at 5:37 p.m. Members present were: Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Catherine Magid, Mary Skenes, Andrew Egbert, Keith Peterson, Zac Engle and Erica Glass. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Noland Tipton (GDOT), Caitlin Bowers (Neighborhood Development), and Alan Buansi (City Attorney).

Chair O'Connor welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. She advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. She briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties and advised those participants attending virtually would be able to view the meeting and speak when called upon. Chair O'Connor noted the online meeting was being recorded and televised and was close-captioned for the hearing impaired. She further explained the expedited agenda for items without any speakers in opposition and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know.

Roll Call for attendance was taken by Chair O'Connor, who then noted that Commissioners Engle and Skenes were participating on Zoom.

Alan Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

Ms. Glass joined the meeting at 5:41 p.m.

APPROVAL OF THE AUGUST 15, 2022 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the August 15, 2022 meeting minutes. Ms. Magid moved to approve the July meeting minutes as presented, seconded by Vice Chair Bryson. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman stated that opponents of item Z-22-09-003 have requested a continuance.

Kathleen O'Connell, 222 Stamm Drive, stated she had spoken with neighbors about this application and that neither she nor her neighbors had received letters from the City or the applicant. She is seeking a continuance because the Henson Park neighborhood is new and had not had time to organize yet. Mr. Kirkman asked if a one-month continuance would be acceptable, and Ms. O'Connell confirmed that was correct. Ms. O'Connell stated that the notification boundary did not take into account the connected nature of the townhouse neighborhood where she lived.

Marc Isaacson, 804 Green Valley Road, stated that neighborhood outreach is always important in the zoning process, but the applicant is under contract to acquire the subject properties and is at risk of forfeit

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if established timelines are delayed. He stated that his client had used the notification radius established by the Land Development Ordinance (LDO) and mailed notices on August 26th, and that the zoning notice sign posted by the City also provided public notice. Mr. Isaacson stated that in weighing the equities involved, the applicant stands to endure significant hardship with a continuance and the public hearing procedure at tonight's meeting will allow input from all parties.

Chair O'Connor asked Mr. Kirkman to confirm that the City mailed official notices. Mr. Kirkman stated that was correct and confirmed that Planning staff posted the sign on the subject property as required, so the Commission's actions would meet the ordinance requirements for holding a public hearing tonight on this matter. He stated that this situation is the result of some of the Henson Park Townhouse addresses being just outside the notification boundary. Chair O'Connor asked what the time limits were for speakers during a continuance request. Mr. Kirkman stated that he is not aware of any set limits and that the Commission has discretion.

Mr. Engle asked what the State's requirements were for zoning notification. Mr. Kirkman stated that State law requires the advertisement of zoning hearings between 10 and 25 days prior to the hearing and that Planning policy is to send notice approximately 18 days prior to the hearing date. State law requires "immediately adjacent" property owners be notified, but the City's LDO goes beyond State minimums to set its larger boundary.

Ms. Glass asked if the City sent notices via First Class mail per North Carolina General Statutes. Mr. Kirkman replied this was correct, and confirmed that the City also follows the NCGS requirements including newspaper advertisements and the posting of signs on subject properties.

Chair O'Connor reminded attendants that residents could file an appeal within 10 days.

Ms. Magid asked for the addresses of the neighbors who did not receive notification. Ms. O'Connell restated her address and provided her neighbors' addresses, and asked about the placement of the zoning sign. Mr. Kirkman stated that Planning staff places the sign on the subject property itself. Ms. O'Connell stated that many neighbors would not see the sign in that location. Ms. Magid asked Ms. O'Connell if Henson Park residents regularly use the part of Church Street near the posted sign, and Ms. O'Connell stated they did.

Rajasekhar Lenka, 1036 Henson Park Drive, stated that some neighbors are confused about the notices and asked for time to understand what is happening. This newly formed community does not have established contacts to share information.

Mr. Alford asked if Mr. Lenka received an official notice from the City, and Mr. Lenka confirmed he had.

Chair O'Connor asked Mr. Buansi if the continuance process qualifies as a public hearing, and Mr. Buansi stated it did not, and that the Commission is only required to vote on a motion to approve or deny a continuance.

Mr. Egbert made a motion against continuing the matter, seconded by Ms. Magid. The Commission voted 9-0 (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0).

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EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition and were eligible for the expedited agenda. The items were Z-22-09-004 and PL(P)22-34, Z-22-09-006 and Z-22-09-007. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, she reordered the agenda to address expedited items first.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-22-09-004: A rezoning request from BP (Business Park) to CD-LI (Conditional District – Light Industrial) for the property identified as 8201 Piedmont Triad Parkway, generally described as southwest of Piedmont Triad Parkway and north of Thorndike Road (8.21 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan's Future Built Form Map currently designates this property as Planned Industrial District. The Comprehensive Plan's Future Land Use Map designates this property as Industrial. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-LI zoning district allows a variety of warehouse, industrial, distribution and office uses; that are generally consistent with surrounding uses on adjacent or nearby properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request. She then asked for any objections to the request. Hearing none, Chair O'Connor closed the public hearing.

Mr. Bryson then stated regarding agenda item Z-22-09-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 8201 Piedmont Triad Parkway from BP (Business Park) to CD-LI (Conditional District – Light Industrial) to be consistent with the adopted GSO2040 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 surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-34 & Z-22-09-006: An annexation and original zoning from County AG (Agricultural) and City AG (Agricultural) to City CD-C-M (Conditional District – Commercial - Medium) for the property identified as 8836 West Market Street, generally described as north of West Market Street and east of Marshall Smith Road (3.87 acres). (RECOMMENDED APPROVAL)

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Z-22-09-007: An annexation and original zoning from County AG (Agricultural) and City AG (Agricultural) to City C-M (Commercial - Medium) for the property identified a portion of Marshall Smith Road right-of-way, generally described as north of West Market Street and within Marshall Smith Road (0.6 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the Western Area Plan Future Land Use Map currently designates the property as Commercial/Mixed Use, in support of the West Market Street Village Planning Subarea. The GSO2040 Comprehensive Plan's Future Built Form Map designates this property as Urban General along a Possible Work Force Transit Corridor. Staff determined the proposed original zoning and rezoning request supports 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 Filling in Our Framework Big Idea to arrange our land uses for where we live, work, attend school, shop and enjoy our free time can create a more vibrant and livable Greensboro. The proposed CD-C-M zoning district would permit a variety of commercial, retail, office and service uses, compatible with existing commercial, office, industrial and civic uses located on adjacent tracts. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request. She then asked for any objections to the request. Hearing none, Chair O'Connor closed the public hearing.

Ms. Magid then made a motion to annex the property, seconded by Mr. Alford. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-09-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 8836 West Market Street from County AG (Agricultural) and City AG (Agricultural) to City CD-C-M (Conditional District – Commercial - Medium) to be consistent with the adopted GSO2040 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 CD-C-M zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Peterson seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0).

Ms. Magid then stated regarding agenda item Z-22-09-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as a portion of Marshall Smith Road right-of-way from County AG (Agricultural) and City AG (Agricultural) to City C-M (Commercial - Medium) to be consistent with the adopted GSO2040 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 C-M zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the

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property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and was subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting.

