

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
JANUARY 18, 2023**

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 Wednesday, January 18, 2023, beginning at 5:36 p.m. Members present were Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Mary Skenes, Zac Engle, Catherine Magid, Vernal Alford, Erica Glass, and Andrew Egbert. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), and Brent Ducharme (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.

Brent Ducharme, Assistant City Attorney, then advised that the Planning and Zoning Commission makes determinations based on land uses allowed under the proposed zoning district and, where applicable, any proposed conditions. Land use concerns can be wide reaching, and impacts on public infrastructure such as traffic may be relevant when a rezoning would allow new land uses. However, all other factors not related to land use and conditions of the rezoning application are not germane to the determinations by the Commission, but can be referred to the Planning Department or Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Vice Chair Bryson advised that Mr. Peterson was unable to attend the meeting.

APPROVAL OF THE DECEMBER 19, 2022 REGULAR MEETING MINUTES: (APPROVED)

Vice Chair Bryson requested approval of the December 19, 2022 meeting minutes. Chair O'Connor made a motion to approve the December meeting minutes as presented. Ms. Magid seconded the motion. The Commission voted 5-0-3, (Ayes: Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0; Abstention: Alford, Engle, and Magid).

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised that there were two requests for continuance, Z-23-01-005 (1921 New Garden Road and PL(P) 23-02, Z-23-01-009 and Z-23-01-010.

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Marc Isaacson, 804 Green Valley Road, on behalf of the applicant for item Z-23-01-005, was requesting a 30-day continuance after hearing concerns from neighbors during a neighborhood meeting. He stated that the applicant would be meeting with their engineers and utility service providers and needed the continuance to complete that process.

Mr. Egbert then made a motion to continue item Z-23-01-005, seconded by Chair O'Connor. The Commission voted 8-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

Traci Dusenbury, 2615 Anderson Highway Powhatan, Virginia, on behalf of Halcon Companies, stated she was requesting a continuance to conduct a neighborhood meeting.

Cheryl McIvor, 404 West Montcastle Drive, stated that she was in favor of the continuance and appreciates the opportunity to work with the developer. She stated that the subject property abuts a highway and that noise and traffic is a concern for the neighborhood.

Mr. Engle then made a motion to continue items PL(P) 23-02, Z-23-01-009 and Z-23-01-010, seconded by Ms. Skenes. The Commission voted 8-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition and were eligible for the expedited agenda. These items were Z-23-01-001 (1120 and 1124 North Church Street), and PL(P)23-03 and Z-23-01-011 (portion of Alamance Church Road right of way). Ms. Magid then made a motion to expedite those items and reorder the agenda, seconded by Mr. Alford. The Commission voted 8-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson asked if anyone in attendance or online wished to speak in opposition to either of those items. Hearing none, he noted these items would be addressed through expedited review.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-23-01-001: A rezoning request from PI (Public and Institutional) and LI (Light Industrial) to PUD (Planned Unit Development) and consideration of the associated Unified Development Plan for the properties identified as 1120 and 1124 North Church Street, generally described as east of North Church Street and north of East Northwood Street (6.44 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 these properties as Urban Central on the Future

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Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework 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. The proposed rezoning also supports the Growing Economic Competitiveness goal to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed PUD zoning district would permit a variety of Medical Facility and Office uses along with supporting uses that are complementary to existing uses on adjacent tracts. 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.

Marc Isaacson, 804 Green Valley Road, on behalf of Lindberg Development, stated this request was to facilitate the development of a new medical office building. He stated the applicant sent letters to the adjacent property owners but received no significant feedback.

Vice Chair Bryson asked for any objections to the request. Hearing none, Vice Chair Bryson closed the public hearing.

Chair O'Connor then stated regarding agenda item Z-23-01-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 1120 and 1124 North Church Street from PI (Public and Institutional) and LI (Light Industrial) to PUD (Planned Unit Development) and consideration of the associated Unified Development Plan 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. Ms. Skenes seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Chair O'Connor then made a motion to approve the associated Unified Development Plan, seconded by Ms. Skenes. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

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PL(P) 23-03 & Z-23-01-011: An annexation and original zoning request from County AG (Agricultural) to City HI (Heavy Industrial) for the properties identified as Right-of-way across the frontage of 1447-A and 1453 Alamance Church Road, generally described as northeast of Alamance Church Road and southeast of Faircrest Lane (0.32 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman stated that the City was making this request to establish jurisdiction for the maintenance of recent road improvements in the area. Mr. Kirkman then reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this property as Urban General and as Residential 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 Industrial in order to ensure an appropriate fit between future land use designation and zoning. 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 HI zoning district is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The proposed original zoning request is solely for road right of way to allow for future City maintenance and matches the existing zoning within other sections of Alamance Church Road right-of-way. 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. He 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 properties. Mr. Alford seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-01-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as Right-of-way across the frontage of 1447-A and 1453 Alamance Church Road from County AG (Agricultural) to City HI (Heavy 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 HI 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 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

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Mr. Kirkman noted that this constituted a favorable recommendation from the Commission and the City Council will vote on these items.

OLD BUSINESS:

Z-22-12-003: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) for the properties identified as 4401-4409-B Abner Place, generally described as south of Abner Place and west of Fairfax Road (1.569 acres). (APPROVED)

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 applicant wished to add two additional conditions to the request, as follows:

3. Exterior building materials shall consist of a minimum of 66% brick or brick veneer.
4. Where allowed, a maximum 4-foot tall non-opaque fence shall be installed between any buildings or structures and Fairfax Road.

Mr. Egbert lost network connection and left the meeting at approximately 6:11 p.m.

Mr. Engle moved to accept the new conditions, seconded by Ms. Skenes. The Commission voted 7-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Vice Chair Bryson; Nays: 0).

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

Amanda Hodiern, 804 Green Valley Road, Suite 200, on behalf of Alexa's Rentals LLC, stated that the subject property is currently zoned R-5, and that while Fairfax Road is predominately industrial on its west side and residential on the east, the area has a mix of uses and there are residential uses directly adjacent to the subject property. She displayed aerial photography of the area and stated that the Fairfax Road corridor has a variety of uses in close proximity. Ms. Hodiern then displayed street-level photography of the area and stated that while there was significant Heavy Industrial zoning adjacent to the subject property, the character of the area is pleasant and many of the proximate uses to the request are more akin to an office park or business center than traditional heavy industry. The area has a variety of building styles and heights. She displayed an illustrative sketch plan of the site and stated it was a single multi-family building with density no higher than 36 dwelling units, and that the applicant would be required to construct sidewalk and pedestrian improvements. Ms. Hodiern displayed conceptual architectural elevations and stated it was fitting with the character of the neighborhood. Displaying the proposed conditions associated with the request, she noted that the height of any structures would be limited to 50 feet, the same as that of the adjacent R-5

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single-family residential district. She stated they conducted outreach in the neighborhood and were continuing to seek feedback on issues of importance in the area.

Ms. Skenes asked Ms. Hodiernie to display the sketch plan, and asked if vehicular access would only be on Fairfax Road. Ms. Hodiernie stated that was correct per their plan, but final requirements will be set by TRC during the development review process.

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

Dennis Howard, 3305 Gaston Road, stated that he owns industrial property in this area. He stated that the industrial uses in the area are heavy and intense and putting high-density multi-family dwellings in this area is unsuitable as all properties on the west side of Fairfax Road are industrial. One hundred people or more could live at this development, with 50 or more vehicles parking in a small property. Mr. Howard stated that no buildings in the area are 50 feet high, and that the proposed development will be twice as high as most properties on Fairfax Road. The subject property is not fit for high-density multi-family residential use, and it is more suited for industrial uses.

Mr. Engle asked what the height restriction was in the Heavy Industrial zoning district. Mr. Kirkman stated it was 50 feet adjacent to residential districts and no height limits adjacent to other zoning districts.

Vice Chair Bryson inquired if there was anyone else wishing to speak in opposition. Hearing none, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Ms. Hodiernie stated that this request is an example of infill development as encouraged by the GSO2040 Comprehensive Plan. The uses in the area are already mixed, and this development is compatible with the existing environment. She stated that this proposal would not have much impact on the neighborhood's infrastructure and that there is no pressing need for strict separation of uses in this area.

Vice Chair Bryson inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, Vice Chair Bryson advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Howard stated that he has developed property in this area for 30 years and that established members of a neighborhood have an interest in its character. This proposed use would threaten his properties' potential for future industrial uses, and it does not make sense to put dense multi-family residential dwellings in the midst of the industrial uses in the area.

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

Ms. Skenes stated that the multi-family dwellings on Fairfax Road are already very tall and the proposed use is within the character of the area. She stated that cities around the country are encouraging mixed use such as this, and she believes the request is compatible with the GSO2040 Comprehensive Plan.

Mr. Engle asked about the staff recommendation regarding the request. Mr. Kirkman stated staff recommended approval.

Mr. Alford stated that after visiting the subject property, he does not believe the density is reasonable in the area and he cannot support the request.

Mr. Engle stated he agreed with Ms. Skenes and finds that the mixed uses in the area make the request reasonable. He stated that any future heavy industrial uses would already have to be compatible with the existing residential uses.

Mr. Egbert confirmed he was able to rejoin the meeting in progress and noted he was able to hear comments from applicants and opponents.

Ms. Skenes then stated regarding agenda item Z-22-12-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 4401-4409-B Abner Place from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) 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-26 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 7-1, (Ayes: Magid, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: Alford). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 22-43 & Z-22-12-005: An annexation and original zoning request from County CZ-HB (Conditional Zoning - Highway Business) to City CD-RM-18 (Conditional District - Residential Multi-family – 18) for the property identified as 3510 Liberty Road, generally

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described as west of Liberty Road, north of Edgemont Road, and east of Old US Highway 421 (24.07 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 Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed original 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 CD-RM-18 zoning district allows moderate intensity residential uses that support nearby industrial uses and are also compatible with various nearby residential uses. 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. 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.

Mike Fox, 400 Bellemeade Street, Suite 800, on behalf of the Koury Corporation, stated that the Commission continued this request in December and the applicant has reduced the scope of the proposal following communication with the neighborhood. The revised request calls for a maximum of 386 dwelling units, approximately half what was previously proposed. He stated that the subject property is adjacent to a future Interstate and located in a corridor that will add significant employment in the area in the coming years. The increase in the City's workforce needs associated increases in housing. Mr. Fox stated that this area is in the Tier 1 growth region and the request is a good buffer for the single-family residential uses behind the highway. He stated that they conducted two neighborhood meetings, where they heard concerns about traffic. The main access point will be on Edgemont Road and the secondary access point will be on Liberty Road. Having the primary access point on Highway 421 should reduce congestion in the Edgemont Road area. He stated that the applicant has worked with its traffic engineering firm, GDOT, and NCDOT to ensure that traffic will be manageable. The applicant is happy to work with the neighbors to address pre-existing safety concerns. Mr. Fox stated that the applicant intends to have a design suitable to the area, and that the existing County Highway Business zoning would permit very intense commercial uses compared to the residential use proposed. He stated that he believes the request is compatible with the GSO2040 Comprehensive Plan.

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Ms. Skenes asked if the future interstate designation would affect access on Edgemont Road. Mr. Fox stated it will not, and that the signal to the north of the subject property would remain.

Ms. Magid asked if there were any prospective renderings of the project. Mr. Fox stated there were no architectural renderings available yet, but displayed an illustrative sketch plan of a potential layout for the development.

Vice Chair Bryson then asked if anyone else wished to speak in favor of the request.

Alan Branson, 3731 Old Julian Road, Julian, stated that he does not oppose the multi-family residential use in this area, but he supports additional traffic safety measures at this intersection of US 421.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request.

Bethany Boring, 3201 Liberty Road, stated that she has lived in the neighborhood for 3 years and moved to the area for its rural character, and believes most of her neighbors live there for that reason. The uses in the area are predominately very low density single-family residential, and the request would be up to 18 times as dense. She stated that while the applicant has reduced the scope, the neighbors believe there will be a second phase of development in the future that will create significant disruption. Ms. Boring stated that the requested density does not fit the area, and that smaller homes would be more suited. While the subject property is currently zoned Highway Business, there are significant restrictions conditioned to it. She stated that a Highway Business use could potentially provide benefit to existing residents in the area, which this request will not.

Delzora Able, 3110 Renard Road, stated she was concerned about traffic safety on Liberty Road. The density of the request would add significant traffic to an already unsafe situation, where neighbors have died in motor vehicle accidents. She stated that the proposed density does not fit with the nature of the neighborhood. Ms. Able stated that barriers could not mitigate the noise from the highway, and the increased residents in the area would increase traffic. She stated that the request would have an adverse impact on wildlife in the area.

Vice Chair Bryson inquired if there was anyone else wishing to speak in opposition. Hearing none, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Mr. Fox stated that the applicant conducted a Transportation Impact Analysis (TIA) with input from GDOT and NCDOT. Growth in this area is inevitable and if traffic conditions warrant improvements, the responsible agencies will often add them in rapidly developing areas.

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Vice Chair Bryson inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, Vice Chair Bryson advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Boring stated that she did not receive notification of the original neighborhood meeting. The developers stated in the second meeting that traffic would be less of an issue with the growth of work-from-home employment, but that the new workforce in the area will mostly be in-person manufacturing. She stated that Liberty Road would be subject to increased overflow traffic when the highway becomes an interstate. Ms. Boring stated that there are no sidewalks in the area and the neighborhood is not walkable at all. Since GTA does not have service in the area, a dense development like this will add automobile traffic. She stated that despite the TIA, the neighbors are highly concerned about traffic.

Vice Chair Bryson asked if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Vice Chair Bryson closed the public hearing.

Mr. Engle asked if the applicant would be required to add sidewalks. Mr. Kirkman stated the applicant would be responsible for infrastructure improvements and would be required to add sidewalks.

Ms. Skenes asked to clarify how much responsibility the applicant would have for sidewalk construction. Mr. Kirkman stated it would be on the frontage of the subject property along Edgemont and Liberty Roads. Ms. Skenes asked if the area would receive GTA service when annexed. Noland Tipton stated that GTA would need to show demand to add new bus routes or modify existing routes.

Mr. Engle asked about staff's recommendation of the request. Mr. Kirkman stated staff recommended approval.

Ms. Skenes stated that this request qualifies as a downzoning, and the current conditions permit all uses in the County Highway Business zoning district. She stated that access to main thoroughfares around the subject property is good, and that the Commission cannot make decisions based on what might happen in the area in the future. Ms. Skenes stated that there are existing multi-family residential uses in the area, and she can support the request given the demand for housing in the City.

Ms. Magid stated she agreed with Ms. Skenes.

Mr. Engle stated that he appreciated the input from Ms. Boring and that with the proximity to Old US 421, the need for housing makes this request reasonable.

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Mr. Engle then made a motion to annex the property. Ms. Skenes seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

Mr. Engle then stated regarding agenda item Z-22-12-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 3510 Liberty Road from County CZ-HB (Conditional Zoning - Highway Business) to City 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. Alford seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, February 21, 2023 City Council meeting.

Vice Chair Bryson stated the Commission would take a 10-minute break starting at 7:21 p.m. and the meeting resumed at 7:34 p.m.

NEW BUSINESS:

Z-23-01-002: A rezoning request from CD-C-M (Conditional District - Commercial – Medium) to CD-LI (Conditional District - Light Industrial) for the property identified as 2604 East Wendover Avenue, generally described as south of East Wendover Avenue and west of Waugh Street (1.6 acres). (DENIED)

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 property as Urban Central on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request does not support the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas nor the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods, including protections against incompatible industrial encroachments. The proposed CD-LI request, even with offered conditions, introduces uses that are not compatible with the predominantly residential surrounding land uses and of a greater scale than other nonresidential uses that provide services to the surrounding neighborhood. Staff recommended denial of the request.

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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.

Brooks Langley, 5955 Rock Quarry Road, McLeansville, stated that he is requesting rezoning to sell the subject property. Zoned as CD-C-M, he has been unable to sell it for 10 years. He stated that he is requesting the Light Industrial zoning district because it is not significantly different to the current zoning but opens opportunities for the subject property. Mr. Langley stated it has been vacant for a long time, and he has repeatedly dealt with illegal dumping on the property. The Light Industrial zoning district opens up mixed uses in the area to increase employment opportunities and add to the City's growth. He stated that his request would ultimately serve the neighborhood. Mr. Langley stated that many uses available in the Light Industrial zoning district are not doable for this property, and that would limit potential objectionable uses.

Mr. Engle asked if the applicant had a prospective buyer. Mr. Langley stated he did not. Mr. Engle asked about the conditions associated with the request. Mr. Langley stated that the subject property's topology and configuration would not be suitable for many other uses. Mr. Engle asked why the applicant did not limit any of the uses in the light industrial zoning district but instead specified a number of vehicles. Mr. Langley stated that he previously had an interested buyer potentially operating an auto storage yard use on the subject property, and that he is limiting the capacity for that use in the request. Mr. Engle stated that he was concerned the use may constitute spot zoning, given that there are no similar uses in the area. Mr. Langley stated that the property is unlikely to be suitable for many of the uses in the Light Industrial zoning district, and he is attempting to appeal to a potential buyer.

Vice Chair Bryson asked if there was anyone else to speak in favor of the request.

Alan Branson, 3731 Old Julian Road, Julian, stated that he believes the applicant intends to put the subject property to a constructive use and is not asking for anything unreasonable.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request. Hearing none, Vice Chair Bryson closed the public hearing.

Mr. Engle stated that the Commission has recently denied rezoning requests to Light Industrial districts in residential areas not suitable for the zoning. The Commission must look at all uses allowed by right on the subject property. He stated that he could not approve it as conditioned, because too many available uses are incompatible with the neighborhood. He stated that the current conditions on the CD-C-M zoning limit the subject property significantly, and he could

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support expanding the uses in the C-M district, but he cannot support this. Mr. Engle stated that he could consider a more carefully conditioned application.

Ms. Skenes stated that the request and the condition to the specific use make it unreasonable. She stated a number of available objectionable uses would be allowed that would be incompatible with the neighborhood, and suggested that the applicant should structure a future rezoning request to meet the character of the community. Ms. Skenes stated that based on the conditions offered by the applicant, it appears the applicant has a potential purchaser for the subject property wishing to operate a vehicle salvage yard use, and that use would be incompatible with this neighborhood.

Chair O'Connor stated she agreed with Mr. Engle and Ms. Skenes, and is sympathetic to the applicant. She recommended that the applicant research the existing zoning, but she cannot support the request given the subject property's neighborhood.

Ms. Magid thanked the applicant for speaking tonight, and advised the applicant to consider the full spectrum of potential uses for the area, including residential.

Ms. Magid then stated regarding agenda item Z-23-01-002, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 2604 East Wendover Avenue from CD-C-M (Conditional District - Commercial – Medium) 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district 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. Chair O'Connor seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-01-003: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-12 (Conditional District - Residential Multi-family – 12) for the properties identified as 1208-1210 Valleyview Street, generally described as east of Valleyview Street and north of Wooddale Lane (0.43 acres). (APPROVED)

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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 this 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 Comprehensive Plan's Filling in Our Framework strategy to encourage higher density, mixed-use, walkable infill development and 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-12 zoning district restricts uses to the existing number of dwelling units on the property. This rezoning request also allows uses that are compatible with existing residential uses and densities 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.

Roderick Adams, 3219 Pleasant Garden Road, stated that he purchased the subject property in 1998 and subsequently converted an accessory structure into a dwelling. The 2018 tornado in the area damaged the subject property, and he is requesting the rezoning to rebuild the previous four units in compliance with the Land Development Ordinance.

Ms. Skenes asked the applicant if the subject property previously had two duplexes, and Mr. Adams stated that was correct. Mr. Adams stated that he could not sell the individual parts of the property because of the current zoning.

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

Lisa LeGrand, 1220 Valleyview Street, stated that after speaking with the applicant, she understands his plans and she no longer opposed the request.

Vice Chair Bryson inquired if there was anyone else wishing to speak in opposition to the request. Hearing none, Vice Chair Bryson then inquired if the applicant or anyone else in favor wished to speak in rebuttal. Hearing none, Vice Chair Bryson closed the public hearing.

Mr. Alford stated that he was glad the applicant explained the situation and he can support the request.