Z-22-09-001: A rezoning request from CD-RM-12 (Conditional District Residential Multifamily – 12) to CD-RM-12 (Conditional District Residential Multifamily – 12) for the properties identified as 3523-3527 Lewiston Road, generally described as northwest of Lewiston Road and north of Fleming Road (25.01 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined 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-12 zoning district limits uses to a maximum of 290 dwelling units and a maximum building height of 3 stories which is generally consistent with previously approved zoning changes on the property. This rezoning request allows uses that are compatible with existing varied residential uses and densities in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road, on behalf of Beacon Management, stated the Commission has rezoned this property multiple times and this request is for a slight increase in density given the need for housing in the airport area. The City and Airport Authority impose restrictions on where residential property can be located, creating the need for new housing development that is in proximity to the airport but not too close. He reviewed the applicant's requested conditions and noted they included augmented undisturbed vegetative buffering to the north. Mr. Isaacson then displayed an illustrative sketch plan of the site, and noted that while the Transportation Impact Analysis (TIA) showed no new required improvements the applicant is ready to make any improvements indicated during the development process. He then stated they conducted a neighborhood meeting at one of the applicant's other properties nearby and they did not perceive any opposition to this request.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Bynum Morris, 3503 YY Lewiston Road, stated he had more questions than specific opposition. The subject property is adjacent to his and he wants to know where the traffic entry points to this project will be in relation to the existing multigenerational neighborhood.

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Chair O'Connor asked if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

George Carr, 4 Granville Oaks Court, stated that his request is for additional units to ensure the project's financial viability given cost increases. No other parts of the plan have changed and their final density will still be below the 12 dwelling units per acre maximum provided by the CD-RM-12 zoning district. He stated that all entry and exit to the property will be off Lewiston Road and that they will expand turn lanes to improve flow in the proximity of the development.

Chair O'Connor asked if there was anyone in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Mr. Egbert then stated regarding agenda item Z-22-09-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 3523-3527 Lewiston Road from CD-RM-12 (Conditional District – Residential Multi-family-12) to CD-RM-12 (Conditional District – Residential Multi-Family-12) to be consistent with the adopted GSO2040 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 permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Peterson seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-09-002: A rezoning request from R-3 (Residential Single-family - 3) and CD-O (Conditional District - Office) to CD-RM-18 (Conditional District – Residential Multi-family – 18) for the property identified as 2743 Horse Pen Creek Road, generally described as southwest of Horse Pen Creek Road and southwest of Terrault Drive (1.289 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined 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 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 the request.

Chair O'Connor asked if there was any construction activity on the subject property thus far. Mr. Kirkman stated they have begun the process of a multi-family building. Chair O'Connor then asked for

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any other questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Scott Wallace, 3708 Alliance Drive, representing Keystone Group, stated that the subject property is a part of a project under development since 2019 and that they should have rezoned this parcel earlier in the process. This is a difficult property to develop, and he stated that his group has already completed significant improvements in the area.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Donna Kabadi, 2738 Horse Pen Creek Road, stated that her property is located across from the subject property and she has not had any communications from the applicant after receiving official notice from the City. Her communications with the City indicated to her that the subject property was unlikely to have development and she believes the conditions associated with this request are incompatible with that. She stated that during the previous zoning process the applicant stated the subject property would not have large multi-family development, which she opposes.

Mr. Alford asked about the previous zoning case and the land being "unbuildable". Mr. Kirkman stated that at the time of the previous rezoning it was still under City ownership and used for utility purposes during work on Horse Pen Creek Road.

Ms. Kabadi stated that the City used the subject property for water drainage during the previous rezoning and that is why the neighbors believed it there would not be any building on it.

Chair O'Connor asked if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Wallace stated that their intent was always to use the subject property for this project, and that they had been working with the City prior to the rezoning to use this parcel after its temporary water retention role was no longer needed. He stated that the City was unable to sell the property until the Horse Pen Creek Road improvements were sufficiently completed and that it was unbuildable at the time, but they have since expended significant resources to remediate it. Mr. Wallace then stated that his group has committed to increase the street planting yard past the mandated requirements for buffering purposes, and that this request will not increase the density of the project.

Chair O'Connor asked about the community outreach measures taken. Mr. Wallace stated that he understood his civil engineer would be engaging with the neighborhood, but in this case, they did not.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Kabadi stated that adding more trees does not help this situation. While density may not be increasing, the applicant will build multi-family buildings closer to the road and to her property. She stated that she did not understand how "unbuildable" land could become "buildable" in this situation.

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Mr. Bryson asked Ms. Kabadi if she received a notification from the City. Ms. Kabadi she got an official notice from the City, but had no communication with the applicant.

Chair O'Connor asked if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Ms. Glass then stated regarding agenda item Z-22-09-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 2743 Horse Pen Creek Road from R-3 (Residential Single-family-3) and CD-O (Conditional District – Office) to CD-RM-18 (Conditional District – Residential Multi-family – 18) to be consistent with the adopted GSO2040 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 permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Peterson seconded the motion. The Commission voted 8-1, (Ayes: Mr. Alford, Ms. Magid, Mr. Egbert, Mr. Peterson, Ms. Glass, O'Connor, Mr. Engle, Ms. Skenes; Nays: Mr. Bryson). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-09-003: 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 portions of 4402 4408, and 4410 North Church Street and all of 4412 North Church Street, generally described as east of North Church Street and north of the Greensboro Urban Loop (5.1 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined 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 restricts uses to residential only and includes restrictions on building façade materials to allow compatibility with adjacent lower intensity residential uses. This rezoning request allows uses that are compatible with existing residential uses and densities in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Marc Isaacson, 804 Green Valley Road, on behalf of Kevin Estes, stated that the subject property was well suited for multi-family development given the proximity to the future Greensboro Urban Loop. He displayed a zoning map of the area and noted multiple other multi-family residential properties in this area of Northeast Greensboro. He then displayed an illustrative sketch plan of the layout for the project,

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and stated that they plan traffic to access off North Church Street. This property is difficult to develop due to the grading of the parcel, its shape, and the easement that was required for the Interstate. Mr. Isaacson displayed a photograph of the steep topography of the subject property and its relationship to the new Interstate. He displayed a series of photographs of other development work by the applicant and discussed the neighborhood outreach measures undertaken, noting they conducted a neighborhood meeting in which they heard feedback mainly about traffic in the area. The difficulties of development on the subject property mean that single-family detached and attached housing is not feasible, and that this development is consistent with the GSO2040 Comprehensive Plan's goals. Mr. Isaacson stated that he understands neighbors' concerns about traffic because the applicant is a part of that group of people concerned and is willing to work with the City on studying improvements for the area.

Ms. Skenes asked if Mr. Tipton was prepared to talk to the Commission about potential changes as result of this project now or during discussion. Mr. Kirkman advised it was likely better to hear this information after hearing from opposition.

Mr. Engle asked if Church Street was Greensboro Department of Transportation (GDOT) or State responsibility. Mr. Tipton stated it was under North Carolina Department of Transportation (NCDOT) custody.

Mr. Bryson asked to confirm which agency maintained Church Street, and Mr. Kirkman confirmed it was NCDOT.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Jeanette Serens, 104 Brody Way, stated that she represents the Henson Farm neighborhood and that traffic is a major hazard in the area. She stated that all of North Church Street is single-family residences, and that the adjacent properties in the area are single-family and not multi-family. She walks along North Church Street regularly and that it takes 10 to 15 minutes to cross the street due to traffic congestion. She stated that drivers do not follow the posted speed limits in the area. Ms. Serens stated she does not consider Townhomes to be multi-family residences and believes the requested density is incompatible with the area, given that development in proximity is less than three stories. The destruction of the old-growth trees on the property would also cause an increase in air pollution and noise from the new Interstate. She stated that neighbors felt they did not have adequate communication with the applicant to discuss their concerns.

Emily Mango, 106 Elmwood Drive, on behalf of Canterbury School, stated that the requested density is incompatible with the area. Traffic in the area is already unacceptable, and this request needs to address added congestion. She stated that construction traffic is also a significant safety concern, and they cannot support the request without traffic improvements.

Chair O'Connor asked about traffic studies and land use. Mr. Tipton stated that GDOT is aware of the safety concerns at this intersection, and is working with NCDOT to address it but they do not have a timeline for any improvements. He stated that while a TIA was not required, the appropriate transportation agencies would be involved in determining approval at the Technical Review Committee

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(TRC) during the buildout process. Sidewalks are a requirement in any development such as this, unless the developer requests a modification.

Mr. Engle asked if the existing sidewalk will connect further down North Church Street along the subject property's frontage, and Mr. Tipton confirmed that was correct.

Ms. Magid stated the intersection in question is similar to the Ballinger and Fleming Road intersection near Guilford College, and asked Mr. Tipton to confirm they are committed to solving the existing traffic issues in the area, perhaps by adding a stop light. Mr. Tipton stated that signalization is an option along with other measures such as a roundabout, but it is under active study and he cannot be specific yet. Ms. Magid stated that there are significant issues for the Henson Park neighborhood regarding traffic. Mr. Tipton stated that concurrent to the approval of the Henson Park plans, there had already been discussion about traffic in the area.

With opposition speaking time expired, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Isaacson stated that his understanding was that there will be improvements to this area to solve traffic issues, and that the applicant is eager to participate in the process to add any improvements needed. The applicant has an interest in improving the traffic flow in the area as the residents do. He stated that the density of this request is compatible with adjacent properties, and that the LDO imposes buffering requirements and development standards to produce the best public benefit for all parties involved. It is unrealistic and opposed to the goals of the City to expect the subject property to remain undeveloped.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Debi Miller, 1009 Henson Park Drive, stated that the safety of the residents using North Church Street is already a significant concern of the neighborhood and she is worried that additional development will exacerbate it. She stated he understood the need for more housing and more types of housing in Greensboro, but that the Commission needs to weigh the rights, needs, and wishes of the residents already in a community when it considers land use decisions. She stated that the environment in the area has significantly changed, but that there has not been an increase in the number of multi-family residences.

With opposition rebuttal time expired, Chair O'Connor closed the public hearing.

Mr. Engle stated that Commissioners could not consider traffic as the sole determinant for land use decisions. He stated that the City's LDO considers Townhomes and Twinhomes multi-family residences. He stated that he visited the subject property and that it appears difficult to develop. This proposal seems compatible with the area. While he shares concerns about the traffic situation that is outside of the purview of Planning and Zoning to decide, and the involvement of NCDOT complicates the situation. Mr. Engle stated that the neighborhood should work with City Council and request assistance from the State, as any changes require NCDOT approval. The statements by neighbors indicate the problems on North Church Street require addressing whether the proposed development takes place or not.

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Ms. Skenes stated the issues in this area heavily rely on NCDOT. She stated that while not a factor she can weigh in her decision-making process on this request, additional residents in the area would help contribute to developing the impetus to ultimately solving the area's congestion problems. The land use principles at play in this area mean that the subject property is well suited for multi-family development.

Mr. Egbert then stated regarding agenda item Z-22-09-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as portions of 4402, 4408, and 4410 North Church Street and all of 4412 North Church Street from R-5 (Residential Single-family – 5) to CD-RM-18 (Conditional District – Residential Multi-family – 18) to be consistent with the adopted GSO2040 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 permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Peterson seconded the motion. The Commission voted 8-1, (Ayes: Ms. Magid, Mr. Egbert, Mr. Peterson, Ms. Glass, Mr. Bryson, Chair O'Connor, Mr. Engle, Ms. Skenes; Nays: Mr. Alford). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor advised there would be a 10-minute break at 7:38 p.m., and the meeting resumed at 7:47 p.m.

Z-22-09-005: A rezoning request from CD-C-M (Conditional District – Commercial - Medium) to C-M (Commercial - Medium) for the properties identified as 3508 West Gate City Boulevard, generally described as north of West Gate City Boulevard and east of South Holden Road (5.67 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General within an Urban Mixed Use Corridor on the Future Built Form Map and Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports 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 C-M zoning district is primarily intended to accommodate a wide range of retail, service, office, and multi-family residential uses in a mixed-use environment. The uses permitted in the proposed C-M zoning district are compatible with existing commercial uses located on adjacent tracts and with the size and scale of development along West Gate City Boulevard. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

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Rick Ringler, 8642 West Market Street, stated that the subject property is underutilized and that he is requesting straight zoning due to a condition currently on the parcel restricting it to one building. Their current plans are site an eating establishment with a drive-through lane, and in order to increase the viability of the development the TIA they conducted indicated the need for some modifications for safety reasons. He stated they conducted neighborhood outreach and in contact with two neighbors, he feels they will be able to account for their concerns during site plan review.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Kirk Mann, 7736 Paso Robles Street, Ventura, California, stated that his family owns an adjacent parcel. The property lines of their parcel and the subject property are peculiar such that their concern involves their tenants' ability to have ingress and egress from West Gate City Boulevard. He stated that he supported development of the subject property, but they want clarity about traffic flow around their driveway and that an easement may solve their concerns.

Chair O'Connor asked if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Ringler stated that Planning had provided information on this, and Mr. Tipton stated that during TRC's site plan review, GDOT would address access to adjacent properties. Mr. Kirkman stated that development review always considers access to main thoroughfares and internal circulation on adjacent commercial properties. Mr. Ringler stated that when they plan a new building, their site plan would require an easement to allow access for the neighboring property.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Mann stated that his family's other concern was that his tenant was being charged a fee for access, and that he hopes he can work with Mr. Ringler to permanently solve this situation to everyone's benefit.

Chair O'Connor asked if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Ms. Magid then stated regarding agenda item Z-22-09-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 3508 West Gate City Boulevard from CD-C-M (Conditional District – Commercial - Medium) to C-M (Commercial - Medium) to be consistent with the adopted GSO2040 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 C-M zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Bryson seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle,

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Skenes; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 18, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM PLANNING DEPARTMENT:

TEXT AMENDMENTS:

Zoning, Planning and Development Text Amendment: Amending Sections 30-4-1.4(B) (2), Mailed Notice; and 30-4-1.2, Applicant's Summary of Neighborhood Communications related to Mailed Notices and Neighborhood Communication. (RECOMMENDED APPROVAL)

Mr. Kirkman stated the request was to modify the boundary for official notices sent by the City for zoning requests to make sure enough neighbors have notification of zoning activity in their communities. The proposed text amendment is to modify the LDO to increase the boundary from 600 feet to 750 feet; an approximately 25 percent increase in the notification area.

Mr. Engle stated that increasing the notification boundary does not solve the issue of notifying renters or engaging residents more generally. Mr. Kirkman stated that Planning had evaluated options on how to identify and notify tenants but there is not an easy answer that would guarantee tenants would be notified. Mr. Engle stated that he supports mailing notices addressed to "resident".

Mr. Bryson asked Mr. Buansi what legal recourses tenants have to zoning changes, and if they have standing to oppose it. Mr. Buansi stated that for the purposes of the Commission's hearings, there is no distinction between tenants and property owners. Tenants may appeal and speak at any public hearing. Mr. Bryson stated that it would not be difficult to find tenants and send them information, but there may be conflict between the wishes of the tenant and the property owner, and asked Mr. Buansi how that affects the process. Mr. Buansi stated that it is particular to the circumstance, but for the purposes of the Commission's interaction with the public, there is no distinction. Mr. Bryson stated that tenants sometimes do not know hearings are happening and mailing official notices may help the Commission more readily engage with them. Mr. Buansi stated that the City's policies and procedures follow NCGS requirements that deal with adjacent properties and thus their owners, not the residents.

Ms. Skenes stated there was no way for staff to know who to notify concerning renters. Staff must rely on the data they have, which is tax records of property ownership. She asked if there is any other information available. Mr. Kirkman stated that the alternative would be to send letters to the physical addresses, but there is no guarantee that will reach everyone, hence why staff prominently posts the zoning signs.