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Mr. Engle stated he also appreciated the applicant's work to condition the request to make his intentions clear.

Vice Chair Bryson asked about staff's recommendation. Mr. Kirkman stated staff supported the request, and it resolves a zoning violation.

Mr. Alford then stated regarding agenda item Z-23-01-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 1208-1210 Valleyview Street from R-5 (Residential Single-family – 5) 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. Engle seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-01-004: A rezoning request from R-3 (Residential Single-family – 3) to LI (Light Industrial) for the property identified as 8517 Cider Road, generally described as south of Cider Road and west of Sandy Ridge Road (2.98 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map. The Western Area Plan designates this property as Employment Area. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed 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 uses permitted in the proposed LI zoning district are consistent with those in the surrounding area. Staff recommended approval of the request.

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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.

Norris Clayton, 1306 West Wendover Avenue, on behalf on Benjamin Tacuba, stated that the applicant bought the subject property in 2020 with the goal of moving his construction business to Greensboro. He stated that the applicant operates 5 dump trucks that gather construction debris and transport it to approved landfills. Clients rarely visit the applicant's office. The applicant will use the subject property to store the vehicles when not in use, with no storage of refuse or other material on site. He stated the applicant conducted a neighborhood meeting, and he did not note significant opposition to the request.

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

Tommy Smith, 308 Old Mill Road, High Point, stated that rezoning could negatively influence neighboring properties. He stated that a recent rezoning in the area created stormwater issues damaging his property at Cider Road. He does not oppose this zoning request, but hopes the Commission can do more to take into account stormwater concerns in future requests.

Vice Chair Bryson stated that he is sympathetic to Mr. Smith, but the Commission cannot consider stormwater mitigation issues in land use decisions. Mr. Smith asked whose purview it was, given the significant negative impact on his properties.

Mr. Ducharme stated that the Commission's review is regarding land use, and not site development requirements.

Ms. Magid stated that the City Council could be an avenue for redress of his concerns.

Vice Chair Bryson inquired if there was anyone else wishing to speak in opposition to the request. Hearing none, Vice Chair Bryson then inquired if the applicant or anyone else in favor wished to speak in rebuttal.

Mr. Clayton stated that the applicant intends for the subject property to have a low intensity of development that would be unlikely to contribute to stormwater drainage issues in the area.

Vice Chair Bryson inquired if there was anyone else wishing to speak in support of the request. Hearing none, Vice Chair Bryson then inquired if anyone in opposition wished to speak in rebuttal. Hearing none, Vice Chair Bryson closed the public hearing.

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Ms. Magid then stated regarding agenda item Z-23-01-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 8517 Cider Road from R-3 (Residential Single-family – 3) to 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 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. Mr. Engle seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O’Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-01-006: A rezoning request from CD-RM-8 (Conditional District - Residential Multi-family – 8) to CD-RM-18 (Conditional District - Residential Multi-family – 18) for the properties identified as 208 West Fisher Avenue and portions of 703, 705, and 707 North Greene Street, generally described as north of West Fisher Avenue and west of North Greene Street (0.375 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 GSO2040 Comprehensive Plan designates the property as Urban Central within an Urban Mixed-Use Corridor on the Future Built Form Map. The GSO 2040 Comprehensive Plan also designates the property as Residential and Commercial on the Future Land Use Map. Staff determined 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 CD-RM-18 zoning district would permit additional residential uses in close proximity to a variety of residential and nonresidential uses near the downtown area. This zoning also allows for an appropriate transition between lower intensity single-family residential uses and moderate to higher intensity office and religious assembly uses, while also allowing for the preservation of a historically significant structure to be relocated to this site if the zoning is approved. 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.

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Amanda Hodierne, 804 Green Valley Road, Suite 200, stated that the subject property was previously under consideration for a townhouse development. The Historic Preservation Committee put a one-year delay on the project in an attempt to preserve an historic structure on the subject property. She stated that thanks to an effort between neighbors and the Planning department, the applicant would relocate the historic structure to a part of the subject property, restoring it to its historic multi-family residential use. This zoning request is required to allow the overall density between an existing multifamily quadplex and the relocated house. Ms. Hodierne displayed a photograph of the subject property from an architectural history book of Greensboro, and stated that the historic structure on the subject property is one of the oldest residences in the Fisher Park neighborhood. She stated that the applicant sent letters to the neighborhood, and they have received no negative feedback regarding the request.

Cheryl Pratt, 910 Magnolia Street, board member of Fisher Park Neighborhood Association (FPNA), stated that they have been working on this for over a year and that the group is very pleased with the outcome of the effort. She stated this is the first time in many years that FPNA has been supportive of a density increase. This request is reasonable to them, as it preserves the historic character of Fisher Park while increasing Missing Middle housing options in their neighborhood.

Ms. Skenes congratulated all parties involved for the success of this effort.

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

Brooks Shippen, 210 West Fisher Avenue, stated that she was no longer in opposition, and wanted to clarify the impact on her property and others on Simpson Street. She stated that there are multiple easements on her property, and she is concerned about potential issues with new development on this block.

Vice Chair Bryson asked if Ms. Shippen received any communications from the applicant, and Ms. Shippen stated she did. Vice Chair Bryson advised her to communicate with staff. Mr. Kirkman stated that staff is continuing work on this development and offsite impact will be a part of the technical review process.

Vice Chair Bryson inquired if there was anyone else wishing to speak in opposition to the request. Hearing none, Vice Chair Bryson then inquired if the applicant or anyone else in favor wished to speak in rebuttal. Hearing none, Vice Chair Bryson closed the public hearing.

Mr. Engle stated that he is excited about this preservation effort, and that FPNA's support is indicative of the effort taken to do this right.

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Mr. Engle then stated regarding agenda item Z-23-01-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 208 West Fisher Avenue and portions of 703, 705, and 707 North Greene Street from CD-RM-8 (Conditional District - Residential Multi-family – 8) 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 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. Chair O'Connor Seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Mr. Egbert again lost network connection and left the meeting at some point before 8:58 p.m.

Z-23-01-007: A rezoning request from CD-C-M (Conditional District - Commercial – Medium) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 4200 & 4206 United Street, generally described as northeast of United Street and northwest of Ashland Drive (0.97 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. He then advised the applicant wished to add six additional conditions to the request as follows:

3. Required vegetation materials for any street planting yard fronting United Street shall be of evergreen material for year round screening.
4. The exterior of the existing buildings shall be painted in earth-toned colors.
5. Freestanding exterior lighting shall be limited to 25 feet in height and be located no closer than 30 feet to the right-of-way of United Street.
6. No freestanding signage shall be permitted within 30 feet of the right-of-way of United Street.
7. This site shall only be open to the public between 7:00am and 8:00pm.
8. Prohibited fence materials shall include barbed wire and chain-linked/woven wire.

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Mr. Engle moved to accept the new conditions, seconded by Chair O'Connor. The Commission voted 7-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Vice Chair Bryson; Nays: 0).

Mr. Kirkman stated the GSO2040 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 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 requested CD-C-M (Commercial – Medium) zoning district, allows additional commercial uses for an existing commercial zoned tract and incorporates conditions to limit negative impacts on adjacent and nearby residential properties. 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.

Mr. Egbert was able to rejoin the meeting in progress at some time before 9:01 p.m.

Marc Isaacson, 804 Green Valley Road, on behalf of Christopher Robinson, stated that the applicant wished to add additional detail to the second condition as follows:

2. Any outdoor storage of equipment or material must be fully screened from ground level view. This condition shall not apply to automobile display areas located along Ashland Drive.

Chair O'Connor moved to accept the new conditions, seconded by Ms. Magid. The Commission voted 8-0: (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0).

Mr. Isaacson stated that the applicant operates automobile sales in the City. He stated that Hardin Oil used the subject property for decades and it now has a perpetual land use restriction imposed on it by the State's Department of Environmental Quality (DEQ) due to a notice of residual petroleum. Accordingly, the subject property may never have residential development or some other uses. With the removal of the underground storage tanks and additional remediation measures in accordance with DEQ requirements, the applicant seeks to utilize the subject property responsibly, subject to the environmental restrictions. He displayed an aerial photograph from 1974 showing the previous intensive industrial petroleum use. He stated that the subject property was rezoned CD-C-M (Conditional District - Commercial – Medium) in

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2007, and has been used by a plumbing contractor. One of the conditions in that rezoning was a prohibition of automobile sales uses. Mr. Isaacson displayed a current aerial photograph and stated that the subject property is in close proximity to Wendover Avenue and Holden Road, and has had significant traffic in its current use. He stated that the applicant conducted neighborhood outreach and held a neighborhood meeting. Neighbors expressed concern about the impacts on United Street, and the applicant has proposed to add significant additional buffering and orient the use on the subject property toward Wendover Avenue and away from United Street as well as prohibiting objectionable fencing, signage, and lighting. He stated that the CD-C-M zoning district allows for a broad variety of uses, and the proposed conditions restrict them significantly. Mr. Isaacson stated that the applicant expects 4 to 6 customers a day and anticipates little significant repair work on the vehicles for sale. He stated that while there is a residential neighborhood in proximity to the subject property, it is at the end of a street facing a major thoroughfare, and the applicant has conditioned the request to account for that.

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

Andrew Shoffner, 4204 Princeton Avenue, stated that the restriction against automobile sales is important to the Highland Park neighborhood. He stated that the current owner of the subject property previously attempted to remove the restriction on automobile sales in 2012, which City Council denied. Highland Park supports development, including commercial development. He stated that the applicant does not provide sufficient traffic or environmental impact information to alleviate their concerns. Mr. Shoffner stated that he had been unaware of the petroleum restriction, and that the proposed use could reintroduce new petroleum contamination. He stated that some neighbors did not receive notice of the request. He stated that the automobile sales use with its proposed hours of operation is particularly objectionable to the neighborhood, even with the proposed screening, given that a primary point of ingress and egress to the neighborhood is at this intersection. He stated that the current use of the subject property has been damaging to the neighborhood, and flooding is a significant concern in this area in recent years, as any effluent from the subject property will flow into Buffalo Creek. There are no sidewalks or pedestrian facilities and bike lanes in the area. Mr. Shoffner stated the neighborhood believes this proposal could create hazards for bicyclists and pedestrians as the traffic signal situation in the area is unacceptable and this request may exacerbate this pre-existing significant traffic problem. He stated that the lack of a traffic impact study and environmental impact analysis is concerning.

With opposition speaking time expired, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

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Mr. Isaacson stated that removing the automobile sales restriction from the zoning conditions is reasonable given the applicant's proposed additional conditions intended to limit impacts on United Street. He stated that under GDOT guidance, no TIA was required. Given the more intensive commercial uses possible, the proposed use is unlikely to increase traffic volume significantly. The required site plan review under TRC will include environmental considerations. Mr. Isaacson stated that the applicant would be required to install sidewalk improvements. He then displayed illustrative renderings of a potential site configuration, and displayed how the subject property could look as seen from United Street with the conditioned development requirements.

Ms. Skenes asked if the applicant has experience with the automobile sales business. Mr. Isaacson stated that the applicant has an established business already and this would be an expansion into a second location.

Vice Chair Bryson inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, Vice Chair Bryson advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Shoffner stated that the request does not contribute to sustainability or growing the economic competitiveness of his neighborhood. The neighborhood has only two primary entrances for traffic and any increase in commercial activity will intensify the pre-existing safety concerns at the Holden Road/Ashland Drive intersection. He stated that paving the subject property, which is currently a permeable surface, would create additional stormwater runoff in the area. Mr. Shoffner stated that the neighborhood is concerned about the future of the subject property and degradation of the neighborhood if the Commission grants the request.

Vice Chair Bryson inquired if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Vice Chair Bryson closed the public hearing.

Mr. Engle asked if a vape shop or mattress store would be permissible in the current zoning district. Mr. Kirkman stated that both of them are currently available on the subject property by right. Mr. Engle asked if the subject property was in a flood plain. Mr. Kirkman stated it was not, and that maps indicate the flood plain was to the southeast at the intersection. Mr. Engle stated that approximately a third of Greensboro drains into Buffalo Creek. He stated that this is a difficult decision, and he generally does not support automobile sales in close proximity to residential uses, but this is different because of the subject property's situation. Many potentially objectionable uses could happen on the subject property, and he hopes the neighbors and the applicant continue to collaborate.

Chair O'Connor stated that she is sympathetic to the neighbors. While environmental concerns are not part of the Commission's review, its interaction with land use is, and the subject property

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is under significant restrictions. She stated that the applicant has clearly tried to find acceptable restrictions to make its proposed use as unobjectionable to the neighborhood as possible, and she will support the request.

Ms. Skenes stated that she had often driven by this intersection and it has been in need of improvement for a long time. The area has significant traffic already, and contemporary automobile purchasing habits mean that there is unlikely to be an unreasonable increase of traffic to the area. She stated that the conditions are very comprehensive and demonstrate a willingness to work with the neighborhood, and she can support the request.

Ms. Magid stated that she was initially wary about the request. When she visited the subject property, there was a motor vehicle accident at the intersection of Ashland Drive and Holden Road, which is a difficult interchange. She stated that the additional conditions allow her to be comfortable with the request.

Chair O'Connor then stated regarding agenda item Z-23-01-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 4200 & 4206 United Street from CD-C-M (Conditional District - Commercial – Medium) to 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 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. Engle seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, February 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-01 & Z-23-01-008: An annexation, original zoning and rezoning request from County AG (Agricultural) and City R-3 (Residential Single-family – 3) to City CD-HI (Conditional District - Heavy Industrial) for the properties identified as 3923, 3927, and 3929 Presbyterian Road (Formerly known as 3820-Y, 5006, and 5006-R1 East Lee Street), generally described as south of I-85 and north of Presbyterian Road (18.1 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

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GSO2040 Comprehensive Plan designates these properties as Planned Industrial on the Future Built Form Map and Residential on the Future Land Use Map. If this annexation and original zoning request is approved, the Future Land Use designation for the subject site is considered to be amended to Industrial in order to ensure an appropriate fit between future land use designation and zoning. 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 CD-HI zoning district 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.

Marc Isaacson, 804 Green Valley Road, on behalf of Greensboro Land Development Partners OZ II, LLC, stated that the applicant owns the heavy industrial development to the south, and this request is to reconcile the small, remnant subject properties. The proximity to the Interstate makes this use reasonable. Mr. Isaacson stated that they conducted a neighborhood meeting where neighbors expressed no significant opposition.

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 properties. Mr. Engle seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-01-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning and rezoning request for the properties identified as 3923, 3927, and 3929 Presbyterian Road (formerly known as 3820-Y, 5006, and 5006-R1 East Lee Street) from County AG (Agricultural) and City R-3 (Residential Single-family – 3) to City CD-HI (Conditional District - Heavy 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 CD-HI 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 interests. Mr. Engle seconded the motion. The Commission voted 8-0, (Ayes: Magid, Alford, Engle, Skenes, Chair O'Connor, Glass, Egbert, Vice Chair Bryson; Nays: 0). Vice Chair Bryson

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advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, February 21, 2023 City Council meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

In response to a question from the Commission, Mr. Kirkman stated there was a fairly lengthy agenda next month as well.

Mr. Carter stated that the April Commission meeting would be moved due to a conflict with City Council meeting and they were looking at Wednesday April 19.

Mr. Kirkman stated that Planning staff is meeting with City Council next week and they will have more information about special meetings previously discussed to evaluate a proposed short term rentals ordinance. Ms. Skenes asked if there were still likely to be two meetings, and Mr. Kirkman stated that was a possibility.

ITEMS FROM COMMISSIONERS:

Vice Chair Bryson wished everyone a Happy New Year.

ADJOURNMENT:

Vice Chair Bryson adjourned the meeting.

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

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FEBRUARY 20, 2023

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, February 20, 2023, beginning at 5:36 p.m. Members present were Chair O'Connor, Vice Chair Bryson, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, Andrew Egbert, Erica Glass, and Zac Engle. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised that there were no absences.

APPROVAL OF THE JANUARY 18, 2023 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the January 18, 2023 meeting minutes. Ms. Magid made a motion to approve the January meeting minutes as presented, seconded by Vice Chair Bryson. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0).

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WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mike Kirkman advised there was a request for a continuance for rezoning case Z-23-01-005, 1921-A New Garden Road.

Marc Isaacson, 804 Green Valley Road, on behalf of the applicant, requested a continuance until the April 10 meeting as they continue to work with neighbors and their engineering team to settle landscaping matters around Brassfield Road. He stated that the applicant is collaborating with the City and Duke Energy to settle their plan, and he has heard no opposition from any of the stakeholders to the continuance.

Ms. Magid then made a motion to continue item Z-23-01-005, seconded by Vice Chair Bryson. The Commission voted 9-0: (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0).

EXPEDITED AGENDA:

Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-02-001, 736 South Chimney Rock Road, PL(P) 23-04 & Z-23-02-003, 9064 West Market Street, Z-23-02-004, 2012 McKnight Mill Road, Z-23-02-005, 1209-1211 Lombardy Street, Z-23-02-006, 2200 Sixteenth Street, Z-23-02-010, 1803 Mount Hope Church Road, and Z-23-02-011, 5410 Millstream Road. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda accordingly.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-23-02-001: A rezoning request from R-3 (Residential Single-family – 3) to HI (Heavy Industrial) for the property identified as 736 South Chimney Rock Road and a portion of the South Chimney Rock Road Right-of-way, generally described as north of South Chimney Rock Road and north of Federal Drive (2.291 acres). (APPROVED)

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 rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. It also supports the goal of increasing and preserving the inventory of developable sites compatible with corporate and industrial uses. The proposed HI zoning district is primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The uses permitted in the proposed HI zoning district

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are consistent with surrounding uses and zoning and the applicant intends to incorporate this property into the existing operations to north, east and west of the subject site. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Brian Pearce, 800 Green Valley Road, on behalf Colonial Pipeline, stated that they have contacted neighbors and not heard any feedback regarding the request.

Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Peterson then stated regarding agenda item Z-23-02-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 736 South Chimney Rock Road and a portion of the South Chimney Rock Road Right-of-way from R-3 (Residential Single-family – 3) to HI (Heavy 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 HI 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 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-04 & Z-23-02-003: An annexation and original zoning request from County AG (Agricultural) to City LI (Light Industrial) for the property identified as 9064 West Market Street, generally described as northeast of West Market Street and northwest of Sandy Ridge Road (4.07 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 Urban General on the Future Built Form Map. The Western Area Plan's Future Land Use Map designates this property as Employment Area. 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

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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.

Chair O'Connor asked for any questions or comments from the Commissioners.

Ms. Skenes asked about access to the subject property. Mr. Kirkman stated there would be access via the adjacent property to the south with its existing industrial development.

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. Peterson. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-02-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 9064 West Market Street from County AG (Agricultural) 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 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: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting.

Z-23-02-004: A rezoning request from R-3 (Residential Single-family – 3) to CD-RM-8 (Conditional District - Residential Multi-family – 8) for the property identified as 2012 McKnight Mill Road, generally described as south of McKnight Mill Road and east of Sixteenth Street (11.38 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

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GSO2040 Comprehensive Plan designates this 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 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-8 zoning district would allow a variety of residential dwelling types such as 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. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Chair O'Connor then asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Alford then stated regarding agenda item Z-23-02-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 2012 McKnight Mill Road from R-3 (Residential Single-family – 3) to CD-RM-8 (Conditional District - Residential Multi-family – 8) 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-8 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. Mr. Bryson seconded the motion. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-02-005: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-5 (Conditional District - Residential Multi-family – 5) for the properties identified as 1209-1211 Lombardy Street, generally described as west of Lombardy Street and southwest of Ingleside Avenue (0.42 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 GSO2040 Comprehensive Plan currently designates this property as Urban Central on the

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Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places goal to create a citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The request also supports the Comprehensive Plan's Filling In our Framework goal to arrange our land uses where we can live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro. The proposed CD-RM-5 zoning district is primarily intended to accommodate multi-family and similar residential uses at a density of 5 units per acre or less. As conditioned, this rezoning request allows uses that are compatible with existing uses and densities existing in the surrounding area. The request also addresses one of the Phillips-Lombardy Redevelopment Plan's goals to eliminate blighting factors including deficient lot platting. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Narayan Bakthisaran, 30 North Gould Street, Sheridan, Wyoming, stated that this request was to support the construction of a twinhome on the subject property. He received a favorable recommendation from the Redevelopment Commission of Greensboro at their January 4 meeting.

Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Peterson then stated regarding agenda item Z-23-02-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 1209-1211 Lombardy Street from R-5 (Residential Single-family – 5) to CD-RM-5 (Conditional District - 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 proposed CD-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 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

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Z-23-02-006: A rezoning request from LI (Light Industrial) to CD-C-M (Conditional District - Commercial – Medium) for the property identified as 2200 Sixteenth Street, generally described as south of Sixteenth Street and east of US Highway 29 (1.48 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 GSO2040 Comprehensive Plan designates this site 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 Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed rezoning also supports the Filling in Our Framework strategy of ensuring mixed use projects add both strength and value to the Community. The proposed CD-C-M would allow a variety of retail, restaurant, office and services uses while specifically prohibiting Bars, Nightclubs, and Brewpubs, Sexually Oriented Businesses, and any use with the a Drive-through Facility. This request is consistent with the existing development in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Chair then asked for any objections to the request. Hearing none, she closed the public hearing.

Ms. Magid then stated regarding agenda item Z-23-02-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for property identified as 2200 Sixteenth Street from LI (Light Industrial) to 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 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. Alford seconded the motion. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

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Z-23-02-010: A rezoning request from BP (Business Park) to CD-C-M (Conditional District - Commercial – Medium) for the property identified as 1803 Mount Hope Church Road, generally described as south of I-40/85 and east of Mount Hope Church Road (0.74 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 GSO2040 Comprehensive Plan designates this property as Urban General 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 Filling in Our Framework goal to attract world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. The proposed CD-C-M zoning district, as conditioned, limits permitted uses to all uses allowed in the C-M district except animal shelters, amusement and water parks, campgrounds, recreational vehicle parks, pawnshops, sexually oriented businesses, automobile towing and storage, laundry and dry cleaning plants, and junked motor vehicles. Rezoning this property will provide additional supporting uses to this area while not negatively impacting the existing large corporate research and manufacturing campus to the east of the subject property. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Chair O'Connor then asked for any objections to the request. Hearing none, she closed the public hearing.

Vice Chair Bryson then stated regarding agenda item Z-23-02-010, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for property identified as 1803 Mount Hope Church Road from BP (Business Park) to 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 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: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such

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appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-02-011: A rezoning request from BP (Business Park) to CD-C-M (Conditional District - Commercial – Medium) for the property identified as 5410 Millstream Road, generally described as north of Mount Hope Church Road and southeast of Millstream Road (12.05 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 GSO2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General (approximately the western corner) and Planned Industrial (remainder). The Comprehensive Plan's Future Land Use Map designates the subject property as Commercial (approximately the western corner) and Industrial (remainder). 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 Filling in Our Framework goal to attract world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. The proposed CD-C-M zoning district limits permitted uses to all uses allowed in the C-M district except animal shelters, amusement and water parks, campgrounds, recreational vehicle parks, pawnshops, sexually oriented businesses, automobile towing and storage, laundry and dry cleaning plants, and junked motor vehicles. The proposed rezoning will allow uses that are complimentary to uses present in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Chair O'Connor then asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Peterson then stated regarding agenda item Z-23-02-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for property identified as 5410 Millstream Road from BP (Business Park) to 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 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. Alford seconded the motion. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford,

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Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

OLD BUSINESS:

PL(P) 23-02 & Z-23-01-009: An Annexation and original zoning request from County RS-30 (Residential Single-family) to City CD-RM-12 (Conditional District - Residential Multi-family – 12) for the property identified as 511 Kallamdale Road and a portion of Kallamdale Road, generally described as south of Kallamdale Road and north of I-85 (4.837 acres). (RECOMMENDED APPROVAL)

Z-23-01-010: An original zoning request from County RS-30 (County Residential Single-family) to City RM-12 (Residential Multi-family – 12) for the property identified as a portion of Kallamdale Road east of Randleman Road (0.803 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. He then advised the applicant wished to add 2 additional conditions to the request, as follows:

2. At least 80% of the dwelling units shall be used for multi-family for the elderly (age 55 years of age and up).
3. Where permitted, a wrought iron or black aluminum fence (with gate) having a minimum height of 4 feet shall be located along the perimeter of the property.

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

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 original zoning request supports the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The request also supports the Creating Great Places strategy of meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed CD-RM-12 zoning district will allow multi-family and other residential uses at a density similar to uses already in existence in the surrounding area. Staff recommended approval of the request.

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Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Traci Dusenbury, 2615 Anderson Highway, Powhatan, Virginia, on behalf of Halcon Companies, stated that they asked for a continuance last month to meet with neighbors, and the second meeting allowed them to develop their new conditions based on neighborhood feedback. She stated they intend to continue outreach and work toward a Community Use Agreement before the request goes before Council.

Mac Sims, 601-B East Market Street, on behalf of East Greensboro Now, stated that his organization is in favor of this request, as he believes it will support affordable housing for seniors in the area.

Cheryl Mclvor, 404 West Montcastle Drive, thanked the applicant for the additional meeting, and stated that she appreciated the additional security and safety measures added to the request.

Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Vice Chair Bryson then made a motion to annex the property, seconded by Mr. Peterson. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Mr. Bryson then stated regarding agenda item Z-23-01-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 511 Kallamdale Road from County RS-30 (Residential Single-family) to City 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 City 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: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Vice Chair Bryson then stated regarding agenda item Z-23-01-010, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as a portion of Kallamdale Road east of Randleman Road from County RS-30 (County Residential Single-family) to City RM-12 (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;

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(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; (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: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting.

NEW BUSINESS:

Z-23-02-007: 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 5806 Brass Eagle Loop, generally described as north of Brass Eagle Loop and southwest of Long Valley Road (8.99 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 GSO2040 Comprehensive Plan designates the property as Urban General within an Urban Mixed-use Corridor on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places goal to create interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed CD-R-7 zoning district is compatible with uses present in the surrounding area and would increase the range of choice and supply of housing in this area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of Granville Homes, displayed a zoning map of the immediate area and stated that there are no plans to develop the adjacent City-owned Parkland and Natural Resource Area (PNR) zoned property. This neighborhood, particularly to the west, has a mix of densities and uses, and the request is a moderate density increase that he believes is compatible with the GSO2040 Comprehensive Plan. He displayed aerial photography of the neighborhood illustrating the heavily wooded nature of the area, and stated that this existing dense, mature vegetation meant the proposed development would have little visual impact on adjacent properties. Mr. Isaacson displayed an illustrative sketch plan, and noted that an underground biocell stormwater retention system will buffer the property to the north and would be over 100 feet away. While the applicant is requesting the R-7 zoning district, the net density proposed is just over 5 dwelling units per acre, and they are requesting this district because its development standards allow for more efficient dimensional configuration.

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He displayed a letter mailed to neighbors, and stated they held a neighborhood meeting with one attendant and he felt the concerns expressed there were addressed. Mr. Isaacson stated he has been in contact with nearby property owners and is attempting to work with them to address any additional concerns. He stated that he felt this request is compatible with the GSO2040 Comprehensive Plan's encouragement of moderately increased density where appropriate to diversify Greensboro's housing stock, and the request is in line with the development patterns of this neighborhood.

Chair O'Connor inquired if there were questions from the Commissioners.

Ms. Skenes asked about the density indicated on the sketch plan. Mr. Isaacson stated there were 45 homes.

Ms. Magid asked if 45 units would be acceptable on a 9-acre parcel in an R-5 district, and Mr. Kirkman stated that was correct.

Chair O'Connor requested those speaking in opposition to identify themselves and provide their address.

William Marshburn, 4693 Long Valley Road, stated that he was not aware of this request until seeing the zoning sign on Saturday. He stated he has lived in this area his entire life, and was commenting due to the annexation of the area in 2008. He has found historical artifacts in the area, and the parkland adjacent to the property is effectively now a swamp due to previous poor management and needs additional maintenance. Mr. Marshburn stated that he did not support single-family residential lot sizes below an acre.

Hannah Hieber, 8 Willow Ridge Court, stated she has lived in the area since 2012 and the neighborhood has been attempting to start a beautification effort for the swampy area for the last few years. She stated that she and other members of the community regularly hike and fish on the subject property and they oppose its development. She stated the schools in the area are already overloaded, and cannot support additional residents.

Mike Burger, 4502 Cardinal Cove Lane South, stated that the request's additional density is inappropriate for this neighborhood. Existing uses in the area are at the lower R-3 single-family residential density. He stated he believed the request was spot zoning and that the issue is not with development on the subject property but the increase in density. Mr. Burger stated that he hopes to continue his discussion with the applicant.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, she advised the applicant had 5 minutes for rebuttal.

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Mr. Isaacson stated that this request is the first step of the process, and further development review will address stormwater and traffic concerns. He displayed a zoning map of the area, and stated that the mix of residential densities in the area makes the request reasonable, and the request is within the guidelines of the GSO2040 Comprehensive Plan.

Mr. Alford asked about the scale of the map and how far the subject property is to the RM-5 districts in the neighborhood. Mr. Isaacson stated that it appeared approximately within view of the subject property, around 1,000 yards.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, she advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Berger stated that the RM-5 districts were more than 1,000 feet from the subject property and were not within view. He reiterated that he felt the requested density was inappropriate.

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

Ms. Skenes reiterated that school conditions are not within the land use considerations the Commission can review. She stated that she felt the requested density was reasonable, and that it was effectively 5 dwelling units per acre. This slightly greater density fits the desires stated by citizens' commenting on the proposed Fleming Road Area Plan, and she feels this request is a reasonable compromise she can support.

Ms. Magid stated that the Fleming Road Area plan is encouraging a mix of residential development densities and types, and she can support the request because the density is similar to that of the adjacent R-5 residential districts.

Vice Chair Bryson then stated regarding agenda item Z-23-02-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for property identified as 5806 Brass Eagle Loop from R-3 (Residential Single-family – 3) to CD-R-7 (Conditional District - Residential Single-family – 7) 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-R-7 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 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in

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writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor stated the commission would take a 15-minute break starting at 7:03 p.m.

The meeting resumed at 7:20 p.m.

PL(P) 23-05 & Z-23-02-008: An annexation and original zoning request from County AG (Agricultural) to City CD-R-5 (Conditional District - Residential Single-family – 5) for the property identified as 6450 and 6454 US Highway 29, generally described as east of US Highway 29 and north of Red Poll Drive (39.2 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 Exurban on the Future Built Form Map. If this original zoning and annexation request is approved, the subject site is considered to be re-designated to the Urban General place type. The GSO 2040 Comprehensive Plan designates the property as Residential on the Future Land Use Map. Staff determined the proposed original 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 City CD-R-5 zoning district allows uses that are similar to existing uses in the surrounding area and provides additional housing opportunities in this predominantly residential area. Staff recommended approval of the request.

Chair asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Amanda Hodierne, 804 Green Valley Road Suite 200, on behalf of Greenhawk Development, stated that the applicant has designed the request to match the development pattern of the existing adjacent Reedy Fork community but with slightly lower density. The conditions limit uses to only single-family dwellings and restrict the density below what the acreage would allow in the R-5 zoning district. She displayed a zoning map of the area and indicated the subject property's proximity to the large Reedy Fork mixed use Planned Unit Development. Displaying aerial photography of the area, Ms. Hodierne stated that the level of development is such that the existing infrastructure can readily support this request. The applicant is the developer of the Reedy Fork community and has an interest in maintaining the high quality and desirability of the area, and the subject property's location is important to maintain a contiguity of compatible uses. She displayed an illustrative sketch plan and stated that the proposed development is

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compatible with the development of the area, and that the applicant has added significant buffering to adjacent residences in excess of the development standards based on feedback from the neighborhood. Ms. Hodierna stated that the road network in the area will permit an adequate connection to McLeansville Road, and the City's development standards limit the maximum density to account for traffic considerations. She stated that the applicant sent out a letter to neighbors and they held a neighborhood meeting with 7 participants that was productive.

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.

Ned Keskin, 5125 Red Poll Drive, stated that the sole point of access to the subject property is a single-lane street, and his family has needed to move their vehicles parked near the street to facilitate emergency vehicle access. He stated that adding 125 homes off Red Poll Drive is unacceptable, and that it would only take a single disabled vehicle to block traffic access. His neighborhood is not against development on the property, but cannot support it with a single point of ingress and egress.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, she advised the applicant had 5 minutes for rebuttal.

Ms. Hodierna stated that she has spoken with Greensboro Fire Department Chief Jim Robinson and confirmed that the streets in the area meet City standards for emergency vehicles. On-street parking issues are a matter for the HOA management. She stated that the subject property is subject to the 100-lot rule for a single point of access and this request follows that development standard.

Ms. Skenes asked about the access road parallel to US Highway 29 when it becomes an Interstate. Ms. Hodierna stated that the final design would be subject to the State Department of Transportation's (NCDOT) wishes, but that her understanding is that there will be a sufficient access road, and her client will have the ability to negotiate with NCDOT for traffic flow considerations. Ms. Skenes asked if the access road would be able to provide access to the subject property and the recently rezoned property. Ms. Hodierna stated that was correct, and the previous zoning request was conditioned as requiring an outlet on McLeansville Road before lots could be platted. Ms. Skenes asked if Red Poll Drive will extend out to the access road, and Ms. Hodierna stated she was unsure but that it would not be necessary with the new construction. Ms. Skenes asked if these were standard width residential streets, and Ms. Hodierna stated that was correct.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, she advised anyone speaking in opposition had 5 minutes for rebuttal.

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Mr. Keskin stated that there is a large elevation gradient of at least 30 feet between the end of Red Poll Drive and the potential access road, and that full connectivity is not realistic. He stated that he believes that adding more density off this single access point guarantees severely dysfunctional traffic flow.

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

Vice Chair Bryson asked about the elevation issue. Noland Tipton stated that the NCDOT service road would not go past Red Poll Drive and there is planning for access to the adjacent property to the north. Ms. Skenes stated that Red Poll Drive is a separate consideration to the proposed access road. Mr. Tipton stated that Red Poll would eventually be accessible through the property to the north. Ms. Skenes asked if the access road would provide a route out of the neighborhood running parallel to US Highway 29, and Mr. Tipton stated that was correct.

Vice Chair Bryson asked if this was an NCDOT or Greensboro Department of Transportation (GDOT) project, and Mr. Tipton stated it was NCDOT responsibility as it upgrades US Highway 29 to Interstate standards north of the Greensboro Urban Loop, removing access and intersections and constructing an interchange to control access. Vice Chair Bryson asked if there was a schedule for these build-outs, and Mr. Tipton stated there was not.

Ms. Skenes asked if NCDOT would build these changes after the development of parcels in the area, and Mr. Tipton stated he understood it is a high priority for NCDOT.

Ms. Magid asked when the subject property's construction would be completed. Ms. Hodiernie stated that subject to approval, construction could begin late fall or later this year and it would happen alongside the northern properties.

Ms. Skenes asked if the intention was to do design work and preconstruction planning simultaneously with the northern properties. Ms. Hodiernie stated design work would likely be simultaneous with phased platting.

Ms. Magid then made a motion to annex the property, seconded by Ms. Skenes. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-02-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 6450 and 6454 US Highway 29 from County AG (Agricultural) to CD-R-5 (Conditional District - Residential Single-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

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Land Use Map; (2.) The proposed City CD-R-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. Mr. Peterson seconded the motion. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting.

PL(P) 23-06 & Z-23-02-012: An annexation and original zoning request from County AG (Agricultural) to City CD-RM-18 (Conditional District - Residential Multi-family – 18) for the properties identified as 3450 and 3456 McConnell Road, generally described as south of McConnell Road and west of Youngs Mill road (16.67 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's Future Built Form Map currently designates this property as Future Industrial. If this request is approved the designation will be changed to Urban General. The Comprehensive Plan's Future Land Use Map currently designates this site as Industrial. If this original zoning request is approved, the Future Land Use designation for the subject site is considered to be amended to Residential. Staff determined the proposed original 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 CD-RM-18 zoning district allows uses that are compatible with existing residential uses in the surrounding area and can provide housing support for the industrial uses located nearby. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Mr. Egbert asked if the condition displayed on the presentation was accurate for this request. Mr. Kirkman stated it was not, and read the correct condition:

1. Permitted uses shall include all uses allowed in the RM-18 zoning district except for the following: All Cemeteries.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request.

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Mike Fox, 400 Bellemeade Street Suite 800, on behalf of HHHunt, stated that the subject property is in a growing area of Greensboro and there has been significant development. Multiple large industrial projects are approved or under construction nearby, while the immediate proximity is more residential with multiple single-family neighborhoods abutting the A&T University Farm. He stated this neighborhood was a logical workforce housing site for employees who work in this area, and he believes this request is reasonable and fits in with these needs.

Philip Martin, 1401 Sunday Drive, Raleigh, on behalf of HHHunt, stated their company builds multiple types of residential communities and both builds and manages multi-family residential developments. He displayed aerial photography of the subject property and stated that its proximity to the Urban Loop makes it prime land for this kind of development. Displaying an illustrative sketch plan of the development, Mr. Martin stated the request would have a maximum density of 299 units. There would be two access points, primarily off Youngs Mill Road, and the primary and largest buildings would be set back inside the site to buffer them from the neighborhood. He stated that the growth in the area makes the need for workforce housing particularly significant. They held a neighborhood meeting in December with 5 participants and heard concerns about density and traffic. Mr. Martin stated that they have since completed their Transportation Impact Analysis (TIA), and the development will now include adding pedestrian improvements, widening McConnell Road, and adding right- and left-turn lanes into the site.

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.

Barbara Starr, 1211 Youngs Mill Road, stated she opposed this request. McConnell Road is a narrow, winding road and not suitable for this much added density. She stated that the significant agricultural activity in the area including the A&T Farm requires moving large farm equipment on the narrow roads, often taking up one and a half lanes of the road. Even if the other farming in the area ceases, the A&T Farm is going to remain, and the situation will only get worse with the new industrial development around McConnell Road. Ms. Starr stated that tractor-trailers could not turn into McConnell Road from Youngs Mill Road if passenger vehicles are at the intersection, and traffic visibility along the corridor is very poor. The neighborhood is heavily automobile dependent, and adding significant multi-family residential density is going to make traffic unreasonable. She stated that she is concerned about not being able to leave her driveway, and she felt this request was contributing to sprawl and imperils public service delivery. Ms. Starr stated this neighborhood was not suitable for this kind of development, and stated she could support single-family homes.

Mary Beth Feeny, 3453 McConnell Road, stated that her family has lived across the road from the subject property for 30 years, and understands progress necessitates development but

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some apartments built in the area recently have been of a low quality, are not maintained sufficiently, and there is a large problem with litter. She stated that the acceleration of development on McConnell Road has been at an insufficiently controlled pace. Ms. Feeny stated she could also support single-family homes, but adding 300 dwelling units is unreasonable. This part of Guilford County has significant wetland wildlife, and this development threatens that. She stated that the TIA does not accurately reflect the heavy traffic in the area, and while she understands that former agricultural lands in this neighborhood will change, this request is unacceptable.

John Lucas, 3455 McConnell Road, stated he is directly across McConnell Road from the subject property and his concern is the body of water on the subject property. His property has a 0.75-acre pond fed directly from the runoff of subject property's pond, and the impact of this development could be severe.

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

Mr. Peterson asked about improvements on Youngs Mill Road. Mr. Martin stated that they would be required to widen McConnell Road and Youngs Mill Road and build sidewalks on both, but currently they only plan to add turn lanes on McConnell Road.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, she advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Lucas reiterated that his property already has flooding issues with moderate rains, and that adding impervious surfaces to the subject property will negatively affect his family. He asked how far along McConnell Road would be widened, because the impact on the road would be significant. He stated that his family moved to this area for its rural character, and that he disagreed that this development is fitting with the neighborhood. Mr. Lucas stated that 300 units is a lot of population change to a rural community already struggling to keep up.

Ms. Starr asked about the property used to construct turn lanes. Mr. Tipton stated the applicant would need to dedicate Rights-of-way to the City. Ms. Starr asked to clarify that her she would not lose property for road improvements, and Mr. Tipton stated she would not.