Chair O'Connor stated that State law's notification guidelines creates a bias against multi-family housing, and that many of the debates before the Commission have involved residents unaware of what was happening in their neighborhoods, typically living in multi-family housing. She stated that she is unsure if she supports a general mailing to all residents at this time but might support sending letters to every residence within 650 feet as opposed to expanding the property owner boundary to 750 or 1,000 feet, still potentially missing tenants. Mr. Kirkman stated that rezoning is generally part of the development process that takes time, thus having more long-term effects vis-à-vis property values and changes to the character of a neighborhood. Accordingly, State law, which the City's ordinances follow, accounts for

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these obligations to property owners' rights versus tenants, who may be more mobile. Chair O'Connor asked what kind of motion the Commission wished to consider. Ms. Skenes and Mr. Egbert asked Mr. Kirkman for clarification on a potential motion, and Mr. Kirkman stated that the Commission could choose to recommend approval or denial of the text amendment with or without changes and direct staff to consider how to notify renters.

Mr. Egbert stated that sending out potentially hundreds more notices is an unreasonable burden to developers and Planning staff, given that tenants have limited recourse in many of these land use issues. Mr. Kirkman agreed there would likely be more expense, but it will depend situationally on adjacent properties.

Ms. Magid asked if there was a way to classify multi-family properties as being owner-occupied or not. Mr. Kirkman stated that Townhomes have individual lots and thus already fall under the current notification system. Ms. Magid stated that when an apartment complex is in a boundary, the current system only sends a letter to the owner according to tax records, and asked if Planning staff could earmark those properties to add additional notifications. Mr. Kirkman stated that diverse ownership structures and patterns of communication between rental unit owners and tenants complicate the situation, and this is part of why Planning uses methods more than just the letter to ensure neighborhoods are informed.

Ms. Glass stated that she was concerned about confidentiality issues regarding obtaining the names of tenants for notification purposes. Mr. Kirkman stated they would not attempt to identify tenants, and that the only option would be to address notifications to units, and this might result in significant returned mail. Ms. Glass asked if there was newspaper advertisement, which Mr. Kirkman confirmed was correct as the City follows NCGS guidelines.

Ms. Skenes stated that renter notification been an issue an isolated number of times in the City. Many people end up throwing away mail they receive addressed to "occupant" or "resident", and the added expense of increased mailings may not be justified and produce any additional civic engagement.

Ms. Magid stated she agreed with Ms. Skenes there have been instances where outreach to the Hispanic community did not occur.

Mr. Engle stated that the City has a history of welcoming its diverse population and that it could do better when it comes to notifying renters, but he does not know what the ultimate solution would be.

Mr. Egbert made a motion to approve the text amendment as presented. Mr. Engle seconded the motion. The Commission voted 9-0, (Ayes: Alford, Magid, Egbert, Peterson, Glass, Bryson, O'Connor, Engle, Skenes; Nays: 0).

ANNUAL REPORTS:
Consolidated Annual Performance Evaluation Report

Caitlin Bowers presented the report, and stated that Housing & Neighborhood Development (HND) prepares the report annually for the federal department of Housing and Urban Development (HUD). She outlined the 2021-22 Fiscal Year funds and expenditures and stated that Greensboro used HUD funds

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to develop and rehabilitate 107 multi-family units, assist 23 first-time homebuyers, provide homebuyer education to 877 individuals, and assist 5 households with lead remediation. 1,426 people or households received homelessness prevention services, and 122 households received emergency assistance.

Ms. Magid asked if the department would be conducting a public event related to the report. Ms. Bowers stated that the public may comment on the report until the comment period ends tomorrow. Mr. Kirkman asked if the Commission needed to take any action on the report, and Mr. Bowers stated that the Commission did not.

Chair O'Connor asked if anyone wished to speak on the matter. Hearing none, she closed the public hearing.

East Gate City Boulevard Corridor Study Update

Mr. Kirkman stated that Planning staff has provided a briefing to Commissioners in preparation of a more comprehensive brief for the hearing on this item next month.

**OTHER ITEMS FROM PLANNING DEPARTMENT:
Commissioner Informational Sessions**

Mr. Kirkman stated that staff would be holding informational meetings for Commissioners to discuss conditional district zoning, and what aspects of transportation are within its purview. He asked for guidance on how the Commissioners wished for these to be structured.

Ms. Skenes asked about the format for how the Commission will receive information on the subject.

Chair O'Connor stated that there are varied topics that Commissioners may wish to cover and they will need to know how much time will be needed before the format can be decided. She did not support training at the end of Commission meetings as everyone has worked hard and is tired, and instead supported having a separate meeting solely for this. Mr. Kirkman stated that the biggest questions were relating to how Commissioners consider conditions, as well as evaluating transportation impacts in land use considerations within the guides of State law and the TRC process.

Ms. Magid stated that a review about voting no would be helpful, specifically about Commissioners providing commentary on his or her decision. She stated that because the Commission has varied experience levels, it would be helpful to have everyone together at once.

Mr. Bryson stated he thought the NCGS public notice requirements would come into play for any informational meetings. Mr. Buansi stated that was correct, and that any meeting consisting of a quorum requires following State law and City ordinance for notice. Mr. Bryson stated that holding these kind of sessions as a public hearing may be inefficient, and thus it may need a smaller group setting. Mr. Buansi stated that the Commission would need to advertise it as a special meeting. Mr. Kirkman stated the requirements were 48 hours' notice, and that the City would use a media distribution list to publicize it.

Mr. Engle stated that when the Commission has previously advertised special meetings for informational sessions, no one attended. He stated he has been a member of City organizations where boards and

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commissions held educational events regularly and found it productive. Mr. Engle also supported involving the UNC School of Government in training if possible.

Mr. Bryson stated that he supports any of the options.

Chair O'Connor stated that Commissioners support having everyone together to maximize the sharing of knowledge and wisdom. Educating the public on how best to understand land use is critical, and that difficulty arises when the Commission has to redirect their important input to follow their guidelines. She stated that the very technical requirements of zoning districts and development standards creates a process foreign to a lot of residents, and she wants to make it easier for them to participate fully in public hearings.

Ms. Skenes stated she agreed with Ms. Magid and Chair O'Connor, and stated that in the past the Commission has had group training and question-and-answer sessions that have been very helpful. She stated that Commissioners making more statements and having more exposition in discussion before motions would be helpful not only for residents to understand the decisions being made, but it increases the knowledge base and might sway other undecided Commissioners.

Ms. Magid stated that the Commission might need to produce statements to explain the limitations of the Commission's determinations. There are times where the Commission is listening to the public and wants to hear their concerns, but they need to explain how certain considerations are not under their purview and provide information about appropriate agencies and venues. She stated that many residents are confused about the conditional district zoning process and the Commission should be more active in explaining it during their deliberations.

Mr. Kirkman stated there appeared to be consensus for meeting as a group. Chair O'Connor stated she agreed, and asked to conduct a poll among Commissioners to decide specifics. Mr. Kirkman stated the goal would be to conduct this training before the next meeting.

**ITEMS FROM COMMISSIONERS:
ELECTIONS:**

Ms. Magid nominated Sandra O'Connor to Chair, Ms. Skenes seconded the nomination and Ms. O'Connor accepted the nomination. Mr. Peterson then nominated Mr. Bryson to Chair, Ms. Glass seconded the motion and Mr. Bryson accepted the nomination.

Mr. Buansi advised the candidates could make statements for their candidacy.

Mr. Bryson stated he desires to keep serving his district and all the citizens of Greensboro. He has served on multiple boards and commissions throughout the City, and his leadership style is about listening for ways to help making peoples' lives better. He believes that the Commission is here to listen to citizens to work to make Greensboro a better place, and he would be honored to be a part of leading that effort.

Ms. O'Connor stated that she has lived in Greensboro for most of her life, and that she has chaired multiple boards and private organizations relating to development in the City and across the State. She stated the Commission's efforts to get through the pandemic and enhance the public's ability to

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participate effectively in the meetings have been significant and she wants to continue to contribute with them.

Mr. Buansi stated that the Commission should hear a motion for each candidate one at a time, and that every Commissioner must vote.