Mr. Lucas asked if there was a plan in place for the stormwater runoff from the subject property. Mr. Kirkman stated that would be addressed through the site plan review process by TRC, and the applicant would be required to capture and mitigate runoff such that it would not make the local stormwater situation worse than it is currently. Chair O'Connor stated she understood the concern residents have about the impacts of development, and explained that the Commission's

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area of review is establishing land use, and the development review process by other departments of the City addresses some of these concerns.

Ms. Feeny stated that the requested RM-18 zoning district is too dense for the size of the subject property. She stated her neighborhood does not oppose single-family housing and townhomes in the area, but 300 units in this area makes the request unreasonable. Ms. Feeny stated that the currently existing traffic situation is unacceptable, and this stands to make it even worse.

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

Ms. Magid asked if the sidewalks on Youngs Mill Road would be on both sides of the street. Mr. Tipton stated it would only be on the applicant's side of the street.

Vice Chair Bryson then made a motion to annex the properties, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Vice Chair Bryson then stated regarding agenda item Z-23-02-012, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 3450 and 3456 McConnell Road from County AG (Agricultural) to City 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 City 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. Ms. Skenes seconded the motion. The Commission voted 9-0, (Ayes: Glass, Skenes, Alford, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting.

Z-23-02-013: A rezoning request from R-3 (Residential Single-family – 3) and CD-RM-8 (Conditional District - Residential Multi-family – 8) to CD-RM-18 (Conditional District - Residential Multi-family – 18) for the properties identified as 2903 Lawndale Drive, 2201, 2203, and 2205 Oak Hill Drive, generally described as south of Oak Hill Drive and west of Lawndale Drive (3.426 acres). (APPROVED)

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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 applicant wished to add 2 additional conditions to the request, as follows:

4. Residential uses shall be limited to a maximum of fifty (50) townhomes.
5. No structure shall exceed fifty (50) feet in height.

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

Mr. Kirkman stated the GSO2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General within an Urban Mixed-use Corridor. The Comprehensive Plan's Future Land Use Map designates the subject property as Residential and Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework strategy to encourage higher density, mixed-use, walkable infill development and support mixed-use that could strengthen and add value to the surrounding communities. 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 allows uses that are compatible with existing varied residential uses and densities and non-residential uses in the surrounding area and includes conditions to limit potential negative impacts on nearby residential uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Nathan Duggins, 400 Bellemeade, Suite 800, stated that the applicant has been active in improving the Lawndale Drive corridor in recent years. The applicant anticipated potential issues around the Lawndale Drive/Cone Boulevard interchange and after meeting with GDOT, they have worked extensively to solve access problems. He stated that their conditions require a right-out only controlled access configuration to reduce activity on Lawndale Drive, and this would reduce congestion. The applicant has had three neighborhood meetings with good levels of attendance, and has had many productive discussions with neighbors. Mr. Duggins stated that the neighborhood has existing high intensity RM-18 districts and they have conditioned their request with density and height restrictions below the maximum. He believes the requested density is reasonable and consistent for this neighborhood. After discussion with neighbors, they have conditioned this request to limit it to townhouse development. He stated that this request is a high-quality infill development adjacent to the Atlantic & Yadkin Greenway and high levels of commercial activity. He displayed an illustrative sketch plan of the site, and indicated that the applicant has tailored the layout to account for the conditions on Lawndale Drive. Mr.

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Duggins stated that there might be a public safety need for a second access on Oak Hill, but TRC will determine this in the development review process.

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.

Matt Cloer, 2218 Oak Hill Drive, stated that he understands the need for additional housing in the City, but he thinks safety needs to be a top priority, and his neighbors cannot support a development of this density on Oak Hill Drive. The speed limit on the street is 25 miles per hour, but commuters cutting corners regularly go up to double that. He stated that there have been multiple accidents on Oak Hill Drive, and the street cannot handle high volume traffic. Mr. Cloer stated that adding up to 100 cars to the narrow street will greatly increase the possibility of a pedestrian being injured. He stated that busy thoroughfares surround Oak Hill Drive and that he found it unfortunate that the applicant did not choose to conduct a TIA. Mr. Cloer stated that upgrading Oak Hill Drive would add significant expense to the City.

Paula Sieber, 2226 Oak Hill Drive, stated that she believes this request does not support the goals of the GSO2040 Comprehensive Plan because of the impact on existing residents, 80% of whom are 60 years of age or older. Many neighbors have invested decades in the area and she is concerned that the neighborhood will become very unsafe, as it is sandwiched between Cone Boulevard, Battleground Avenue, and Lawndale Drive. Ms. Sieber stated that encouraging cut-through traffic in this older neighborhood ribbon road does not make sense, and that 48 dwelling units of density on the subject property is not reasonable.

Donna Smith, 2213 Oak Hill Drive, stated that her biggest concern is safety. She uses the Atlantic & Yadkin Greenway every day and automobile drivers do not pay attention to pedestrian and bicycle traffic on the Greenway near Rollins Road. She stated that most of her neighbors are older, and adding extra traffic increases the chance of accidents. Ms. Smith stated has seen multiple crashes in front of her house in recent years.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, she advised the applicant had 5 minutes for rebuttal.

Mr. Duggins stated that the City did not require a TIA for this request, as it did not meet the trip generation threshold. He stated that he understands the neighbors' concerns, but the applicant feels this request will ultimately improve the traffic situation in the Lawndale Drive-Cone Boulevard area.

Ms. Skenes asked where the access on Lawndale Drive was. Mr. Duggins stated it would be in the southeast corner of the subject property where the existing driveway is with a controlled access gate. This would permit only egress from the subject property, right-out southbound onto

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Lawndale Drive. Ms. Skenes asked if northbound egress would be either right or left onto Oak Hill Drive, and Mr. Duggins stated that was correct. He reiterated that it is likely that emergency services may require a second access on Oak Hill Drive.

Mr. Peterson asked if the south entrance would have a blind spot for traffic from Lawndale Drive given its proximity to the old Sears building. Mr. Duggins stated that old Sears building driveway is south of the illustrative sketch, and is not displayed on the drawing. He displayed street-level photography of the subject property, and stated that the exit from the subject property would have full visibility of traffic on both directions on Lawndale Drive.

Chair O'Connor asked about street width. Mr. Tipton stated the current minimum width for a local residential street is 26 feet, and any subdivision or multi-family residential development on Oak Hill Drive is required to widen it at least 13 feet from the centerline.

Chair O'Connor inquired if there was anyone else in support wishing to speak in rebuttal. Hearing none, she advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Sieber stated that Lawndale Drive is a heavily traveled corridor, and has a very difficult and challenging on-ramp. She stated that Oak Hill neighbors try to avoid Lawndale due to the blind spot at the Cone Boulevard underpass and frightening rush hour traffic speeds. She stated that based on her conversations with the developer, secondary access on Oak Hill Drive would be for emergency vehicles only.

Mr. Cloer stated that the applicant held meetings but did not accept many of the neighborhood's requests. He stated that additional cut-through traffic is going to imperil the utility of the A&Y Greenway in this area, as it is already dangerous.

Mr. Alford asked about the location of Rollins Road. Mr. Cloer stated that it was a parallel connector off Battleground Avenue to Branchwood Drive, going across the A&Y Greenway.

Ms. Sieber stated Rollins is not a City-maintained road. Mr. Engle stated he believed Rollins Road was adjacent to an automobile parts retail use. Ms. Sieber stated that was correct, and that drivers are unsafe in this area.

Sharon Reittinger, 2210 Oak Hill Drive, stated that the previous daycare use did not have traffic access from both directions, because they had a right-out only via a one-way ramp. She stated that when neighbors park in the street it is dangerous when going over the blind hill.

Ms. Smith stated that most of the neighborhood uses Rollins Road to access Battleground Avenue.

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Mr. Cloer stated that in May of 2022, the Commission denied a similar request on a ribbon road and urged the Commission to deny this request as well.

Ms. Sieber stated that emergency vehicle access is already difficult in the area and additional traffic threatens to make it even worse.

With opposition rebuttal time expired, Chair O'Connor closed the public hearing.

Chair O'Connor asked if Oak Hill Drive could be determined to be too narrow after the fact of a rezoning approval. Mr. Kirkman stated that zoning could only require improvements to the frontage and dedication of Right-of-way.

Ms. Skenes stated that she was familiar with the subject property, and that it had zoning conditions for a maximum of 108 students in 1981. There was no left turn access into the daycare center. She stated that when she would visit the subject property, she would drive down Branchwood Drive and Oak Hill Drive and she knows that traffic would use those streets during AM and PM peak hours. Ms. Skenes stated that Oak Hill Drive has been able to absorb the traffic impact of the daycare, and the request is not necessarily adding to it. It is a quiet street, but she does not expect a more severe impact of the requested density as opposed to the previous use's intensity, and she can support the request.

Ms. Magid stated she can also support the request, but she knows that there have been long-standing congestion issues on Oak Hill Drive.

Chair O'Connor asked to display the newly added conditions, and stated that she appreciated the applicant's continuation of the request and negotiation with the neighborhood. The infill aspect of the request is a significant element in her support of it.

Mr. Engle stated that he drives in this area regularly, and understands the congestion concerns. He stated that the Willard Street request was different in that it was located in the interior of a neighborhood, whereas the neighborhood in this case has a ring of other intense uses in proximity and there was previously an intense use sited on the subject property. The added development standards allow him to be comfortable with the land use considerations of this request.

Mr. Alford stated that he was troubled by the request when he visited the subject property, and he cannot support it.

Vice Chair Bryson then stated regarding agenda item Z-23-02-013, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for properties identified as 2903 Lawndale Drive, 2201, 2203, and 2205 Oak Hill Drive from R-3

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(Residential Single-family – 3) and CD-RM-8 (Conditional District - Residential Multi-family – 8) 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. Ms. Magid seconded the motion. The Commission voted 8-1, (Ayes: Glass, Skenes, Magid, Peterson, Vice Chair Bryson, Chair O'Connor, Egbert, Engle; Nays: Alford). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, March 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM THE PLANNING DEPARTMENT:

Update on the East Gate City Boulevard Plan

Mr. Kirkman stated that the Commission would receive additional information from the Long Range division of the Planning Department regarding the plan. He reminded the Commission about the upcoming special meeting on March 1 for the LDO text amendment regarding Short Term Rentals.

Mr. Alford asked which cities in North Carolina have adopted similar STR regulations. Mr. Kirkman stated that several smaller communities have, as well as Asheville, Wilmington, Raleigh and Chapel Hill, with several other cities considering them.

ITEMS FROM COMMISSIONERS:

Ms. Skenes asked about the date for the June meeting. She stated that moving the meetings to Wednesdays complicates schedules for Commissioners, and asked staff to consider moving the meeting to the prior week's Monday, as there is sufficient time for public notice. Mr. Kirkman asked if Monday June 12 would be acceptable, and stated staff would be following up. Mr. Engle stated he also had issues with that Wednesday, and Mr. Kirkman stated that staff would look into this. Mr. Engle asked about the delivery times for the hearing books. Mr. Kirkman stated that staff would look into the mailing and ensure timely delivery for the next regular meeting. Chair O'Connor thanked staff for their effort. Ms. Skenes stated she understands it was a tough month due to the number of requests, and asked about next month. Luke Carter stated that there are 11 requests on next month's agenda.

ADJOURNMENT:

Mr. Peterson adjourned the meeting.

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There being no further business for the Commission, the meeting was adjourned at 9:19 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, March 20, 2023, beginning at 5:40 p.m. Members present were Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, Andrew Egbert, Erica Glass, and Zac Engle. Present for City staff were Mike Kirkman, Russ Clegg, Jeff Sovich, Luke Carter, and Rachel McCook (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

EXPEDITED AGENDA:

Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for expedited review. These items were Z-23-03-001, 1800 Efland Drive, Z-23-03-002 & PL(P) 23-07, 1208 Ranhurst Road, Z-23-03-003 & PL(P) 23-08, 4703 Trailwood Drive, and Z-23-03-008 & PL(P) 23-09, 5005 High Point Road. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

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APPROVAL OF THE FEBRUARY 20, 2023 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the February 20, 2023 meeting minutes. Ms. Magid made a motion to approve the February meeting minutes as presented, seconded by Vice Chair Bryson. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0).

PUBLIC HEARINGS:

NEW BUSINESS:

Z-23-03-001: A rezoning request from R-3 (Residential Single-family – 3) to R-7 (Residential Single-family – 7) for the property identified as 1800 Efland Drive, generally described as north of Efland Drive and west of Wynnewood Drive (0.36 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. 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 Comprehensive Plan's Creating Great Places goal to create interesting and attractive places and vibrant public spaces in neighborhoods across Greensboro and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed R-7 zoning district permits smaller lot single-family residential uses that are compatible with uses present in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Engle then stated regarding agenda item Z-23-03-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1800 Efland Drive from R-3 (Residential Single-family – 3) to R-7 (Residential Single-family – 7) 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 R-7 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 9-0. (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid

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within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Monday, April 17, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-07 & Z-23-03-002: An annexation and original zoning request from County RS-30 (Residential Single-family – 3) to City R-3 (Residential Single-family – 3) for the property identified as 1208 Ranhurst Road, generally described as east of Ranhurst Road and northwest of Frieden Church Road (0.45 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 Exurban on the Future Built Form Map and Residential on the Future Land Use Map. If this original zoning and annexation request is approved, the subject site is considered to be re-designated to Urban General. 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. It also supports a goal of the Prioritizing Sustainability Big Idea to ensure all residents benefit from fair and just treatment in the distribution of public services. The proposed 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 proposed original zoning request allows uses that are similar to existing uses in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Ms. Skenes asked about the City's ability to provide services to the subject property. Mr. Kirkman stated that TRC determined that levels of service would be sufficient and they recommended the annexation request.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Engle then made a motion to annex the property, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-03-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 1208 Ranhurst Road from County RS-30 (Residential Single-family – 3) to City R-3 (Residential Single-family – 3) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be

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reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City R-3 zoning district permits uses which fit the context of the surrounding area and limits negative impacts on the 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: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting.

PL(P) 23-08 & Z-23-03-003: 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 4703 Trailwood Drive, generally described as east of Trailwood Drive and southeast of Lockhaven Circle (0.95 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 this site 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. It also supports a goal of the Prioritizing Sustainability Big Idea to ensure all residents benefit from fair and just treatment in the distribution of public services. The proposed 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 proposed original zoning request allows uses that are similar to existing uses in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Chair O'Connor asked about the Greensboro Fire Department's ability to provide service to the subject property. Mr. Kirkman stated that GFD determined the level of service would improve.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Egbert then made a motion to annex the property, seconded by Mr. Peterson. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice

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Chair Bryson, Chair O'Connor; Nays: 0). Vice Chair Bryson then stated regarding agenda item Z-23-03-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 4703 Trailwood Drive from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family – 3) 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 R-3 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. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting.

PL(P) 23-09 & Z-23-03-008: An annexation and original zoning from County CZ-MXU (Conditional Zoning - Mixed-Use) to City CD-C-L (Conditional District - Commercial – Low) for the property identified as 5005 High Point Road, generally described as southeast of High Point Road and southwest of Roland Road (1.53 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 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 Economic Development goal to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Filling in Our Framework Big Idea strategy of ensuring mixed use projects both strengthen and add value to the community. The proposed CD-C-L zoning district allows a variety of lower intensity retail, service and recreation uses. 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.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Alford then made a motion to annex the property, seconded by Mr. Peterson. Mr. Engle thanked the applicant for their outreach efforts. The Commission voted 9-0, (Ayes: Glass,

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Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Mr. Peterson then stated regarding agenda item Z-23-03-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 5005 High Point Road from County CZ-MXU (Conditional Zoning - Mixed-Use) to City CD-C-L (Conditional District - Commercial – Low) 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-C-L 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. Engle seconded the motion. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting.

Z-23-03-004: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) the properties identified as 3307, 3309, and 3401-YY Yanceyville Street, generally described west of Yanceyville Street and west of Spry Street (10.7 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 this property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the rezoning request supports the Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we 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-RM-26 zoning district, as conditioned, would permit uses that are complimentary to those existing in the surrounding area. Yanceyville Street is a major thoroughfare and higher density residential development is best suited to be located along a major thoroughfare. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the low density residential on adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

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Vice Chair Bryson asked to review photography to the west of the subject property. Mr. Kirkman displayed those and noted the industrial uses shown in the presentation were across railroad tracks, fronting on Electra Drive behind a wooded area on the subject property.

Mr. Engle asked if staff was recommending approval or denial, and Mr. Kirkman confirmed staff recommended approval.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request.

Judy Stalder, 115 South Westgate Drive, on behalf of Carson Construction, stated that the applicant rezoned the property directly to the south in 2019 and in the intervening time saw an opportunity to improve their development plan by adding the subject property to the development. She displayed conceptual architectural elevations and stated that the design calls for buffering the large buildings away from single-family homes. Displaying an illustrative sketch plan, Ms. Stalder stated TRC had reviewed the plan and the closest adjacent single-family residential use will be near a single-level clubhouse building, well away from the main buildings. Mr. Engle asked to confirm that the sketch plan was illustrative and the applicant was not offering conditions based on this design. Ms. Stalder stated that was correct, and that there will be adjustments after TRC review. The applicant intends to use the adjacent property to the south to ensure internal circulation of traffic, and that with the topology of the site and grading, the main dwelling buildings will be 8 to 10 feet lower than adjacent properties.

She stated that the applicant conducted a neighborhood meeting, and neighbors expressed concerns about traffic, density, and building height. Ms. Stalder stated that Yanceyville is a major thoroughfare and the applicant conducted a Transportation Impact Analysis (TIA) even though it was not required, and included its recommendations as conditions of the zoning. She stated that the applicant is limiting density to roughly similar to the RM-18 district, and the current plan calls for buildings only one foot higher than the 50-foot limit in single-family residential districts. Mr. Engle asked to confirm the rezoning request did not include a condition regarding height, and Ms. Stalder stated that was correct. Mr. Kirkman confirmed the only current condition limited density. Ms. Stalder stated the applicant would be willing to offer the elevation specifications and height limit as conditions.

Ms. Stalder stated that the applicant was committed to the siding and characteristics in the proposed elevation entered into the record at the hearing and submitted to the Planning Department last week, and that building height shall be limited to a maximum of 51 feet. Ms. Skenes asked about the site plan's placement of buildings and amenities, and Ms. Stalder stated she could not commit to such a condition due to a lack of final TRC approval. Mr. Kirkman stated that the maximum building height is a reasonable condition, but design considerations are difficult to consider as part of the public hearing.

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Mr. Engle then made a motion to accept the new condition limiting maximum building height to 51 feet, seconded by Mr. Alford. The Commission voted 8-1, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Chair O'Connor; Nays: Vice Chair Bryson).

Ms. Stalder stated that there was a significant setback from the railroad for proposed buildings to limit potential noise and environmental considerations. She believes the request supports the goals of the GSO2040 Comprehensive Plan, and the size of the property allows the applicant to effectively transition from adjacent single-family residential uses to this multi-family dwelling use, and Yanceyville Street is a major thoroughfare and can support the proposal.

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.

Patricia Wagner, 3713 Yanceyville Street, stated that there are two railroad tracks in the vicinity, and this regularly blocks traffic on Yanceyville Street. The street is unsafe in this area, and the added density will make it worse. She requested traffic control signals to prevent automobile traffic in the subject property from exiting onto Yanceyville Street unsafely.

Leo Hodson, 3410 Yanceyville, stated that traffic on Yanceyville Street is very dangerous, and he regularly hears ambulances responding to accidents in the area, and the Cone and Yanceyville intersection is particularly bad. He requested infrastructure on Church Street or another nearby street to reduce traffic on Yanceyville Street.

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.

Ms. Stalder stated that the applicant conducted a TIA including the other properties zoned for multi-family residential use, and it calls for suggestions on driveway arrangement but no improvements to Yanceyville Street.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Wagner stated that the TIA does not take into account the number of serious accidents caused by speeding on Yanceyville Street. Vehicles leaving the subject property will have to cross multiple travel lanes of traffic and it will be hazardous.

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 suggested that the speakers in opposition meet with their City Council representative to continue the discussion of their concerns.