Mr. Egbert made a motion to elect Ms. O'Connor as Chair of the Greensboro Planning and Zoning Commission, seconded by Ms. Skenes. The Commission voted 6-3, (Ayes: Egbert, Aye, O'Connor, Alford, Engle, Skenes; Nays: Peterson, Bryson, Glass).

Mr. Alford nominated Mr. Bryson for Vice Chair and Ms. Glass seconded the nomination. Mr. Engle nominated Ms. Magid for Vice Chair and Ms. Skenes seconded the motion.

Mr. Bryson reiterated that he is here to serve and that he looks forward to serving in this capacity to represent all of Greensboro and using his professional experience to help the Commission make good land use decisions.

Ms. Magid thanked her fellow Commissioners for the vote of confidence and stated that has enjoyed being on the Commission greatly. She appreciates working with the Commission and staff and supporting the Chair.

Mr. Alford made a motion to elect Mr. Bryson as Vice Chair of the Greensboro Planning and Zoning Commission, seconded by Mr. Peterson. The Commission voted 5-4, (Ayes: Peterson, Egbert, Bryson, Alford, Glass; Nays: Magid, O'Connor, Engle, Skenes).

Chair O'Connor noted that the public hearing portion of the meeting was complete and asked for any other items of discussion from members.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 8:55 p.m.

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The regular meeting of the Greensboro Planning and Zoning Commission was held in person and electronically through a Zoom meeting and broadcast simultaneously on the City of Greensboro's website on Monday, October 17, 2022, beginning at 5:33 p.m. Members present were: Vice Chair Richard T. Bryson, Vernal Alford, Catherine Magid, Mary Skenes, and Andrew Egbert. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Deniece Conway (GDOT) and Alan Buansi (City Attorney).

Vice Chair Bryson welcomed everyone to the meeting and noted the meeting was being conducted both in-person and online. He advised of the policies, procedures and instructions in place for the Planning and Zoning Commission. He briefly explained how the Commission members normally prepare for the meeting by reviewing materials and visiting the subject properties and advised those participants attending virtually would be able to view the meeting and speak when called upon. Vice Chair Bryson noted the online meeting was being recorded and televised and was close-captioned for the hearing impaired. He further explained the expedited agenda for items without any speakers in opposition and how staff would give a shortened presentation and the applicant would have up to 2 minutes to speak if they had additional information they wanted Commissioners to know. Vice Chair Bryson then stated that because only five Commissioners can be present tonight, all decisions by the Commission would only be recommendation and would be subject to a public hearing by the City Council.

Alan Buansi, City Attorney, then advised that the Planning and Zoning Commission was here only to determine land use and conditions of a rezoning application, with respect to highest and best use of the property. 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 Committee as appropriate.

ACKNOWLEDGEMENT OF ABSENCES

Vice Chair Bryson advised that Chair Sandra O'Connor, Zac Engle, Erica Glass, and Keith Peterson were unable to attend the meeting.

APPROVAL OF THE SEPTEMBER 19, 2022 REGULAR MEETING MINUTES: (APPROVED)

Vice Chair Bryson requested approval of the September 19, 2022 meeting minutes. Ms. Magid made a motion to approve the September meeting minutes as presented. Mr. Egbert seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised that there was a request for a continuance for items PL(P)22-37 & Z-22-10-005.

Melissa Rich, 1900 Youngs Mill Road, stated that her community is requesting this continuance to conduct more discussions with the applicant, and that they did not have enough time to prepare for this hearing this evening.

Ms. Skenes made a motion to approve the continuance for 30 days to the next Commission meeting in November. Ms. Magid seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0).

EXPEDITED AGENDA:

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Mr. Kirkman noted there were several items that did not have opposition and were eligible for the expedited agenda. The items were Z-22-10-001, Z-22-10-002 and Z-22-10-003. Vice Chair Bryson asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, he noted these items would be at the top of the agenda and addressed through expedited review.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-22-10-001: A rezoning request from R-3 (Residential Single-family – 3) to RM-5 (Residential Multi-family – 5) for the property identified as 6101 Brushwood Court, generally described as south of Brushwood Court and south of Grassy Meadow Court (0.55 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. If this rezoning request is approved, the Future Land Use designation for the subject site is considered to be amended to Residential in order to ensure an appropriate fit between future land use designation and zoning. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro 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 RM-5 zoning district accommodates duplexes, twin homes, townhouses and cluster housing in addition to currently allowed single-family detached dwellings. The uses allowed with the proposed zoning are compatible with adjacent existing residential uses and provide additional housing options in close proximity to a number of employment uses. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson then asked if the applicant or anyone else wished to speak in favor of the request.

Mauro Ruggieri, 1207 Hounslow Drive, stated that his request would allow him to build a Twinhome on the subject property, which is larger than most other lots in the City and has ample frontage. He stated that he visited neighbors and felt they were supportive.

Ms. Skenes asked if Mr. Ruggieri was planning on repeating the style of development he had done previously elsewhere in the City. He stated that was correct, and that the neighborhood was supportive when they learned more about his project.

Vice Chair Bryson then asked for any objections to the request. Hearing none, Vice Chair Bryson closed the public hearing.

Ms. Skenes then stated regarding agenda item Z-22-10-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 6101 Brushwood Court from R-3 (Residential Single-family – 3) to RM-5 (Residential Multi-family – 5) to be consistent with the adopted GSO2040 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

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proposed RM-5 zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Magid seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

PL(P) 22-35 & Z-22-10-002: An annexation and original zoning request from County LI (Light Industrial) to City LI (Light Industrial) for the property identified as 5566 Burlington Road, generally described as south of Burlington Road and south of Birch Creek Road (338.688 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed original zoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a resilient economy with the goal of increasing and preserving the inventory of developable sites compatible with corporate and industrial uses. The proposed City 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. The proposed original zoning request allows uses that are complimentary to uses already in existence in the surrounding area. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson then asked if the applicant or anyone else wished to speak in favor of the request.

Michael Thelen, 555 Fayetteville Street, Raleigh, on behalf of Publix Supermarkets, thanked staff and stated that the staff report effectively explained their request and he was available to answer any questions.

Vice Chair Bryson then asked for any objections to the request. Hearing none, Vice Chair Bryson closed the public hearing.

Ms. Magid then made a motion to annex the property. Ms. Skenes seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-10-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property at 5566 Burlington Road from County LI (Light Industrial) to City LI (Light Industrial) to be consistent with the adopted GSO2040 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 LI zoning permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion.

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The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

Z-22-10-003: A rezoning request from BP (Business Park) to CD-LI (Conditional District – Light Industrial) for the property identified as a portion of 5440 Millstream Road, generally described as south of Millstream Road and north of the Mount Hope Church Road (29.364 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates the property as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-LI zoning district allows a variety of warehouse, industrial, distribution and office uses that are generally consistent with surrounding uses on adjacent or nearby properties. Rezoning to CD-LI will provide additional development flexibility for this property while not negatively impacting the existing large corporate research and manufacturing campus to the north and west of the subject property. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Amanda Hodierne, 804 Green Valley Road Suite 200, stated that the applicant is requesting the rezoning to better suit their business needs and the potential of the subject property.

Vice Chair Bryson asked if there was anyone else to speak in favor of the request. Hearing none, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request. Hearing none, Vice Chair Bryson closed the public meeting.