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Mr. Engle asked if a TIA was required for this application, and Noland Tipton stated that the maximum number of units available by right in the RM-26 zoning district required a TIA. Mr. Engle asked to confirm the City's standards for TIAs, and Mr. Tipton stated that the TIA considers traffic one year beyond the estimated buildout date based on historical patterns with anticipated growth rates and development in the area. The applicant's TIA followed all City guidelines and traffic engineering standards and found that Yanceyville Street could support this request. Mr. Engle asked if neighbors could request the full TIA, and Mr. Tipton stated that citizens could request a meeting with the Greensboro Department of Transportation (GDOT) to review details and explain technical considerations with the TIA. Mr. Engle asked about an entrance off Church Street. Mr. Tipton stated that he does not believe the applicant owns property along Church Street and the railroad is unlikely to allow a new crossing.

Vice Chair Bryson stated that he supported adding housing to Greensboro, but as a resident of this neighborhood, he cannot support the requested density. He stated that this site is on a blind curve, and Rankin Elementary School is on Spry Street is directly in front of the subject property. He asked for clarification on how TRC will ensure appropriate safety mechanisms to account for the chronic speeding problems on Yanceyville Street.

Mr. Engle stated that he had concerns about the request before the hearing tonight, but the applicant had largely addressed them. He felt the requested density was reasonable, particularly with the newly added height condition, and that he could support the request.

Ms. Skenes stated that she could not support the requested density. The character of the neighborhood does not support the RM-26 zoning district, and given the traffic issues brought up by neighbors, she could possibly support RM-18 but not this request.

Mr. Egbert stated that it does not make sense to set standards based on pre-existing zoning. He visited the area and did not notice any transportation issues, and he believes the area needs multi-family residential uses. The subject property needs to be developed, and the applicant is presenting a good proposal. Mr. Egbert stated that this kind of development can attract other quality development to the area, and he can support the request.

Mr. Egbert then stated regarding agenda item Z-23-03-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 3307, 3309, and 3401-YY Yanceyville Street from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) 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-26 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

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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. She asked if members voting online needed to have their camera enabled. Mr. Ducharme stated that is correct, and Chair O'Connor requested that Ms. Glass turn on her camera. The Commission voted 5-4, (Ayes: Engle, Magid, Egbert, Chair O'Connor, Glass; Nays: Alford, Skenes, Peterson, Vice Chair Bryson). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting.

Z-23-03-005: A rezoning request from CD-O (Conditional District - Office) to PUD (Planned Unit Development) for the property identified as 1500 Highwoods Boulevard generally described as east of Highwoods Boulevard and north of Hobbs Road (16.2 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 currently designates this property as Urban General in a District Scaled Activity Center on the Future Built Form Map. The Comprehensive Plan currently also designates this property as Commercial and Institutional on the Future Land Use Map. Staff determined 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. The proposed PUD zoning designation, as conditioned, would allow a mix of residential uses in immediate proximity to each other and support various non-residential uses in the immediate area. The zoning also encourages appropriate scaled development along a major thoroughfare while providing good transitions to nearby low intensity residential development. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of Crescent Communities, stated that the subject property has been vacant since the development of Jefferson Village in the 1990s. It is zoned Office, but the applicant proposes a Townhome community to account for the change in the market for office rentals and land use patterns in this area. He displayed illustrative renderings of the proposal, and stated that the applicant intends to integrate the community into an area with an existing mixed use character. This proposal adds complimentary features and enhances the walkability of the neighborhood. Mr. Isaacson stated there would be no access off Hobbs Road, and that the requested PUD zoning district allows the applicant to design development standards highly suited to this area. The Unified Development Plan adds

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significant amounts of greenspace, as the applicant heard the importance of tree buffering on Hobbs from local stakeholders. Accordingly, the conditions of the request require significant evergreen vegetative screening along Hobbs Road.

Mr. Isaacson stated that the applicant would also construct trails on the east side of the development, connecting Price Park to Jefferson Village and making the area much more car-optional. He displayed a recorded plat of Jefferson Village in 1998, and stated that the intent at the time was to develop complimentary uses such as this. The area has developed significantly, and the request is compatible and fits both the New Garden Road Corridor Plan and the GSO2040 Comprehensive Plan. Mr. Isaacson stated that the applicant held a neighborhood meeting with 12-15 participants, mostly from Jefferson Woods. They heard questions and concerns about development in the area but that they have not heard significant opposition to the request. This request will require extensive site plan work during the development review process under TRC, and the Jefferson Wood Homeowners' Association (HOA) will be a stakeholder as well.

Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Jeff Ackerman, 5 Fern Bluff Court, stated that the Jefferson Wood HOA has covenants and restrictions preventing this kind of development from happening. This proposal is much more acceptable than a previous proposal, but he feels the applicant's outreach had not been productive. He stated that the location of the neighborhood meeting was not convenient, and there were limited participation opportunities for neighbors. There is a lot of interest in the neighborhood about this, and he requested another opportunity for collaboration between the board of the HOA and the developer to discuss what the relevant restrictions might be and to make sure neighbors know what is happening. Mr. Ackerman stated that many neighbors feel misled with the commercial development and other developments in the area and requested more time for the neighbors to meet to discuss the request.

Anu Parvathaneni, 4702 Jefferson Wood Court, stated that neighbors have expressed their concerns about traffic, and there is particular concern about Hobbs Road. Even if there is not direct access to Hobbs Road from the subject property, the residents of the proposed community will likely end up using the road, and it is undersized and cannot support this additional traffic. She requested that the City address these concerns before approving the request.

Barry Hardeman, 1 Lake Bluff Court, stated that he had researched the applicant, and it appears they build residential properties for rental purposes. The HOA covenants in his neighborhood prohibit rental, and he opposes adding rented residential units to his neighborhood. He stated the development looked attractive and he can support the proposal if the homes will be sold, not rented. He is not concerned about traffic, but stated that he believed

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there are already too many rental properties in the area. Mr. Hardeman then read the covenants, conditions, and restrictions (CC&Rs) for his community that prohibits multi-family residential dwellings and overnight accommodations.

Mr. Ducharme stated that the Commission could not take into consideration if a property is for sale or rent. Who will reside at a property is not a land use consideration, and private ancillary agreements are not a part of land use decisions. Mr. Hardeman asked how the Commission cannot consider them if they are legal restrictions. Mr. Ducharme stated that the Commission is a public body and separate from those private agreements. Mr. Hardeman reiterated his opposition to rental units with the request.

Nanci Alford, 6 Fern Bluff Court, stated that she purchased her property due to its proximity to anticipated nearby land uses, and the development of the area has disappointed her and her neighbors. She distributed copies of the CC&Rs attached to the parcels in the area, and stated that she opposed rented residential dwellings in her neighborhood and that she does not trust the applicant.

Mr. Ducharme reiterated that the Commission could not take into consideration the tenure of properties in land use considerations.

Olayinka Fawole, 4700 Jefferson Wood Court, asked where the neighbors could address their concerns.

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

Mr. Isaacson stated that any CC&Rs on Jefferson Village are not relevant to land use considerations. He stated that they have not received any communication from neighbors since the neighborhood meeting.

Mr. Engle asked about the outreach measures taken. Mr. Isaacson stated they sent a letter and contacted the relevant neighborhood organizations in the area before holding the neighborhood meeting. He stated that the request did not have enough density to require a Transportation Impact Analysis (TIA) but reiterated that there will be no access on Hobbs Road. Mr. Isaacson stated that Townhomes are a common and desirable transition in Greensboro from higher intensity and non-residential uses to lower-density single-family residential neighborhoods. Fair housing regulations prohibit restricting properties based on occupants, concerns unrelated to land use are an issue between property owners, and the City manages nuisance complaints well. He stated that the conditioned proposal fits well within the neighborhood, the GSO2040 Comprehensive Plan, and the New Garden Road Corridor Plan.

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Ms. Skenes asked about the phrase from the CC&Rs restricting rental properties. Mr. Isaacson stated that the language in the CC&Rs restricted multi-family dwellings and hotel/motel uses. The HOA would have the authority to enforce such a restriction privately, but the management of the HOA has acknowledged there is no restriction on rental properties. Ms. Skenes asked to confirm if the conditions of the request reflected an intention to build single-family detached and/or Townhome units and Mr. Isaacson stated that was correct. The developer will plat the Townhomes individually, and the owner can handle the use and disposition of the property as they see fit. Mr. Kirkman stated that the City's Land Development Ordinance (LDO) does not define an "apartment", but has use definitions for single-family and Townhome dwellings that are separate from multi-family dwellings that might be commonly referred to as "apartments". The zoning conditions offered by the applicant restrict any development considered multi-family residential by the LDO.

Carol Carter, 5505 Hempstead Drive, stated that she lives nearby on Fleming Road and that the subject property has been undeveloped for a long time. It has significant natural buffers to adjacent neighborhoods and is in easy walking distance to the commercial uses in proximity. She stated that Townhomes are reasonable given its location and buffering.

Chair O'Connor asked if there was anyone else in favor of the request wishing to speak in rebuttal. Hearing none, Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Fawole stated that he is confused about how the Commission cannot consider the CC&Rs in land use, and reiterated his concerns about adding rental properties.

Ms. Alford stated that she attended the neighborhood meeting and feels that the applicant has been vague. She reiterated that she opposes rental units in her neighborhood, and stated that the Jefferson Wood HOA does restrict rental properties, and that the HOA should have an opportunity to start legal challenges before the Commission considers this request.

Mr. Ackerman stated that the applicant could have held the neighborhood meeting closer to his neighborhood.

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.

Mr. Ducharme reiterated that the Commission does not consider private agreements in land use, and that distinguishing between renters and homeowners is inappropriate for the Commission. Mr. Engle stated that any potential legal enforcement of CC&Rs is irrelevant to the consideration of the Commission. He stated that the current zoning district conditions permit very intense uses, and adjacent uses have significant development already. The request is for

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considerably less intense residential uses with significant buffering and the requested density is much lower than other similar requests, and accordingly he can support the request.

Ms. Skenes stated that this request is a downzoning, and she supports the request, as the use proposed is compatible with the area.

Ms. Magid states that she lives in the neighborhood, and that similar development in the area has been positive to the community.

Ms. Magid then stated regarding agenda item Z-23-03-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1500 Highwoods Boulevard from CD-O (Conditional District - Office) 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. Engle seconded the motion. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Luke Carter stated that TRC recommended approval of the Unified Development Plan (UDP) with a condition to show the recording of the drainage maintenance and utility easements and a 20-foot storm drain easement on previous plats. After work on the site plan, the applicant needs to modify the labeling on the UDP. The proposed setbacks are not changing, but the UDP's conditions need to say "private drive" instead of "alley".

Ms. Magid moved to approve the UDP with the updated conditions, seconded by Mr. Egbert. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Monday, April 17, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor stated the Commission would take a short break starting at 7:39 p.m., and the meeting resumed at 7:54 p.m.

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Z-23-03-006: A rezoning request from R-3 (Residential Single-family – 3) and CD-O (Conditional District - Office) to CD-O (Conditional District - Office) for the properties identified as 5908 and 5912 Ballinger Road, generally described as north of Ballinger Road and west of Fleming Road (5.087 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 a small portion of the site as Residential on the Future Land Use Map. The remainder of the property is currently designated Mixed Use Residential under the New Garden Road Strategic Plan. Staff determined the proposed rezoning request supports the broader Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development Goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community. The proposed CD-O zoning request includes many of the previously approved zoning conditions for the portion of the property current zoned CD-O related to use limitations, building heights, vegetative buffers and building materials. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of Ballinger, LLC, stated that the applicant acquired and rezoned 5905 Ballinger Road in 2021 and the purpose of this request is the same; to build a medical office. Since that request, the applicant acquired 5902 Ballinger Road, and this request allows for additional parking for the medical office use. He stated that the previous request's conditions are not changing apart from condition 5, regarding the exterior façade. The applicant worked with Planning staff to modify the wording of the condition regarding exterior building materials. Mr. Isaacson displayed aerial photography of the subject property, indicated the new additional parcel, and stated that vegetative buffering to the west is above minimum requirements. The applicant worked with neighbors to make the request more compatible with the character of the area, and entered into private parking agreements with major stakeholders in the area. He displayed an illustrative sketch plan of the proposed medical office use and extensive parking. The applicant sent a letter to neighbors and held a neighborhood meeting with 4-5 participants, similar stakeholders as with the previous request. They heard concerns about historical relevance of the area and potential Revolutionary War relics. Mr. Isaacson stated that the applicant is working with an archaeological firm to conduct historical examination of the subject property in the event that it contains unmarked graves or artifacts.

Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

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Steve O'Connell, 1000 Courtland Street, stated he owns properties directly across from the subject property, and that high-density apartments are not acceptable for this area. Traffic in the area will become more dangerous, and this is a gradual erosion of the residential character of the neighborhood. He stated that many of the neighbors may be unaware of the nature of this request, and the previous rezoning request happened when many neighbors could not comment due to the Covid-19 pandemic. Mr. O'Connell stated that not accounting for potential gravesites on the subject property is disrespectful and reckless, and requested visual and sound buffering around Ballinger Road and any residential uses adjacent to the subject property.

Allen Burns, 5919 Ballinger Road, stated that this neighborhood has been subject to unreasonable development in recent years, and the request extends non-residential uses too far down Ballinger Road. He asked why the previously approved request needed more parking, and stated that he is concerned that this means it will increase traffic, particularly if the Church uses the parking lot. The area is already under significant development, and his neighbors cannot trust the developer as they feel the neighborhood outreach was not substantial. Mr. Burns stated that the subject property has large old-growth trees that the development will destroy to facilitate the added parking space. He asked where non-residential development on Ballinger Road would stop, and is concerned about high-density multi-family residential uses on the subject property instead of the current proposal.

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

Mr. Isaacson stated that the existing property is zoned Office and has conditions restricting land use that are being carried over to this request. The intent is to combine the two properties and apply the unified development standards to the new parcel. He stated that the applicant has been available for any questions from the neighbors and exceeded all neighborhood outreach requirements. The applicant has started the development review process for the driveway positioning, and the intent is to make the access as safe and functional as possible. The expanded parking and driveway configuration will contribute to the proposed use's compatibility with the neighborhood.

Ms. Skenes asked if the listed acreage accounts for both parcels, and Mr. Kirkman stated that was correct. Ms. Skenes asked what the acreage of the newly added parcel, and Mr. Isaacson stated it was less than an acre. Ms. Skenes asked to clarify that nothing significant was changing about the conditions of the larger property, and Mr. Isaacson stated that was correct.

Ms. Magid stated she has lived in this neighborhood and there has not been any significant intense development on or adjacent to the subject property in the last 20 years. The proposal made sense given the location of the fire station, and asked if there would be trees on the west side of the subject property. Mr. Isaacson stated there would be, and that this request simply

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shifts the extensive buffer requirements imposed by the conditions west along the property line of the newly acquired property. Ms. Magid asked to confirm that the neighboring church's parking configuration will not affect the subject properties, and Mr. Isaacson stated that was correct. Ms. Magid stated she could support the request.

Mr. Engle asked about the Revolutionary War skirmish in the area. Mr. Isaacson stated that the applicant's understanding is that some skirmishes in proximity to the current New Garden Road corridor had led to the Guilford Battleground area, and they have respected the concerns heard from the community about the subject property's historical considerations.

Chair O'Connor asked if there was anyone else in favor of the request wishing to speak in rebuttal. Hearing none, Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

John Ballinger, 6112 Ballinger Road, stated that the Guilford Courthouse battle started on the Ballinger property. There are American soldiers buried near New Garden Road in the area according to historical records, and the applicant has not allowed historical researchers to investigate. He stated that neighbors did not understand the nature of the rezoning request, and requested neighbors to have a chance to organize for the outreach. The property at 5912 Ballinger Road has significant old trees that buffer the neighborhood, and the removal of these trees concerns him. Mr. Ballinger stated that a TIA should have been required, and that the previous rezoning request was hard to respond to due to the Covid-19 pandemic. He stated that the applicant has not committed to not expanding the proposed building, and neighbors are suspicious of the developer's intentions.

Carol Carter, 5505 Hempstead Drive, stated that there was a Revolutionary War skirmish in the area, and some Quaker historians want to investigate the property. This area around Fleming Road/New Garden Road does not have any buildings as tall as the proposed development, and 48 feet building height is too high for the area.

Mr. Engle asked what the LDO's height restriction was in the R-3 zoning district. Mr. Kirkman stated it permitted up to 50 feet. Mr. Engle asked about the notices mailed since there was an error in the staff report, and Mr. Kirkman stated that the mailed notices and advertisement correctly indicated the R-3 to CD-O rezoning request. Mr. Engle asked about the placement of the zoning sign, and Mr. Kirkman stated that the sign is roughly in the middle of the acreage of both subject properties.

Chair O'Connor stated that it was policy to put signs in reasonable locations on subject properties, not at their boundaries.

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Mr. Engle stated that there are uses in the area higher than 2 stories, and he can support the request.

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.

Mr. Engle then stated regarding agenda item Z-23-03-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 5908 and 5912 Ballinger Road from R-3 (Residential Single-family – 3) and CD-O (Conditional District - Office) to CD-O (Conditional District - Office) 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-O 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 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Monday, April 17, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-03-007: A rezoning request from O (Office) and CD-RM-8 (Conditional District - Residential Multi-family - 8) to CD-RM-12 (Conditional District - Residential Multi-family - 12) for the property identified as 4209-R1 Summit Avenue, generally described as northwest of Summit Avenue and west of Southern Webbing Mill Road (25.15 acres). (DENIED)

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 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 CD-RM-12 zoning district includes limitations on maximum number of units and height and allows uses that are compatible with existing uses in the surrounding area. Staff recommended approval of the request.

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Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Council Glenn, 411 Parkway Suite G, on behalf of Frazier Glenn Investments, stated that this request was to build 300 units qualifying for a North Carolina Housing Finance Agency Low-Income Housing Tax Credit (LIHTC). He displayed a sketch plan of the site and stated that a minimum 10-foot, maximum 20-foot landscape buffer will surround the entire property. A market study indicated that the area could support this development, and the TIA notes no recommended improvements on the infrastructure in the area. Mr. Glenn stated that they held a neighborhood meeting online this past Friday. The original intention was to hold the meeting at a local church, and he stated that neighbors asked for a second neighborhood meeting at a local daycare. He stated that they have attempted to address the main issues he heard from neighbors at both meetings.

Mr. Engle stated that some neighbors may not have been able to contact the applicant, and asked when he mailed notices. Mr. Glenn stated he mailed them Monday, March 13. Mr. Engle asked if he thought that was an adequate amount of time. Mr. Glenn stated that there could have been more time allotted, but many neighbors attended both meetings. Mr. Engle asked if Mr. Glenn was willing to continue the case to the meeting next month to talk more to neighbors. Mr. Glenn stated that he had considered that, but his time discussing with neighbors indicates they are completely opposed to multi-family residential development, and he does not think more time will help.

Mr. Peterson asked if any recommendations came from the TIA, and Mr. Glenn stated that it did not indicate any. Mr. Tipton stated the applicant filed a valid TIA and it did not show any deficiencies in Southern Webbing Mill Road or Summit Avenue, as both are low in traffic volume in this area.

Mr. Peterson asked about how the TIA assesses traffic. Mr. Tipton stated that TIAs focus on AM and PM peak hours, and project from traffic counts in the area.

Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Julia Blizin, 4505 Summit Avenue, Vice President of the Brightwood Neighborhood Association, stated that her group's opposition comes from this proposal's 13 3-story buildings. The requested density in an existing low-density residential neighborhood is unacceptable, and her community does not have the necessities to support decent quality of life for this many new residents. She stated that the area is a food desert and the area lacks sidewalks. The area is heavily automobile-dependent and GTA service needs additional resources. The subject property is isolated and stranded from employment and services. Ms. Blizin stated that the applicant made a poor effort of neighborhood outreach, and she found out about the online

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meeting 17 minutes before it started. This is a rural area with older residents, and an online meeting was not appropriate. She stated that neighbors did not have an opportunity to express their views and concerns.

Nancy Cavanaugh, 4505 Summit Avenue, President of the Brightwood Neighborhood Association, stated that the requested density is unreasonable for the area and its deficient pedestrian infrastructure. The applicant has not been willing to address neighborhood concerns, and approving this request would set a negative precedent in their neighborhood. She stated that the neighbors welcome single-family or attached residential dwellings for residents of all incomes, but they are worried about an uninviting multi-family complex of this density. Ms. Cavanaugh stated that the applicant was not transparent even after recommendations for it.