Mr. Alford then stated regarding agenda item Z-22-10-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as a portion of 5440 Millstream Road from BP (Business Park) to CD-LI (Conditional District-Light Industrial) to be consistent with the adopted GSO2040 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 surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

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PL(P) 22-36 & Z-22-10-004: An annexation, original zoning and rezoning request from County RS-30 (Residential Single-family), County AG (Agricultural), and City R-5 (Residential Single-family – 5) to City PUD (Planned Unit Development) and consideration of the required Unified Development Plan for the properties identified as 3410-3432 McConnell Road, 1309, 1401, 1403, 1405 and 1407 Bridgepoint Road, and 3207 and 3211 Cedar Park road, generally described as south of McConnell Road, east of Bridgepoint Road, and north of Cedar Park road (48.89 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties and advised of the conditions associated with the request. He then advised the application wished to add an additional condition to the request as follows:

4. There shall be no access to Bridgepoint Road

Ms. Skenes made a motion to accept the amended condition. Mr. Alford seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0)

Mr. Kirkman stated the GSO2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General (approximately the eastern nine-tenths) and Planned Industrial District (remainder). The Comprehensive Plan's Future Land Use Map designates this property as Residential (approximately the eastern nine-tenths) and Industrial (remainder). If this rezoning request is approved, the Future Land Use designation for the portion of the subject site currently designated as Industrial is considered to be amended to Residential in order to ensure an appropriate fit between future land use designation and zoning. Staff determined the proposed original zoning and rezoning request supports both 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 PUD zoning designation, as conditioned, would allow uses similar to those found in the surrounding area and expand housing choices in close proximity to a major thoroughfare. With the planned improvements discussed in the Traffic Impact Study, the proposed development is compatible with the scale and design of the adjacent road and nearby uses. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Amanda Hodierne, 804 Green Valley Road Suite 200 on behalf of Old East Properties, stated that this is a purely residential project for townhome development. The development team worked with staff to tailor the density of this project to meet the housing needs of the City and the goals of the GSO2040 Comprehensive Plan while following the surrounding community's prevailing standards. She stated that the requested density of 4.45 dwelling units per acre is similar to the density allowed in the current R-5 zoning district. The new condition to prevent access to Bridgepoint Road was the result of feedback from neighbors. She then displayed a map of the land use in the area, and noted that the position of the subject property makes adding Townhomes in this area very advantageous. This provides a reasonable step-down in density to the more rural character near the City's edge while properly addressing the City's growth. She then displayed a proposed site plan of the development, and noted that the

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development does not start immediately off the McConnell road frontage. Ms. Hodierno stated the applicant wants to preserve the charming rural character of the area for neighbors and future residents, and the topography of the subject property makes this easier to achieve. The access to Cedar Park Road will make traffic flow in and out of the community more efficient and avoid congestion in the McConnell Road area. She then displayed the Unified Development Plan and a plan of traffic improvements required by the Transportation Impact Analysis (TIA) and stated that the applicant will be required to improve Bridgepoint Road even though there will be no access.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request.

Gina Wallace, 601 Kimloch Drive, Garner, stated that she appreciated the applicant's engagement, but she needed to ask questions about the development. She asked to confirm there would be no access off Bridgepoint Road, and stated that her godfather originally developed this neighborhood to be private and safe and accordingly thought the applicant could consider changing the development near Janet Lane to be single-family homes.

Janet Stewart, 3406 Janet Lane, stated that she appreciated the applicant's new condition regarding access to Bridgepoint Road given the pre-existing issues with traffic entering and exiting the highway. She stated that if there is a cut-through at Cedar Park Road, traffic on Bridgepoint will become unreasonable. She stated that the neighborhood mainly consists of older adults, requested consideration for traffic control systems to help pedestrian safety, and asked if any widening of Bridgepoint Road would affect neighbors' properties.

Gerald Durham, 1804 Crawford Street, stated that he has environmental concerns about the area that he has not heard addressed. He also stated he had concerns about adding rental properties nearby to single-family homes, and asked if the applicant had considered modifying the development.

Paul Irving, 1416 Bridgepoint Road, asked if the development will be Townhomes or rental properties, if any of the proposed units would be affordable housing, and for more details from the applicant about the improvements on Bridgepoint Road.

Vice Chair Bryson asked if there was anyone else wishing to speak in opposition. Hearing none, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Ms. Hodierno stated that there will be no access, vehicular or pedestrian, off Bridgepoint Road, and the applicant intends to preserve existing vegetation to buffer the properties on Janet Road. The subject property is currently vacant and the applicant can tailor the site plan to maintain appropriate buffering that the neighborhood can find satisfying. The environmental issues in the area are a County responsibility, but that because this development will be using City water services and the applicant must follow City stormwater management requirements, there will be no negative impact on local groundwater. She stated that any widening of Bridgepoint Road would be from the applicant's property and not that of neighbors. The Bridgepoint Road improvement plans are widening and resurfacing pending the finalization of the TIA but the plan did not require any signalization or other traffic controls and that the direct connection to Cedar Park Road should reduce cut-through traffic onto Bridgepoint Road. Ms. Hodierno stated she is happy to continue discussion with the neighborhood.

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With the applicant's rebuttal time expired, Vice Chair Bryson then advised anyone speaking in opposition had 5 minutes for rebuttal. Hearing none, Vice Chair Bryson closed the public meeting.

Ms. Magid then made a motion to annex the property. Ms. Skenes seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Ms. Magid then stated regarding agenda item Z-22-10-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 3410-3432 McConnell Road; 1309, 1401, 1403, 1405, and 1407 Bridgepoint Road; and 3207 and 3211 Cedar Park Road from County RS-30 (Residential Single-family), County AG (Agricultural), and City R-5 (Residential Single-family - 5) to City PUD (Planned Unit Development) to be consistent with the adopted GSO2040 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 PUD zoning, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Ms. Skenes seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Bryson, Egbert, Bryson; Nays: 0).

Ms. Skenes asked if the Commission is voting on the UDP in the presentation or if the new condition is included. Mr. Kirkman stated that the new condition would need to be recorded as part of the Unified Development Plan.

Ms. Magid then made a motion to approve the associated UDP with the new condition regarding access to Bridgepoint Road. Ms. Skenes seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

Z-22-10-006: A rezoning request from CD-PI (Conditional District – Public and Institutional) and R-3 (Residential Single-family – 3) to PUD (Planned Unit Development) and consideration of the required Unified Development Plan for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road, all of 3238 and 3240 Horse Pen Creek Road, and all of 4209 and 4213 Piermont Drive, generally described as south of Horse Pen Creek Road and west of Piermont Drive (9.37 acres). (RECOMMENDED DENIAL)

Z-22-10-007: A rezoning request from R-3 (Residential Single-family – 3) to PI (Public and Institutional) for the property identified as a portion of 3234 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Piermont Drive (0.56 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the

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Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro, and the Comprehensive Plan's Creating Great Places Big Idea's strategy of meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed PUD zoning district would permit a variety of uses inclusive of multi-family housing and recreational uses complementary to the existing recreational and residential uses on adjacent and nearby properties. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Amanda Williams, 4425 Monument Trace on behalf of BSC Holdings, stated that the applicant is requesting split zoning due to their work with the neighboring Spears YMCA. They are conducting a land swap to add parking for the YMCA. The development will not add access directly off Horse Pen Creek Road, but they will instead work with the YMCA to improve the traffic flow around the new signal at the existing intersection. She stated they feel this is a logical land use given the proximity of other multi-family residential and PI uses in the area. Their foreseen market segment is unlikely to create significant additional traffic as in some multi-family residential developments. Ms. Williams stated they spoke with neighbors and conducted a neighborhood meeting to hear the community's concerns and that traffic on Horse Pen Creek Road was the primary concern. She introduced the applicant's traffic engineer to discuss the project.

Ms. Skenes stated the TIA displayed three access points into the YMCA property for access to the existing intersection at Horse Pen Creek Road and asked Mr. Kirkman if the YMCA parking lot was a public street. He stated it was not, and that access would require a shared access easement. Ms. Skenes expressed concern about adding traffic to the YMCA property given that the intersection backs up in peak hours. She stated the density and vehicular access bothers her. Ms. Williams stated that their agreement with the YMCA states they will be improving the parking lot, and that their current plan moves the first entrance to the intersection under guidance from GDOT. She stated that their anticipated density might be lower than the maximum required and that in their experience, the tenants they typically attract tend to drive less.

Ms. Skenes asked to confirm that the applicant did not present the request as an over-55 community, and Ms. Williams stated that was correct. Ms. Skenes stated the Commission has to consider the request as presented, and the density proposed in this request is almost double that of nearby developments.

Ms. Magid stated she was also concerned with the number of dwelling units per acre. Ms. Williams stated that they have done similar developments in Greensboro and that their final density would be below the theoretical maximum.

Dionne Brown, 4600 Marriott Drive, Raleigh on behalf of Davenport, stated that their TIA used traffic counts during peak hours according to GDOT standards. She stated that questions involving the intersection would require coordination with GDOT, but that their models use a worst-case scenario to determine level of service. She stated that if neighboring communities increase traffic flow, there would likely be a need for changes to the intersection.

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Barry Siegal, 4425 Monument Trace, stated that they have negotiated access to Piermont Drive for the YMCA, which will create cross access from their parking lot. While they are adding additional trips, he believes they are improving the traffic situation in the area with these changes to the YMCA parking lot.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request.

Margaret Scott, 4703 Hanberry Drive on behalf of the Montebello Homeowners Association, stated that her neighborhood's concern is about the concentration of traffic at the intersection. The applicant's proposal would add significant traffic to the area, and the applicant's traffic engineer states the level of service in the area would be very low. She stated that while this level of service may be common, it is unacceptable to the residents in the area, and that they are requesting specific signalization improvements for safety to support any additional development like this.

Ron Kohler, 3231-35 Horse Pen Creek Road on behalf of Northwest Day School, stated his concern is also about density and the safety of the children at his school. He has been in discussion with the applicant and their traffic engineers, and that while he supports allowing rezoning for the subject properties, he finds the requested density unacceptable. Displaying a land use map of the area, he indicated the multi-family residential developments in the area, some of which are very dense and have yet to be open for lease. He then displayed a photograph of the YMCA and a full parking lot with more vehicles entering it, and stated that his understanding of the site plan is that it would tie into traffic of the YMCA, which is already unacceptable. U-Turns at the intersection require serious situational awareness given the complexity of traffic flow in the area, and given the speeds vehicles travel there, it is extremely difficult to maintain safety. Mr. Kohler stated he would be comfortable with 18 dwelling units per acre, but 325 units is unacceptable for this neighborhood, and asked for the applicant to prepare a new proposal which is mutually beneficial.

With opposition speaking time expired, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Amanda Williams stated that the density of their comparable projects they previously developed is 25 dwelling units per acre at New Garden Road and 39.2 dwelling units per acre in Winston-Salem, a property that has traffic access through an adjacent commercial property. She stated that the site plan calls for over 500 parking spots for the residents of the development in addition to the new parking for the YMCA.

Barry Siegal stated that this project would create direct two-line access to Piermont Drive and ease into Horse Pen Creek Road with a right turn, which will reduce the traffic impact through the YMCA property. Other projects they have developed maintain reasonable traffic access with roughly this density level, and the TIA states this development will maintain current levels of service. He stated that they believe the density requested is reasonable given the improvements they intend to make and the work GDOT has done in the area.

Mr. Bryson asked if the other developments Ms. Williams had been referencing have similar arrangements of neighbors with dense activity and sensitive concerns about traffic. Ms. Williams stated

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that the New Garden development has adjacent office and medical uses, and the Winston-Salem development is in a heavily commercial area with a shared traffic flow and uses shared commercial parking lots with common access easements similar to what they are proposing here. Mr. Bryson asked Ms. Williams to confirm the level of traffic of neighboring parcels for the other developments she mentioned, and Ms. Williams stated there was substantial traffic around those areas but she did not have the traffic counts available.

Vice Chair Bryson then advised anyone speaking in opposition had 5 minutes for rebuttal.

Sophia de Vries, 3110 Horse Pen Creek Road on behalf of Noble Academy, stated that the requested density is unreasonable for this area. More multi-family residential housing in the area would be sensible, but not at this level of intensity. Adding traffic to Piermont Drive and turning it into a cut-through for YMCA traffic makes them concerned about the safety of their students. She stated the school is grade levels 1-12 and many of the students have learning disabilities, and asked the City to consider this and make changes to the flow of traffic in the area.

Ron Kohler displayed a photograph of Horse Pen Creek Road around his school during the evening and stated that he did not see how a cut-through of a highly dense multi-family development's parking lot would improve traffic flow. Davenport conducted the TIA in February and June during the widening of Horse Pen Creek Road, with workers limiting it to a one-way road, and this may make the results not indicative of the true state of traffic on Horse Pen Creek Road now. He stated that the density of this request would make traffic unmanageable in the community.

Ms. Skenes stated that the TIA material she had available shows a date of July and September and asked when the applicant conducted the TIA. Mr. Kohler stated he learned from conversations with Davenport that the studies happened in February and June and the facts compiled and presented in July and amended in September. Mr. Kohler asked the applicant to conduct a new TIA. Ms. Skenes asked Mr. Kirkman to confirm if that was accurate, and Mr. Kirkman stated that GDOT has specific information about the traffic counts.

Deniece Conway, on behalf of GDOT, confirmed that the engineers conducted TIA counts while construction was underway and that when a road is under construction they will sometimes add historical data with adjustment formulas but she is unsure of their use in this case. Ms. Skenes stated that if the TIA counts are from while Horse Pen Creek Road was under construction, the levels of service would be unacceptable.

Dionne Brown stated that they conducted the counts while school was in session in February for a different development, and in June. They completed the report in July and updated it in September after a request from GDOT regarding the planned access to the YMCA parking lot. She stated that to account for the construction on Horse Pen Creek, they applied adjustment factors based on historical data, and that a 2% or more growth rate is also always applied for future build volume scenarios.

Ms. Magid asked Mr. Segal if the plan called for the additional YMCA parking on the strip of land in request Z-10-007 and if it this would be complete before their project begins. Mr. Segal stated that the additional parking would be two additional rows down the length of the strip. Ms. Magid asked if the cars would be departing past the current rows of cars to turn right on Hanberry Drive and Horse Pen

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Creek. Mr. Segal stated that access from the YMCA's current drive would have access to their development and give the YMCA access to Piermont. Ms. Magid asked if all of the new parking for the YMCA would be on that new piece of land, and Mr. Segal stated that was correct. Ms. Magid asked if entry and egress from his development would be directly through the parking, and Mr. Segal stated that was correct, but they have not finalized the site plan yet. He stated that the development would not require all parking to go through the YMCA property, and that much of it would likely go through Piermont Drive. Ms. Magid asked about the applicant's development on New Garden Road, and Mr. Segal stated it would be very similar using the site's slope, but with additional access points.

Sophia de Vries stated that her school's students were not at school in June, so the TIA did not account for the full impact of their traffic.

Ms. Skenes asked about the plan associated with this request. Mr. Carter stated that staff distributed the UDP to Commissioners following TRC approval, and Mr. Kirkman displayed the UDP. Ms. Skenes stated the UDP showed the three access points on the parking lot side, very close to the traffic lanes around the YMCA parking.

Mr. Kohler stated that there has been no discussion of the impact on the schools in the area.

Mr. Buansi reminded the Commissioners that the Planning and Zoning Commission is required to make decisions solely based on land use and impact on surrounding properties. Ms. Magid asked if this would only be a recommendation given the number of Commissioners, and Mr. Buansi said that was correct. Ms. Magid asked if the Commission could offer a continuance. Mr. Kirkman stated that could not be offered by Staff, but the applicant could request a continuance.

Ms. Skenes asked to clarify that density applies to Commission decisions, and Mr. Buansi stated she was correct that density could always be a consideration of the Commission.

With opposition rebuttal time expired, Vice Chair Bryson closed the public meeting.