Judy Mittman, 4805 Summit Avenue, stated that her neighborhood has been waiting for infrastructure improvements for many years. There have been pedestrians killed in the area on the very dangerous, narrow, winding road. The area cannot support this kind of high-density multi-family residential development. She stated that she did not receive any outreach from the applicant until very late in the process, and that her neighborhood is worried that the subject property will not be maintained and will degrade its character over time. Ms. Mittman stated she received a letter from the applicant about the online meeting 3 hours before it started.

Mr. Ducharme stated that the Commission could not consider a distinction between rental and homeowners, or income levels of tenants as an element of land use.

Chair O'Connor asked if applicants were required to hold neighborhood meetings. Mr. Kirkman stated that applicants are required to file a Summary of Neighborhood Communications to inform the Commission and staff of the outreach efforts taken in requests for conditional district zoning within 750 feet of residential uses. While neighborhood meetings are strongly encouraged, it is not a requirement.

Chair O'Connor asked if there was anyone else to speak in opposition to the request. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Glenn stated that some of the neighbors confirmed that had received notice of the online neighborhood meeting, and stated that he was concerned about an in-person meeting given Covid-19 concerns. He stated that he feels he did a decent job of reaching out and accommodating the neighbors. The new construction proposed in this request is not at all like older, poorly maintained multi-family residential properties in other areas of the City. Mr. Glenn stated that the market research required by the State supports this request, and that includes proximity to amenities and services. There is a GTA bus stop directly across the street, and there are multiple full-service grocers within 4 miles of the subject property.

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Mr. Peterson asked how far the northwest property line was from the railroad tracks. Mr. Glenn stated that he would need to confirm with his engineer, but it would have a 20-foot buffer yard away from the parking lot, apart from an area around Summit Avenue where it would be 10 feet. He stated that the site plan calls for a 250-foot buffer from the railroad to any building.

Chair O'Connor asked if there was anyone else in favor of the request wishing to speak in rebuttal. Hearing none, Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Michael Mittman, 4808 Summit Avenue, stated that he is concerned with the density of the request. Summit Avenue is a very dangerous thoroughfare, and the design proposed by the applicant is not thoughtfully accounting for it. The GTA service in the area is only once per hour, and is not reliable transportation for low-income residents. He stated that pedestrians have already died on this narrow road, and he does not believe it is wide enough to accommodate a 300-unit apartment development.

Dr. Goldie Wells, 4203 Belfield Drive, City Council Representative of District 2, stated she is concerned about the density of the request and the outreach done by the applicant as neighbors were not aware of this request. She stated this is a very narrow road, and this area needs more amenities for the proposed density to be reasonable. The poor communication between the applicant and the neighborhood and the lack of conditions and continuance to work with neighbors makes her unable to support the request.

Ms. Blizin stated that she hoped the Commission would consider the unreasonable density and lack of outreach by the applicant. She stated that this is not right for the community, and they have been willing to work with the applicant but have not been able to.

Rodney Mittman, 4801 Summit Avenue, stated that this is a rural area with a winding road and ditches. There is a lot of deer activity leading to accidents. He does not think this request is sustainable.

With opposition rebuttal time expired, Chair O'Connor closed the public hearing.

Vice Chair Bryson stated that he does not live far from this area. He supports increasing housing in the City, but he cannot support this request. He stated that he believes the request is not compatible with the area, and will not benefit the surrounding area. The late and perfunctory outreach by the applicant makes him unsettled, and South Webbing Mill Road cannot support 300 units, particularly with both entrances on it. Vice Chair Bryson stated that he can support a request that is beneficial to the community, but the requested density is unreasonable, and the treatment of the neighbors did not show proper respect.

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Mr. Engle stated that he is concerned about the density, even with the TIA. The road is not pedestrian friendly, even with the applicant adding sidewalks on the property frontage. Outreach with neighbors to condition the request to better suit the neighborhood might have allowed him to support it, but he cannot support this request.

Ms. Skenes stated that she also has a problem with the density. The subject property's current zoning has conditions limiting density to an equivalent of the RM-5 zoning district with a maximum of 125 units. This request would more than double its density, and this area cannot support that. Ms. Skenes stated that four miles to a grocery store is a significant distance, and she cannot support the request.

Ms. Magid stated that there is an RM-12 district in the area, and she has difficulty with her decision on this request. There are many properties in the City with ingress/egress at narrow roads, and she disagrees with the notion that this level of density is unreasonable for the area.

Mr. Alford stated he also has problems with the density, specifically due to the current condition limiting the subject property, and he cannot support the request.

Chair O'Connor stated that she shares concerns with the density, but the TIA indicates that the traffic could be handled. She stated that the Commission hopes for better outreach measures than what happened here, even if the applicant met the minimum standards in this situation. Chair O'Connor stated that she believes 300 units in this location is too much, and that while it is a difficult decision, she cannot support the request.

Vice Chair Bryson then stated regarding agenda item Z-23-03-007, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 4209-R1 Summit Avenue from O (Office) and CD-RM-8 (Conditional District - Residential Multi-family - 8) 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-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; (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. The Commission voted 6-3, (Ayes: Alford, Engle, Skenes, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: Glass, Magid, Egbert). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Monday, April 17, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

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Z-23-03-009: A rezoning request from RM-18 (Residential Multi-family – 18) to PUD (Planned Unit Development) for the properties identified as 801, 803, and 805 Holliday Drive, generally described as east of Holliday Drive and east of Pomroy Street (1.02 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 property as Urban Central and 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 Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we 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 PUD zoning designation, as conditioned, would allow residential uses in immediate proximity to each other and similar uses in the immediate area. The zoning also encourages appropriate scaled development close to an urban mixed-use corridor and maintains good transitions between residential development and commercial uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of University Property, stated that the applicant owns the existing multi-family residential property across Spring Garden Street, and had invested heavily in that development. He displayed the zoning conditions and a zoning map of the area and stated that the applicant worked closely with Planning staff during sketch plan reviews chose to use the PUD zoning district due to the peculiar and challenging infill development nature of the subject property. Mr. Isaacson displayed an illustrative sketch plan of the site, and stated that parking was a significant concern, but work with staff has addressed it. As part of that, the applicant is prepared to condition the request to a 3-story/55-foot maximum building height.

Mr. Kirkman asked to confirm that the new condition is that no building shall exceed 55 feet in height, and Mr. Isaacson stated that was correct. Ms. Skenes asked to confirm that the condition would apply to both tracts, and Mr. Isaacson stated that was correct.

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

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Mr. Isaacson stated that Holliday Drive is a narrow, dead-end street, and this request will require adding a sidewalk on the applicant's property. They anticipate high bicycle, pedestrian, and transit utilization by the potential young professional, graduate student, and university staff clientele. He stated that the southern tract is included in the PUD to account for buffering needs, but the Holliday family will retain ownership. The applicant sent letters and held a neighborhood meeting, with no attendees. Mr. Isaacson stated that they believe the proposal is in alignment with the City's GSO2040 Comprehensive Plan and is a productive infill development to fit growing housing needs.

Chair O'Connor asked if the size of the request included the second tract, and Mr. Isaacson stated that was correct, and that this proposal does not call for Tract 2 to be developed. Ms. Skenes asked if Tract 2 was 805 Holliday Drive, and Mr. Isaacson stated that was correct, and that Tract 1 encompasses 801 and 803 Holliday Drive.

Ms. Magid asked about the acreage of the tract under development, and Mr. Isaacson said it was approximately two thirds of an acre.

Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Carrie Little, 639 Scott Avenue, stated that she had seen Spring Garden develop over the last 20 years with an increase in student housing. Neighbors did not have time to organize, as her brother owns a home in the notification zone and received a notice on March 9. Most of the housing around the subject property is student housing and rental properties, and thus most residents likely did not receive notice. She stated that the neighborhood is concerned with the extent of changes in the Lindley Park community, but while they are not opposed to development, the neighborhood opposes student housing taking over and becoming overrepresented in the eclectic Lindley Park community. Ms. Little stated that the density would be difficult for Pomroy Street, which is very narrow and not well maintained. The Lindley Park Neighborhood Association does not believe further student housing will benefit the residents, and the fact that the area already has a significant amount of student housing should be a warning against adding more, not a supporting factor. She stated that the Spring Garden Corridor Plan needs updates given the area's rapid development, and she asked the Commission to continue the case to give neighbors time to organize and meet with the developer.

Joyce Eury, 805 Howard Street, Vice President of the Lindley Park Neighborhood Association, stated that this is an already very busy intersection. Spring Garden Street traffic effects the whole of Lindley Park, and this development would make the situation worse. She has personally had a motor vehicle accident around parking lots in the area, and she stated that drivers are reckless on Spring Garden Street and adding density requires careful consideration. Added off-campus student housing has significantly increased to congestion and during peak

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times, the traffic will back up on Spring Garden Street almost all the way up to Elam Avenue making egress from the neighborhood extremely difficult. Ms. Eury stated that Holliday Drive is difficult to navigate, and adding more cars on it is unreasonable. She asked for a continuance for neighbors to get more information and details about the anticipated traffic situation.

Chair O'Connor asked if there was anyone else to speak in opposition to the request. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Isaacson stated that no TIA was required for this project, and that the traffic concerns in the area are an overall concern for this corridor, not directly applicable to this request.

Andrew Horrocks, 111 West Lewis, CEO of University Property, stated that they do not consider themselves as simply a student housing operator, but they attempt to offer housing that suits various university communities. Large universities create a need for diverse housing types, and they cater to many graduate students and professionals, both young and old, who want to live close to the campus. He stated that their research indicates an interest in bicycle infrastructure and transit access. Mr. Horrocks stated that this is not traditional undergraduate student housing with high turnover, and there is a lack of young professional housing in Greensboro to fit this need.

Chair O'Connor asked if there was anyone else in favor of the request wishing to speak in rebuttal. Hearing none, Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Little stated that while Spring Garden Street has bike lanes, drivers do not respect them and they are often unused because they are unsafe. Drivers use it as a passing lane. She stated that the surrounding apartments around the subject property are targeted at the basic undergraduate market, and do not resemble what the applicant says.

Ms. Eury stated that the state of development on and around Spring Garden Street is far beyond its existing plan and streetscape, and that while the request is small, every bit of added development contributes to their problems.

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

Mr. Alford stated that he works at a university and understands the need for housing near them, and he supports the request.

Ms. Magid stated that UNCG alone has 68 graduate degree programs, so there is a need for housing targeted there.

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Mr. Engle stated that the growth of UNCG over the past 20 years has been incredible, and he can support the request because the requested density is not significantly higher than the surrounding properties. He encouraged the neighbors to talk to staff about the need for an update to the Spring Garden Street Corridor Plan.

Chair O'Connor asked to confirm that the City mails official notices for hearings to property owners, but not tenants. Mr. Kirkman stated that was correct and that notice of property owners goes along with the posted sign on the subject property.

Ms. Skenes then stated regarding agenda item Z-23-03-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 801, 803, and 805 Holliday Drive from RM-18 (Residential Multi-family – 18) 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. Engle seconded the motion. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Mr. Carter then noted that TRC approved the associated Unified Development Plan with the added condition that Oxley Place, a small, unopened right-of-way requires official closure before any development on lot 2.

Mr. Engle moved to approve UDP as recommended by TRC, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Monday, April 17, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor stated the Commission would take a short break starting at 10:04 p.m., and the meeting resumed at 10:11 p.m.

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ITEMS FROM THE PLANNING DEPARTMENT:

Presentation and Public Hearing for the Fleming Road Area Plan

Chair O'Connor stated that speakers from the floor would have 3 minutes per person to comment on the plan.

Russ Clegg presented this item, and stated that the City creates small area plans so that neighbors can have an active voice in changing areas. The City initiated the Fleming Road Area Plan due to the anticipated growth in the area. The process launched in spring 2022, and there was good public participation throughout. He stated that the plan is not a roadway plan or response to a large development or particular plan, nor does it have direct City development targets. The study area covers areas most impacted if large changes occurred along Fleming Road, starting just west of Interstate 840 down to Ballinger Road, with no overlap with the New Garden Road Plan. The recommendations in the plan are in harmony with, work alongside the 6 big ideas of the GSO2040 Comprehensive Plan, and are applicable in its context. Mr. Clegg stated that its broad recommendations give information to guide decision makers and focus on several large undeveloped area working with community priorities, and city facilities. It makes a tangible change to the GSO2040 Comprehensive Plan's Future Land Use Map. The current map shows an activity center in the north, but the Greensboro Urban Area Metropolitan Planning Organization (GUAMPO) modified the Metropolitan Transportation Plan to remove that planned extension and the small area plan accordingly removes that commercial center.

Jeff Sovich, project manager of the small area plan, laid out the planning process' milestones. Planning staff engaged stakeholders and began conducting public meetings and polls, and staff and consultants worked to establish the vision and objectives. The final plan has revisions based on public input. He stated that there were almost 800 community outreach touchpoints, with more than 150 open house meeting attendees. Mr. Sovich stated the key engagement findings of the process: residents appreciated the residential and natural character of the Fleming Road area, they emphasized the importance of protecting and enhancing green space and access to the Bicentennial Greenway, there is a wariness of overly rapid growth and a desire for thoughtful density, a need for reducing vehicle speeds and improving traffic and pedestrian safety, particularly a need for more pedestrian crossings and walkability, and there is a lack of public gathering spaces, connected sidewalk networks, transit, and emergency medical care. He read the vision statement: The Fleming Road Study Area is distinguished by its quiet character, quality housing, and countryside feel, and is a safe place for all—including pedestrians, bicyclists, and drivers—with a plan to ensure that any future growth or development is compatible within the context of the Fleming Road Study Area. Key themes from GSO2040 Comprehensive Plan big ideas aligned with the plan objectives. Mr. Sovich gave a summary of revisions, noting that comments from stakeholders primarily focused on quality of life and environmental quality of the study area. He explained the City's future use of the plan, as a guide for the Planning and Zoning Commission, for capital improvement planning and funding decisions, as part of rezoning and development approvals, and as a tool for the

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community to advocate for changes they want to see. He stated that following tonight's presentation and public hearing, the Commission makes a recommendation on adoption of the Fleming Road Area Plan and amendments to Future Land Use Map and Future Built Form Map removing the previous activity center. City Council will tentatively review the plan on April 17.

Ms. Magid asked about the roadway from Fleming Road to Lewiston Road. Mr. Sovich stated that the zoning for Site A was originally Planned Unit Development. The original applicant intended for a mixed use development, but there has yet to be a new proposal from the current owner. He stated that the current understanding is it will be all or predominantly residential. Ms. Magid asked about the retail focus around the area west of the Urban Loop. Mr. Sovich stated that area will presumably continue development in that style.

Chair O'Connor asked if there was anyone wishing to speak. Hearing none, she closed the public hearing.

Ms. Skenes made a motion to recommend adoption of the Fleming Road Area Plan as well as the proposed amendments to the Future Built Form Map and Future Land Use Map removing the indicated activity center and commercial land use designation, seconded by Mr. Engle. The Commission voted 9-0, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting

ITEMS FROM COMMISSIONERS:

Vice Chair Bryson asked about the Commission members' access cards. Mr. Kirkman stated that staff is working with security to handle the situation.

Mr. Engle asked how many cases staff anticipated for the April meeting, and Mr. Kirkman stated it was 6, with the meeting held on Monday, April 10.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 10:35 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, April 10, 2023, beginning at 5:35 p.m. Members present were Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, Andrew Egbert, Erica Glass, and Zac Engle. Present for City staff were Planning Director Sue Schwartz, Mike Kirkman, Russ Clegg, Luke Carter, and Rachel McCook (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised that there were no absences.

APPROVAL OF THE MARCH 20, 2023 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the March 20, 2023 meeting minutes. Mr. Engle made a motion to approve the March meeting minutes as presented, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: Peterson, Egbert, Magid, Alford, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: 0).

WITHDRAWALS OR CONTINUANCE:

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Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman advised there were no withdrawals or continuances.

EXPEDITED AGENDA:

Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-04-002 - a portion of 909 North Church Street, and Z-23-04-005 - 5402 and 5410 Hornaday Road. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-23-04-002: A rezoning request from R-5 (Residential Single-family – 5) to R-7 (Residential single-family – 7) for the property identified as a portion of 909 North Church Street, generally described as east of North Church Street and north of East Bessemer Avenue (0.11 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site 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 Comprehensive Plan's Creating Great Places goal to create a citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed R-7 zoning district is primarily intended to accommodate moderate density single-family detached residential development. The request is compatible with uses present in the surrounding area and would increase the range of choice and supply of housing in this area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Mr. Alford asked about the differences between the R-5 and R-7 district given the small size of the subject property. Mr. Kirkman stated that the R-7 district's smaller minimum lot size would permit subdivision to exchange property with an adjacent owner and maintain the legal status of the subject property.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request.

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Steven Edmonson, 908 Cherry Street, stated that he is the adjacent property owner. He is facilitating the rezoning to purchase a portion of the subject property that the owner does not use.

Chair O'Connor then asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Engle then stated regarding agenda item Z-23-04-002, 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 909 North Church Street from R-5 (Residential Single-family – 5) to R-7 (Residential single-family – 7) 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 R-7 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 9-0, (Ayes: Peterson, Egbert, Magid, Alford, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, May 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-04-005: A rezoning request from CD-C-H (Conditional District - Commercial – High) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 5402 and 5410 Hornaday Road, generally described as north of Hornaday Road, south of I-40, and east of Guilford college Road (10.35 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 GSO2040 Comprehensive Plan currently designates this property as Urban General within a Regional Scaled Activity Center with a portion being within an Urban (Mixed-Use) Corridor on the Future Built Form Map. The GSO2040 Comprehensive Plan currently also designates this property as Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-C-M zoning district will allow a wide range of retail, service and office uses and is typically located along thoroughfares in areas which have developed with minimal front setbacks. The proposed rezoning request expands commercial development

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opportunities next to a wide variety of commercial, retail and auto related uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Mike Fox, 400 Bellemeade Street, Suite 800, on behalf of Bee Safe Storage, stated that this is an infill retrofit of the previous retail use. The request was necessary because the Commercial – High zoning district does not permit the self-storage use, but Commercial – Medium does.

Chair O'Connor then asked for any objections to the request. Hearing none, she closed the public hearing.

Ms. Magid then stated regarding agenda item Z-23-04-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 5402 and 5410 Hornaday Road from CD-C-H (Conditional District - Commercial – High) to 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 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. Engle seconded the motion. The Commission voted 9-0, (Ayes: Peterson, Egbert, Magid, Alford, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, May 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

OLD BUSINESS:

Z-23-01-005: A rezoning request from RM-12 (Residential Multi-family – 12) to CD-RM-18 (Conditional District - Residential Multi-family – 18) for the property identified as 1921-A New Garden Road, generally described as northwest of New Garden Road and east of Brassfield Road (28.10 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 then stated that the applicant wished to add two new conditions, as follows:

1. Building height shall be limited to 50 feet.

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2. A 10-foot wide street yard shall be installed along the Brassfield Road right-of-way adjacent to any new development on the site in accordance with ordinance requirements. Existing vegetation along the Brassfield right-of-way adjacent to existing development will be supplemented as needed to bring it into compliance with minimum ordinance requirements. To the extent possible the property owner will provide additional evergreen plantings, above the minimum required by the ordinance, for year-round screening

Mr. Engle made a motion to accept the new conditions as presented, seconded by Vice Chair Bryson. The Commission voted 9-0, (Ayes: Peterson, Egbert, Magid, Alford, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General and along an Urban Mixed Use Corridor and District Scaled Activity Center on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map (as reflected in the New Garden Road Strategic Plan) designates the subject property as Moderate Residential. If approved the Plan will be amended to the High Residential classification. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Creating Great Places goal to create a citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The request also supports the Comprehensive Plan's Filling In our Framework goal to arrange our land uses where we can live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro. The proposed CD-RM-18 zoning district allows uses that are compatible with existing uses in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners, and asked to clarify the Commission's recommendation on this item. Mr. Kirkman stated that the State's law enabling city and county development regulations, known as North Carolina General Statutes (NCGS) Chapter 160D, requires rezoning requests to be compatible with adopted plans. When requests differ, their approval will effectively amend the comprehensive plan or a small area plan, and City Council has final action authority for those changes. He stated that the Commission would consider the request by the guidelines of the GSO2040 Comprehensive Plan in the framing of the New Garden Road Strategic Plan, but the Commission is only making a recommendation tonight.

Ms. Magid asked if this would apply to all cases. Mr. Kirkman stated that because there is an adopted small area neighborhood plan specific to this request, City Council must act to amend it, but the Commission retains final action authority on general rezoning requests.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request.

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Marc Isaacson, 804 Green Valley Road, on behalf of WE Brassfield Park Owner LLC, stated that the high growth rate of the City's population creates a need for additional multi-family homes in this area, and this request would facilitate an infill development on the existing campus without the need to acquire more property. They have worked with stakeholders in the area to develop the conditions that limit the density and building height below those available in the RM-18 zoning district, and have added development standards that will require enhanced landscape buffering along Brassfield Road. He displayed a zoning map of the area, and stated that there was a pre-existing mix of uses and intensities in the area, which is the intention of the New Garden Road small area plan as adopted. There are significant office and retail uses in walkable proximity to the subject property. Mr. Isaacson displayed aerial photography and an elevation profile of the subject property indicating its topographic challenges, and stated that the proposed buildings would be lower in grade than the existing buildings. Displaying street-level photography of the subject property and an illustrative landscaping plan, he stated that the applicant's proposed landscaping standards maintain the quality feel of the area while maintaining approval of Duke Energy. He stated that the applicant mailed a letter to neighbors and held a neighborhood meeting with 14-15 attendees, and the primary concern expressed was about landscaping standards. Mr. Isaacson stated that the Greensboro Department of Transportation (GDOT) did not require a Transportation Impact Analysis (TIA) for the request.

Ms. Magid asked how many buildings the proposal adds, and Mr. Isaacson stated four.

Mr. Engle asked about the width of the current landscape buffer, and Mr. Isaacson stated he was not sure of the exact specifications, but the request will require a minimum of 10 feet on the streetscape, subject to final review by TRC, Duke Energy, and the private agreement with the Brassfield Association.

Ms. Skenes asked if the applicant and/or Duke Energy are removing decayed landscaping in the area, and Mr. Isaacson stated that was correct. Ms. Skenes stated that the existing landscaping is in a diminished state compared to the established standards for the property in the past, and asked if the currently existing vegetation would comply with these standards. Mr. Isaacson stated that the current development standards applied to the subject property would not require additional landscaping, but the request would ensure the restoration and expansion of the vegetative buffering. Ms. Skenes asked about the grading of the site and reiterated that the Commission cannot make land use decisions based on stormwater concerns. Mr. Isaacson stated there were also private agreements between property owners in the area governing stormwater considerations. Ms. Skenes asked to confirm that the proposed buildings would not be as tall as the existing buildings, and Mr. Isaacson stated that was correct.

Ms. Magid stated that the closest single-family residential dwellings to the subject property have significant berms with trees.

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Chair O'Connor then inquired if there was anyone wishing to speak in opposition of the request.

Hugh Willis, 1906 New Garden Road, stated that this request does not contribute to the housing needs of the City. The conditions offered are insufficient to preserve the character of surrounding neighborhood, and the requested density is unacceptable. He stated that the Weaver Corporation developed most of this area with specific restrictions, the owner knew about the pre-existing conditions and chose to buy the subject property anyway, and the terms apply to them. Mr. Willis stated that the existing apartments on the subject property were supposed to be fully compatible with the single-family residences, and displayed aerial photography indicating the topography of the site. The applicant has not provided a conceptual elevation rendering of how the new construction will look, and he believes that the building height will be objectionable. He displayed an alternative site plan for the subject property he prepared, and stated that he does not think the applicant should significantly modify the terrain.

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

Ralph Thomas, 3804 Brassfield Oaks Court, stated that he is the president of Brassfield Oaks Homeowners Association, and stated that a lot of negotiation and work has gone on between the association and the applicant dealing with the vegetation situation and the proposed expansion. The applicant has worked with them, and they feel that the conditions offered are a reasonable compromise for all involved. Mr. Engle asked Mr. Thomas if he was speaking on behalf of the HOA or in a personal capacity, and Mr. Thomas stated he was speaking on behalf of the HOA.

Mr. Isaacson stated that Planning staff has determined the request is compatible with the GSO2040 Comprehensive Plan and the area plan. The deed restrictions are private agreements and not relevant in land use considerations by a public board, but the landscaping plan is subject to approval by the Brassfield Association, managed by the Weaver Corporation. He stated that they will continue to engage with stakeholders in the area before the request goes before City Council, and stated that the applicant does not intend to reduce the quality, and thus marketability, of their existing apartments.

Mr. Alford asked about the height of the proposed finished grade. Ashton Smith, 101 Chandler Springs Drive, Holly Springs, stated that finished elevation grade is between 835 and 840 feet. Mr. Alford asked what the crown of Brassfield Road is, and Mr. Smith stated around 830 feet.

Mr. Engle asked how large the buildable area is for the four buildings proposed. Mr. Smith stated it was roughly 4 to 5 acres accounting for setbacks and buffers.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

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Richard Jordon, 5503 Belvidere Place, stated that the community put effort into the New Garden Strategic Plan, and feels that this request undermines it. The plan calls for public meetings and public input for significant changes, and he has not received any outreach regarding the request. He asked to delay the request for additional community outreach, and stated that he felt this was not faithful to the procedures established by the New Garden Strategic Plan.

Jennifer Bowden, 11 Westmount Court, stated that she opposes the request due to the potential for more traffic as it is already unacceptable in the area. She stated that the applicant has not contacted her and that the area does not need additional multi-family dwelling uses. Ms. Bowden stated she believes the largest stakeholders in the area are neighbors who own property in the neighborhood, not just the applicant.

Diane Guinan, 5607 Robinridge Road, stated she was on the New Garden Road Strategic Plan advisory panel, and stated that she felt this request disregards the plan.

Ms. Magid asked about how Ms. Bowden exits her neighborhood. Ms. Bowden stated that she uses the intersection of Brassfield Road and New Garden Road, directly at the subject property. Ms. Magid asked if she had received official notice of the request from the City, and Ms. Bowden confirmed she had.

With all speaking and rebuttal time expired, Chair O'Connor closed the public hearing.

Ms. Skenes asked to confirm that the Commission is making its decision based on its land use remit and is not amending the area plan or indicating the dimensions of its application in the future. Mr. Kirkman stated that the Commission could consider the information and policies in a small area plan to determine if a change in zoning is appropriate in an area. Mr. Ducharme stated that the plan is relevant to the Commission's decision, but by virtue of the amendments of NCGS 160D, an approved rezoning would automatically amend the plan, and only the City Council can take final action on such changes.

Chair O'Connor asked if this was a matter of following the correct sequence of action, and Mr. Kirkman stated that was correct. NCGS 160D considers small area plans to be components of the larger comprehensive plan and thus an amendment to it needs Council approval. He stated that the Commission must consider the plan, but cannot take final action itself.

Ms. Skenes asked how many dwelling units the subject property had, and Mr. Engle stated 336. Ms. Skenes stated the conditioned maximum density would be 2 units per acre less than the maximum permitted in the RM-18 zoning district and stated that she can support the request.

Vice Chair Bryson asked how the Commission's decision would affect the New Garden Road Strategic Plan if Council does not approve the request. Mr. Kirkman stated that the Commission

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would be making a recommendation, as it does in annexations, and any action regarding the area plan lays with the Council. Because the requested change in zoning is incompatible with the existing land use classification in the area plan, the rezoning request would require amending it. Vice Chair Bryson asked about amending the New Garden Road Strategic Plan before the Commission acts on the request.

Planning Director Schwartz stated that this situation comes from the changes to the State's enabling legislation for municipal zoning authority. NCGS 160D now requires a comprehensive plan to retain control over land use regulation, and rezoning decisions must be consistent with the applicable plans. Under the previous enabling act and Connections 2025 Comprehensive Plan, zoning changes required a complicated procedure of actions by different legislative units of the City. Director Schwartz stated that NCGS 160D now means that approved changes to a zoning district that are technically incompatible with an applicable plan concurrently amend the plan(s) automatically to put the request into effect. This means it only requires one action, but the level of review requires City Council authority. She stated that the Commission has the charge of reviewing the request by its usual standards of land use considering the GSO2040 Comprehensive Plan and the policies and goals established in the New Garden Road Strategic Plan, but Council has the responsibility that would ultimately amend the plan to reconcile it with the request.

Vice Chair Bryson stated that he believes small area plans should be reconciled prior to the Commission's land use decision. Director Schwartz stated that even without the change to the enabling legislation, City Council would still hear this request under the terms of the New Garden Road Strategic Plan.

Russ Clegg stated that the new procedure under NCGS 160D rationalizes the procedure of changing zoning districts in areas under small area plans.

Mr. Engle stated that this is similar to how the Commission makes recommendations on original zoning for annexation petitions, requiring final action approval by City Council.

Vice Chair Bryson asked about the specific review guidelines the Commission has when applying small area plans under the umbrella of the GSO2040 Comprehensive Plan. Chair O'Connor stated that the Commission's task is to use all applicable plans to consider the land use implications of the proposed zoning district and any conditions offered by the applicant. Council would use its recommendation to deliberate on any wider issues that may be relevant. Vice Chair Bryson reiterated that he believes Council should act on any required plan amendments prior to the Commission's consideration of rezoning requests.

Ms. Magid asked about the request's requirement of a change of land use classification in the New Garden Road Strategic Plan. Planning Director Schwartz stated that this request is one of

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the first under the GSO2040 Comprehensive Plan to require an amendment to a small area plan. Ms. Magid stated that she spoke with the management staff at the subject property, and it has only one vacancy. She stated that in the early 2000s, 3 people a day were leaving the City, and now 10 people a day are moving in. The need for housing in the City is significant, the proposal is suitable for the subject property and area at large, and she can support the request.

Mr. Engle stated that the subject property had a density higher than its zoning district, and Mr. Kirkman stated that the subject property was built before the current Land Development Ordinance. Mr. Engle stated that there are not a lot of properties in a similar situation like this. He cannot support the request, as it does not fit the context of the area well. The density is too high and there is too much built around the street.

Vice Chair Bryson then stated regarding agenda item Z-23-01-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1921-A New Garden Road from RM-12 (Residential Multi-family – 12) 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. Alford seconded the motion. The Commission voted 7-2 (Ayes: Egbert, Magid, Alford, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: Engle, Peterson). Chair O'Connor advised the vote constituted a favorable recommendation and is subject to a public hearing at the Tuesday, May 16, 2023 City Council meeting.

NEW BUSINESS:

Z-23-04-001: A rezoning request from R-3 (Residential Single-family – 3) to CD-O (Conditional District - Office) for the property identified as 347 West Vandalia Road, generally described as south of West Vandalia Road and east of Randleman Road (0.35 acres). (DENIED)

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 Urban General in an Urban (Mixed-use) Corridor and adjacent to a District-Scale Activity Center on the Future Built Form Map. The GSO2040 Future Land Use Map designates the property as Commercial. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable

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opportunities to succeed. It also supports the Filling In our Framework goal to arrange our land uses where we can live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro. The proposed CD-O zoning designation allows a mix of office, professional service, and residential uses that can provide an appropriate transition between higher intensity commercial/retail uses fronting along Randleman Road and adjacent/nearby residential uses to the east. 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 asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Leo Lineberry, 347 West Vandalia Road, stated that he is serving as the executor of his father's estate regarding the subject property. He is making the request to facilitate the sale of the property, as his family cannot continue to manage it.

Yvonne Rush, 5726 Silver Sky Way, representing the applicant, stated that she initially listed the subject property as a possible commercial property. With the property on the market, there were interested buyers who expressed that they would make an offer on the property if it had an appropriate zoning district. She stated that they requested the CD-O district to be as least disruptive to the area as possible but give the applicant the greatest opportunity to sell the property.

Ms. Skenes asked to confirm that single-family dwellings are permissible in the Office district, and Mr. Kirkman stated that was correct.

Mr. Peterson asked about commercial use of the subject property. Mr. Kirkman stated that the CD-O district precludes some uses available in the C-M district such as eating and drinking establishments with drive-through.

Vice Chair Bryson asked about neighborhood outreach. Mr. Pearson stated that they contacted neighbors by e-mail and tried to explain their intentions with the property. He stated they heard some opposition to the request, and they attempted to respond to the concerns.

Chair O'Connor then inquired if there was anyone wishing to speak in opposition of the request.

Andrea Foxworth, 805 Ernest Court, High Point, stated that this area has dating to the 1940s, and the neighborhood has always been overwhelmingly single-family residential in nature. Since the City has a need for housing, she stated she did not believe it made sense to approve a rezoning that might reduce the availability of housing. Given the existing issues, additional

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commercial activity in the neighborhood would be disruptive. She stated the applicant did not contact her, and asked the Commission to consider the needs of her community.

Mr. Engle stated there is commercial zoning next to the subject property, and asked if Ms. Foxworth was opposed to any increase in intensity of uses except for single-family. Ms. Foxworth stated she wished for the maintenance of the subject property as it is right now.

Cheryl Mclvor, 404 West Montcastle Drive, stated that the commercial use adjacent to the subject property fronts to Randleman Road. There are no other Office or Commercial zoning districts in this area of Vandalia road other than a distant daycare use, and she believes this encroachment of commercial activity would set a dangerous precedent in the area. She stated that there are other uses allowed in the R- single-family district, and a future owner could use the special use permitting process to work with the community to find a solution that works. Ms. Mclvor stated that if the City's housing needs were so severe, it did not make sense to rezone the subject property away from residential, and that rezoning this property would damage the neighborhood.

Ms. Magid stated that the adjacent property is a bank use that has parking and traffic egress on Vandalia Road, as does the eating and drinking establishment with drive-through across Vandalia Road.

Mr. Peterson stated that the eating and drinking establishment across Vandalia Road is closed, and the adjacent commercial uses are irregular conversions of formerly residential properties and are disruptive to the area. He stated that he believes the request is inconsistent with the character of the neighborhood around Vandalia Road.

Ms. Mclvor stated that the commercial uses do not front on Vandalia Road and there is significant buffering between the existing commercial and residential uses on Vandalia Road. She stated that there are no significant or intense commercial uses fronting on Vandalia Road between Rehobeth Church Road and South Elm-Eugene Street.

Crystal Black, 1120 Highstone Drive, on behalf of the Southeast Greensboro Coalition, stated that the neighborhood did not receive sufficient outreach, and that the applicant is making this request to maximize their potential sale value. She stated that this community has significant pre-existing issues around Randleman Road, and previously residential properties converted to commercial uses in the area have been very negative in the area. She feels that this area has significant needs, and this request does not address them. Ms. Black stated that there has been no substantive contact with neighbors regarding this request.

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

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Mr. Lineberry stated that they did not conduct proactive outreach, and had waited to hear from neighbors in opposition to address their concerns. He stated that he did not deny they are attempting to sell the property, as it is the best option for their family. They applied for the Office zoning district to permit the greatest number of compatible uses for the area, and that no one can guarantee a new tenant of a property—commercial or residential—will not be disruptive. Mr. Lineberry stated that very few of the properties in the area are occupied by their owners.

Mr. Engle asked the applicant if he mailed a letter to the neighbors in the area. Mr. Lineberry stated he responded via e-mail to neighbors who expressed opposition with the assistance of their realtor. Ms. Rush stated that they mailed a letter in the past week. Mr. Lineberry stated that it was later than they anticipated due to difficulties with probate.

Mr. Peterson asked if Mr. Lineberry has seen some of the residential-commercial conversions in the Randleman Road area. The current condition is unacceptable, and he understands the neighbors' concerns, as the area is in need of assistance.

Ms. Rush stated that there are commercial uses fronting on Vandalia Road, and that the Office zoning does not preclude residential uses.

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

Ms. Foxworth stated that her family has not communicated with the applicant, and stated the applicant is only concerned with selling the subject property. She reiterated her belief that if the request is approved, it sets a precedent damaging the residential character of her neighborhood.

Ms. Black stated that the commercial uses only have traffic egress onto Vandalia Road but all frontage is off Randleman Road. Her neighborhood initiated outreach with the applicant, because the neighborhood was unaware of what the applicant's plans were. She stated that the converted commercial uses on Randleman Road are a negative influence on her community, and they are worried this could expand that into Vandalia Road.

Ms. McIvor stated that the special use permit process exists to allow for non-residential uses that could be compatible with residential neighborhoods.

With all speaking time expired, Chair O'Connor closed the public hearing.

Vice Chair Bryson stated that the request troubled him due to the lack of outreach measures taken by the applicant. He stated that he felt an e-mail alone was inappropriate, as it did not allow the applicant to understand the neighborhood's concerns. He agrees with the speakers in

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opposition that the request is incompatible with the character of Vandalia Road, and cannot support it.

Mr. Engle stated that the Commission prioritizes outreach when making decisions, and he does not feel this request met the standards of the City. The Office zoning district allows for a large number of potential uses, and the conditions offered do not create a narrative for the likely use of the subject property. He stated that infill development requests such as this are delicate and require the Commission to consider these details. He could support a scale of intensity and potential uses as a transitional element to Randleman Road but he cannot support this request.

Chair O'Connor stated that there is nothing inherently negative about making a profit with real estate. When she visited the subject property, she felt the commercial properties adjacent to it fronting on Randleman Road reduced its viability as a single-family residential dwelling, but she understands the neighborhood's concerns about commercial encroachment and cannot support the request

Mr. Peterson then stated regarding agenda item Z-23-04-001, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 347 West Vandalia Road from R-3 (Residential Single-family – 3) to CD-O (Conditional District - Office) 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-O zoning district, even 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. Magid seconded the motion. The Commission voted 8-1 (Ayes: Peterson, Egbert, Magid, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: Alford). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, May 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor advised there would be a break at 7:53 p.m., and the meeting resumed at 8:05 p.m.

Z-23-04-003: A rezoning request from BP (Business Park) to CD-LI (Conditional District - Light Industrial) for the property identified as 8309 West Market Street, generally described as south of West Market Street, west of South Regional Road, and east of NC Highway 68 (151.40 acres). (APPROVED)

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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 this 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 and the Growing Economic Competitiveness goal to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-LI zoning district allows a variety of warehouse, industrial, distribution and office uses; that are generally consistent with other surrounding uses on nearby properties. The change in zoning will also increase industrial development opportunities while limiting any potential negative impacts on adjacent and nearby properties and uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Amanda Hodierne, 804 Green Valley Road, Suite 200, on behalf of Hillwood Companies, stated that the applicant leases the land long-term from Norfolk Southern Railroad. Displaying a zoning map of the area, she indicated the Piedmont-Triad International airport immediately northeast of the subject property and NC Highway 68 to the west. The surrounding land use pattern is overwhelmingly industrial, and while the BP district can serve many land use needs, the applicant seeks LI zoning to utilize the subject property for a warehousing/logistics use for which the subject property is uniquely suited. She displayed aerial photography of the area, and stated that this was a heavily active employment zone, and the conditions offered with the request when paired with the City's LDO and applicable overlay districts ensure that the development of the subject property would be positive for the community and traveling public. Ms. Hodierne stated that they sent letters to neighbors, and received phone calls with neighboring property owners that were mostly positive. She stated that the request is consistent with the GSO2040 Comprehensive Plan and supports the economic competitiveness needs of the City. As required by the City, a TIA conducted and the development review process under TRC will integrate its results.

Chair O'Connor then asked for any objections to the request.

Dena Johnson, 141 Thatcher Road, stated that the ownership situation of the subject property made addressing her concerns confusing. Environmental research indicates there may be drainage issues on her property related to culverts directed from the subject property under NC Highway 68, and asked for more information to understand the proposed development and its potential impact on her property. She stated that it has been difficult to get information about the property, and requested to delay the request until she can develop more information.

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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.

Ms. Hodiernie stated that the culverts in question do not originate on the subject property and drain a pond from the airport. The applicant is now aware of this as a site planning consideration and offered to follow-up with Ms. Johnson to find out more information. She stated that the LDO's development standards and other regulations would not permit construction that generates more stormwater runoff after development than at present. Ms. Hodiernie stated there is no established tenant yet, and that the land use consideration at hand is the first step in the process.