Mr. Bryson stated he was familiar with that area, and was uncomfortable with the proposed density given the variety of uses surrounding the subject property and new multi-family development in the area. He stated that given that neighbors were under a misconception during the applicant's outreach, more discussion should take place, and he cannot support the request as presented.

Mr. Egbert stated that he has lived on Horse Pen Creek Road and visited that YMCA regularly. The City has many busy streets, and the density proposed is reasonable given the sustained increased activity in the area. He stated he supports the request.

Ms. Skenes noted the density bothers her, and that she cannot remember the Commission approving anything with a "D", "E" and "F" level of service. She also stated that the PUDs the Commission has approved in the area previously are of a much lower density than this request.

Ms. Magid then stated regarding agenda item Z-22-10-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road; all of 3238 and 3240 Horse Pen Creek

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Road; and all of 4209 and 4213 Piermont Drive from CD-PI (Conditional District – Public and Institutional) and R-3 Residential Single-family – 3) to PUD (Planned Unit Development) to be consistent with the adopted GSO2040 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 surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Egbert seconded the motion. The Commission began a vote, which Ms. Skenes and Ms. Magid voted against and Mr. Kirkman asked Ms. Magid to clarify if she meant to use the motion language to approve the request. Realizing the mistake the Commission abandoned this motion.

Ms. Magid then stated the request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of 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, and denial is in the public interest. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert).

Mr. Buansi stated this was not a final action, and was a recommended denial for the City Council.

Ms. Magid then made a motion to deny the associated UDP. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert). Vice Chair Bryson advised the denial constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

Ms. Skenes asked if the Commission could vote on Z-22-10-007, given that they seem to be related. Mr. Buansi stated they were related, but separate requests.

Ms. Skenes then stated regarding agenda item Z-22-10-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as a portion of 3234 Horse Pen Creek Road from R-3 (Residential Single-family - 3) to PI (Public and Institutional) to be consistent with the adopted GSO2040 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 PI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (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. Mr. Alford seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approval constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

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Vice Chair Bryson advised there would be a 5-minute break at 8:02 p.m., and the meeting resumed at 8:08 p.m.

PL(P) 22-26: A street closure request for Washington Road from the Southern Right-of-way Line for Fremont Drive and southwestward to its terminus (± 410 feet); Fremont Drive from the Eastern Right-of-way Line for Guilford College Road southeastward to the western Right-of-way line for Oak Avenue (± 645 feet); and Oak Avenue from the Northern Right-of-way line for Fremont Drive southwestward to the northern Right-of-way line for Sapp Road (± 375 feet).

Mr. Carter reviewed the information for the request and stated that property owners bordering 98% of the road right-of-way had signed the request for street closing. He noted the conditions necessary for the city to consider when closing a street and stated that TRC recommended approval of the street approval request at its September 23 meeting with the follow condition:

1. Street closures shall become effective upon the recording of a plat in the Guilford County Register of Deeds that combines all of the lots with frontage Washington Road, Fremont Drive, and Oak Avenue with abutting property so that the resultant lot or lots have frontage and direct vehicular access to a public street.

Mr. Carter stated that staff recommended approval.

Vice Chair Bryson inquired if there were questions from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Brian Wise, 7010 Cross Hook Court, Summerfield, speaking on behalf of Fall Line Development, stated that the streets in question were never constructed. There is no current access, as they exist only on paper. He stated he is willing to prepare a new plat according to the condition proposed by TRC.

Mr. Carter noted Mr. Egbert has left the meeting, and asked if the Commission had a quorum to proceed. After consultation between staff and the City Attorney, Mr. Kirkman stated that staff was attempting to contact Mr. Egbert to regain a quorum. Vice Chair Bryson asked if they would have to continue the last two items, and Mr. Kirkman stated they would. Vice Chair Bryson asked when Mr. Egbert left the meeting, and Mr. Kirkman stated he did not know.

Mr. Bryson tabled the item.

**ITEMS FROM PLANNING DEPARTMENT:
GSO2040 Comprehensive Plan Update and East Gate City Boulevard Study**

Russ Clegg presented the second annual update for the GSO2040 Comprehensive Plan. He stated that the Greensboro Planning Department was proud to announce it had won the American Planning Association's prestigious Daniel Burnham Award for Comprehensive Plans. He gave a summary of current conditions and stated that no trends indicate a need for significant amendments to the comprehensive plan. Many projects in progress are working toward the plan's Big Ideas, indicating a tangible connection between the City's goals and actions. Mr. Clegg noted that staff determined there is

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sufficient maintenance of industrial land to keep Greensboro economically productive. There has also been a large increase in annexations for residential uses along with significant infill development. He stated that Planning is looking ahead to work with Greensboro's communities to achieve sustainable growth.

He then presented the East Gate City Boulevard study and detailed the community outreach measures taken and the study's key findings. Staff heard a need to help strengthen community identity by improving wayfinding and working with the arts community to emphasize the history and culture of the area. He stated that staff anticipated the Windsor-Chavis project would have a significant impact on the area, serving as a hub for the neighborhoods and beyond across the region while maintaining access to services for the people who live there. Mr. Clegg stated Planning was working to connect residents of the neighborhood to utilize resources from Neighborhood Development and Code Compliance for reinvestment in the area while Planning completes its redevelopment goals. Reshaping East Gate City Boulevard under Complete Streets principles to increase transportation access is a priority, as this becomes a major transit hub. He stated that they were using the activity centers identified in the GSO2040 Comprehensive Plan and encouraging development in the area that adds land uses currently missing and taking advantage of opportunities to diversify the stock of housing. Planning is conducting a survey and a draft of the plan will be available soon, to be reviewed in November and December for a vote by City Council in January.

Mr. Kirkman stated that Mr. Egbert has reconnected to the meeting.

PL(P) 22-26: A street closure request for Washington Road from the Southern Right-of-way Line for Fremont Drive and southwestward to its terminus (± 410 feet); Fremont Drive from the Eastern Right-of-way Line for Guilford College Road southeastward to the western Right-of-way line for Oak Avenue (± 645 feet); and Oak Avenue from the Northern Right-of-way line for Fremont Drive southwestward to the northern Right-of-way line for Sapp Road (± 375 feet). (RECOMMENDED APPROVAL)

Vice Chair Bryson asked if there was anyone else to speak in favor of the request. Hearing none, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the application. Hearing none, Vice Chair Bryson closed the public hearing.

Vice Chair Bryson made a motion to recommend the street closing with the condition referenced. The Commission seconded the motion by assent. The Commission voted 5-0, (Ayes: Egbert, Skenes, Magid, Alford, Bryson; Nays: 0). Vice Chair Bryson advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, November 15, City Council meeting.

ITEMS FROM COMMISSIONERS:

None.

ADJOURNMENT:

Vice Chair Bryson asked about next month's caseload, and Mr. Kirkman stated that it is six so far. Ms. Skenes asked about the training session. Mr. Kirkman stated that staff has not yet set a date but is working toward it. Ms. Magid asked if staff will send a notification about dates, and Mr. Kirkman stated they would. Vice Chair Bryson asked for staff and Legal for clarification about when the Commission

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should receive communications on the day of meetings. Ms. Skenes agreed staff is doing what it needs to do by passing information on to the Commission, but it might be better to have late information included in the packets as opposed to piecemeal via e-mail. Vice Chair Bryson stated he would prefer that, and Ms. Skenes stated it would be easier for staff as well. Ms. Magid asked what the cutoff point would be, and Vice Chair Bryson stated he wanted to establish one. Ms. Skenes stated she did not mind getting the information, but that late e-mails are hard to process, and suggested a time of 5 p.m. on Friday. Vice Chair Bryson stated he supported that, and he thought some applicants may send information at the last minute on purpose, and this would allow the Commission to better review late material. Ms. Magid stated she thinks this happens a lot, and supported having last-minute information added to their packets. Mr. Kirkman stated that staff needed to discuss procedures and determine what they can do.

Vice Chair Bryson adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 8:38 p.m.