Ms. Skenes asked to confirm that the culverts do not originate on the subject property, and Ms. Hodiernie stated that was correct, they flow under the subject property from the airport. Ms. Skenes asked if they were piped culverts, and Ms. Hodiernie stated she believed so.

Austin Watts, 200 South Tryon Street, Charlotte, stated that the piped culverts from the airport flow under Market Street, and the applicant has information regarding jurisdictional streams on the subject property. Ms. Skenes asked to confirm this was a development review issue for TRC to address and not land use, and Mr. Watts stated that was correct.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Johnson stated that she previously asked for information about the culverts and had not heard anything about this situation until the hearing tonight.

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

Mr. Engle stated that the development review process addresses the stormwater concerns expressed tonight, and the Commission's area of review is land use.

Mr. Engle then stated regarding agenda item Z-23-04-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 8309 West Market Street 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.

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Skenes seconded the motion. The Commission voted 9-0 (Ayes: Peterson, Egbert, Magid, Alford, Engle, Skenes, Glass, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, May 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM THE PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSIONERS:

None.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 8:29 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, May 15, 2023, beginning at 5:36 p.m. Members present were Chair Sandra O'Connor, Vice Chair Richard T. Bryson, Mary Skenes, Catherine Magid, Andrew Egbert, Erica Glass, and Zac Engle. Present for City staff were Mike Kirkman, Luke Carter, and Rachel McCook (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. The Commission cannot affirmatively offer conditions to the applicant, any conditions that are part of a rezoning application must be offered by the applicant themselves. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

APPROVAL OF THE APRIL 10, 2023 REGULAR MEETING MINUTES: (CONTINUED)

Chair O'Connor requested approval of the April 10, 2023 meeting minutes. Ms. Magid made a motion to table the minutes until the June meeting, seconded by Ms. Skenes. Ms. Skenes stated that the minutes are very lengthy and the Commission needs more time to review them properly. The Commission voted 6-0, (Ayes: Magid, Skenes, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0).

Ms. Glass joined the meeting at approximately 5:47 p.m.

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WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman stated that the applicant and persons opposed to case Z-23-05-006 - 1801 Cude Road and 1199 Pleasant Ridge Road both support a continuance to the June meeting.

Tom Terrell, 220 North Elm Street, on behalf of the applicant, stated that they are seeking a continuance to conduct more neighborhood outreach.

Brian Haderlie, 1197 Pleasant Ridge Road, stated that his neighborhood supports the continuance.

Ms. Skenes made a motion to approve the continuance, seconded by Ms. Magid. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0).

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor acknowledged the absence of Mr. Alford and Mr. Peterson

EXPEDITED AGENDA:

Mr. Kirkman noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-05-010 & Z-23-05-015 – 4507 and 4509 McKnight Mill Road and a portion of the I-840 right of way, and Z-23-05-013 - 623 Summit Avenue. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

PUBLIC HEARINGS:

NEW BUSINESS:

PL(P) 23-11 & Z-23-05-010: An annexation and original zoning request from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-R-7 (Conditional District - Residential Single-family – 7) for the properties identified as 4507 and 4509 McKnight Mill Road, generally described as west of McKnight Mill Road and north of I-840 (10.976 acres). (RECOMMENDED APPROVAL)

Z-23-05-015: An annexation and original zoning request from County AG (Agricultural) to City R-7 (Residential Single-family – 7) for the property identified as a portion of I-840 right-of-way, generally described as a portion of I-840 right-of-way between McKnight Mill Road and US Highway 29 (5.2 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

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GSO2040 Comprehensive Plan designates these properties as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning requests support both the GSO2040 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-R-7 zoning district limits uses to a maximum of 37 dwelling units and is consistent with the residential zoning designations surrounding the subject properties. Staff recommended approval of the requests.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Ms. Magid then made a motion to annex the property, seconded by Ms. Skenes. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle, Egbert; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-05-010, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 4507 and 4509 McKnight Mill Road 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 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-R-7 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 7-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle, Egbert; Nays: 0).

Ms. Skenes then stated regarding agenda item Z-23-05-015, 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 I-840 right-of-way from County AG (Agricultural) to City R-7 (Residential Single-family – 7) 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 R-7 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.

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Ms. Magid seconded the motion. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.

Z-23-05-013: A rezoning request from CD-C-N (Conditional District - Commercial – Neighborhood) to O (Office) for the property identified as 623 Summit Avenue, generally described as northwest of Summit Avenue and southwest of Yanceyville Street (0.26 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban Central and Residential on the Plan's Future Land Use Map. The request supports the Strategic Plan for the Dunleath Neighborhood and the Summit Avenue Corridor Plan towards a revitalization through design recommendations, market analysis, and regulatory recommendations. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Creating Great Places Big Idea to create interesting and attractive places in neighborhoods and with our historic resources by protecting and enhancing the unique character of a neighborhood. It also supports the GSO2040 Comprehensive Plan's Filling in Our Framework Big Idea to arrange land uses for where we live, work, attend school, shop, and enjoy free time to create a more vibrant and livable Greensboro. The proposed O zoning designation would allow a mix of office and professional service uses in immediate proximity to other office uses that are also compatible with adjacent residential uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Vice Chair Bryson then stated regarding agenda item Z-23-05-013, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 623 Summit Avenue from CD-C-N (Conditional District - Commercial – Neighborhood) to O (Office) 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 O 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 7-0, (Ayes: Magid, Skenes,

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Glass, Bryson, O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

OLD BUSINESS:

Z-23-04-004: 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 1007 Willard Street, generally described as north of East Wendover Avenue and west of Willard Street (4.46 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 GSO2040 Comprehensive Plan designates this site as Urban Central within an Urban Mixed-use Corridor on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 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-8 zoning district would allow a variety of medium density residential uses consistent with other multifamily zoning in the larger area. The request limits maximum building height to 35 feet in order to 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 and visual buffers to ensure an appropriate transition to the lower density residential uses on these adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Juhann Waller, 3909 Jack Pine Court, on behalf of Feedgate Development, stated that the applicant's neighborhood outreach included two neighborhood meetings. They used the follow-up meeting to address neighbors' concerns from the first meeting, as this is a continuation of a request from last year with added conditions to reduce maximum building height. He stated that the proposed density is around 6 dwelling units per acre, which was not significantly above the density permitted in the current R-5 zoning district. Mr. Waller stated that there are RM-8 zoning districts nearby, and that this proposal is a good fit for the community. The applicant has reached out to the Greensboro Department of Transportation (GDOT) to address neighbors' concerns, but some of those concerns are outside the purview of land use considerations.

Reggie Tatum, 709 Stoneway Court, stated that the last rezoning request was missing neighborhood outreach. He had heard neighborhood concerns and he believes this request

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addressed them. The subject property is vacant and subject to dumping of garbage, and developing the property into homes would be a benefit to the neighborhood. Mr. Tatum stated that he wants to build a different type of housing that is in demand 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.

Karen Leak, 1015 Willard Street, stated she had lived in her home for 30 years and believed the requested density was inappropriate for the area on Willard Street, which is narrow. There are multiple naturally flowing creeks adjacent to the subject property, and she is concerned about stormwater after development. The subject property is a flag lot, and half of the development will be behind 8 existing single-family homes. Ms. Leak stated that several residents are concerned about this proposal, as the area has pre-existing crime problems and she did not believe the neighborhood could handle this proposal.

Richard Myers, 810 Willard Street, stated his family had lived in the area over 60 years, and that the subject property had hills on either side, causing blind spots for traffic ingress and egress. The front setbacks in the neighborhood will not support expanding the street, and this will create more problems for the neighborhood.

Ronald Williams, 908 Willard Street, stated that there are hills on both ends of the block and the neighborhood's residential nature could support extra traffic from this proposal. There is already a problem with drivers speeding on the street endangering children and littering, and he is worried this will make it worse.

Pamela Engle-Myers, 810 Willard Street, stated that she has visited the area for 37 years, and the street is extremely narrow. The front yards and driveways are short, and many residents park on the street. If this proposal significantly increases traffic, the street is too narrow to widen. She asked for consideration of the residents already living in the area, including elderly people who cannot attend the meeting. Ms. Engle-Myers stated that the other townhomes and apartments in the area are only on main thoroughfares, not side streets like Willard Street.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Waller stated that the applicant has worked with the neighborhood to address their concerns, and has communicated with GDOT about these issues, but any potential widening of the street is outside of the land use consideration before the Commission. Issues would happen with any development on the subject property, but GDOT's trip generation projection indicates this proposal will not generate a significant amount of traffic. He stated that new homeowners in

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the neighborhood would have investment in the character of the community, and that there is room for road widening by GDOT in the future should the need arise.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Pamela Engle-Myers stated that there will be guests at the development contributing to traffic, and the street is very tight as it is. The pre-existing conditions on the street are a problem in need of improvements now.

Ms. Leak stated that the proposal will stack new homes in the backyards of existing homes, and that has the potential to hurt her neighborhood.

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

Ms. Skenes stated that the applicant had significantly improved the proposal since the last request, and the work with GDOT makes her comfortable with it. The subject property has topographic challenges and that will limit the building options, but the applicant's illustrative sketch plan indicates the applicant is addressing the concerns of the neighbors.

Ms. Magid stated she agreed with Ms. Skenes, and that the current R-5 zoning would permit up to 22 single-family homes now by right. The request is significantly improved and she can support it.

Vice Chair Bryson then stated regarding agenda item Z-23-04-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1007 Willard Street from R-5 (Residential Single-family – 5) to CD-RM-8 (Conditional District - Residential Multi-family – 8) 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-8 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 7-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

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NEW BUSINESS:

Z-23-05-003: A rezoning request from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) for the property identified as 3623 Irwin Street, generally described west of Irwin Street and north of Sharon Avenue (0.12 acres) (DENIED)

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 Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request does not support the GSO2040 Comprehensive Plan's Filling in Our Framework goal to protect and enhance the unique character of every neighborhood. The CD-O zoning district, as proposed, includes a condition that limits permitted uses to all uses allowed under the O zoning district except Overnight Accommodations and Cemeteries. However, the proposed CD-O zoning district has no relation to other nonresidential uses in close proximity and is located in the middle of a residential neighborhood. The proposed conditions do not limit negative impacts on surrounding properties. The uses permitted under the proposed zoning district are incompatible with existing uses on adjacent tracts. Staff recommended denial of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Arthur Boykin, 3623 Irwin Street, stated that he wanted to use the property for a call center for a water damage restoration business.

Vice Chair Bryson asked the applicant why he chose the subject property for the proposed use. Mr. Boykin stated that he could fence in the property to prevent it from imposing on adjacent residential uses.

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. Hearing none, Chair O'Connor closed the public meeting.

Mr. Engle stated that this request is an example of spot zoning and he will not support it.

Ms. Skenes stated that the requested use is incompatible with a neighborhood and she cannot support it.

Vice Chair Bryson then stated regarding agenda item Z-23-05-003, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 3623 Irwin Street from R-5 (Residential Single-family – 5) to CD-O

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(Conditional District - Office) 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-O zoning district even 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. Magid seconded the motion. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-10 & Z-23-05-004: An annexation and original zoning from County MXU (Mixed Use) and County RS-40 (Residential Single-family) to City CD-PI (Conditional District - Public and Institutional) for the properties identified as 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive, generally described as east of West Gate City Boulevard, north of Scotland Road, and south of Marion Elsie Drive) (7.3 acres). (RECOMMENDED APPROVAL)

Z-23-05-014: An annexation and original zoning request from County MXU (Mixed Use), County RS-40 (Residential Single-family), and County CZ-HB (Conditional Zoning - Highway Business) to City C-M (Commercial – Medium) for the properties identified as a portion of West Gate City Boulevard and Queen Alice Road rights-of-way, generally described as the West Gate City Boulevard right-of-way from the intersection of Queen Alice Road to the intersection with Scotland Road and the Queen Alice Road right-of-way from the intersection with Marian Elsie Drive to the intersection with West Gate City Boulevard (2.8 acres). (RECOMMENDED APPROVAL)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties and advised of the condition associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates the properties as Urban General and as being located within an Urban Mixed Use Corridor on the Future Built Form Map. The Western Area Plan's Future Land Use Map designates this property as Commercial and Residential. Staff determined the proposed original zoning request supports the GSO2040 Comprehensive Plan's Growing Filling In Our Framework goal to ensure every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities. The proposed CD-PI zoning district, as conditioned, would permit all uses allowed in the PI zoning district except: Fraternities and Sororities, Correctional Institutions, Passenger Terminals, and Funeral Homes and Crematoriums. The uses permitted in the proposed CD-PI zoning district

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are compatible with existing commercial, civic, and residential 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, she then asked if the applicant or anyone else wished to speak in favor of the request.

Jason Goins, 3723 Apple Orchard Cove, High Point, stated he is the senior pastor at Renaissance Church and that their congregation does significant community work involving hunger and housing assistance. The church uses real estate conversions to enrich areas it operates, and the proposal is to construct two buildings: a dedicated church to replace the current conversion space, and a 12,000 square foot office building as a co-working space for community benefit. He stated that the proposal would free up the existing church building for more community outreach efforts. Mr. Goins stated that they heard interest from the neighborhood in their proposal after sending letters to the neighborhood and holding a neighborhood meeting at their facilities. Neighbors expressed concerns about traffic on Scotland Road. He stated that their engineer asked for access along the West Gate City Boulevard frontage that the North Carolina Department of Transportation (NCDOT) denied. The project engineers are instead investigating access along Queen Alice Road, and they seek to make as many entrances and exits available as possible to maintain sound flow of traffic in the area. Mr. Goins stated that neighbors also have concerns about the land uses available. The requested CD-PI zoning district narrows these potential uses, but they held another virtual neighborhood meeting and have agreed to restrict permitted uses further. The new condition would read as follows:

2. The following list of uses is permitted:

Agricultural Uses: Forestry and Crops

Residential Uses: All except Rooming Houses

Religious Assembly: Religious Assembly

Public and Civic Uses: Libraries, Museums and Art Galleries

Educational Facilities: All except Truck Driving Schools

Medical Facilities: Medical, Dental and related offices

Day Care: day Care centers

Recreational Uses: sporting and Recreational Camps

Office, Retail and Commercial Uses: Business Incubators, and All office uses except listed below

Temporary Uses & Structures: Arts & Crafts Shows, Carnivals and Fairs, Christmas Tree Sales, and Outdoor Religious Events

Indoor Recreation Uses: Indoor Recreation – Clubs and Lodges

Eating and Drinking Establishments

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Mr. Goins stated that the church needs some flexibility to do its work and to grow, but he understands the concerns of neighbors given the situation of the subject property. The church seeks to be good neighbors, and is working with the engineering team to build in sufficient buffering and stormwater management.

Ms. Skenes asked if this list was uses the applicant sought to exclude, and Mr. Goins stated that the church wished to retain these uses. Ms. Skenes asked if the applicant anticipated residential uses on the subject property, and Mr. Goins stated he did not. Mr. Kirkman stated that the PI zoning district only permits upper-story residential and some uses in the group living category such as private dormitories and life care facilities, not typical single- or multi-family residential uses. Ms. Skenes asked if a homeless shelter was a permissible use in the requested district, and Mr. Kirkman stated that was a temporary use under the social service facilities group, and the presented condition does not list social service facilities as permitted. Mr. Goins stated that they developed the conditions through discussion with neighbors.

Ms. Magid asked if medical facilities were permissible in the PI district. Ms. Skenes stated the applicant added medical facilities back to the request, and stated that the request is very broad. Ms. Skenes asked what kind of medical uses the applicant anticipated. Mr. Goins stated that doctors have asked to lease office space in other church properties and they seek to leave that option open. Ms. Magid asked if that would require a different zoning district than PI, and Mr. Kirkman stated that the PI zoning district permits the medical office uses, and the applicant's condition does not include any uses that the PI zoning district prohibits. Mr. Goins stated they were not attempting to add any peculiar uses, but were limiting to these specific uses in the district.

Ms. Skenes asked if this would be a second condition. Mr. Kirkman stated this would effectively replace the existing advertised condition due to the complexity of it. Ms. Skenes stated that conditions are usually restricting uses and not specifically listing allowed uses. Ms. Magid asked to confirm that this list of uses came from neighborhood discussion and Mr. Goins stated that was correct. Ms. Skenes asked to clarify that the PI zoning district permits these uses by right, and Mr. Goins stated that they were listing the maximum extent of the uses they could have in the PI district to demonstrate goodwill to their neighbors. Ms. Skenes asked if it made sense for clarity to change the wording of the proposed condition. Mr. Kirkman stated that staff sees conflict between the terms of the proposed condition and the item as advertised and it may require work with the applicant and staff. Ms. Magid asked if the applicant could add to these exceptions. Mr. Kirkman stated that it was difficult to confirm the conditions on the fly, and the Commission may want to consider the item as advertised and continue the discussion as it advances to council.

Mr. Goins stated that he wished to withdraw the new condition as presented, and that he intends to keep working with the neighborhood as the request proceeds.

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Ms. Magid asked if the church had a fire, and Mr. Goins stated they had a fire two years ago at their food bank.

Ms. Skenes stated that the subject property extends far into this neighborhood, and asked about the Type B planting yard requirement. Mr. Kirkman stated that Type B has an average 25-foot width. Ms. Skenes stated that the lack of a sketch plan makes it difficult to understand how the subject property will interact with the existing neighborhood. She stated that there have been issues around the City between neighborhoods and church construction that did not use sufficient buffering and setbacks. Mr. Goins stated that they intended for the back end of the property at the intersection of Marion Elsie Drive and Scotland Road to be a buffer, tree preservation, and stormwater management area. Ms. Skenes asked about the adjacent residential uses. Mr. Goins stated that those neighbors have been informed but they have not had any contact with them. He stated that there would be parking around those 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.

Glenn Crihfield, 3324 North Rockingham Road, stated that traffic in the area has had growing pains with the expansion of West Gate City Boulevard. He displayed a map of the subject property and stated that the general view of the property by neighbors is that it is destined to be commercial. He stated his concern is the extended part of the property that classified as residential in the GSO2040 Future Land Use Map, and its extension into the Sedgfield neighborhood makes it an incompatible use. The neighborhood is requesting a transition between the intensive use on West Gate City Boulevard and the low-density residential uses adjacent. Mr. Crihfield stated that he does not oppose the church's goals or development on the western portion of the subject property, but the potential of adding office buildings directly adjacent to the low-density residential uses in the area is unreasonable.

Johann Betschart, 5602 Scotland Road, stated that the request should be denied because there have been no similar requests approved inside neighborhoods like this. He displayed aerial photography of the subject property and stated that the request would intrude too far into the neighborhood. Infill development should strengthen and add value to a community and not detract from it. The uses the church proposes do not align with the purpose of the PI zoning district. Mr. Betschart stated that the church use would contribute to severe traffic issues in the area, and stated that the request should require a Transportation Impact Analysis (TIA) to account for this. Scotland Road is very narrow yet considered a main collector street in Sedgfield, and is already difficult to navigate. He stated that these conditions are incompatible with the requested PI zoning.

Nicole Choate, 5817 Marion Elsie Drive, displayed aerial photography of the area and indicated her property's location across Marion Elise Drive in relation to the subject property. She stated

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that her family is concerned about traffic given the 240 parking spots the applicant seeks to build for worship services. If the applicant needs more parking in the future it will negatively affect the neighborhood, as there is no overflow parking available anywhere nearby. Scotland Road is very narrow, and has pre-existing issues with speeding. Ms. Choate stated that there was a lack of communication from the applicant about the plans for the subject property.

Jennifer Cannon, 2000 Thayer Circle, stated that she talked with the applicant about maintaining the subject property as residential, and stated the neighborhood has not had time to discuss the request with the applicant.

With opposition speaking time expired, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Goins stated that GDOT would require him to conduct improvements on Scotland Road to remedy the issues discussed by the neighbors. They intend to add an entrance on Queen Alice Road, and that they are willing to grow in a way that does not harm the neighborhood. He stated they were willing to have law enforcement on site for traffic control if needed, and they were willing to work to ensure the subject property was a good fit for the neighborhood. Mr. Goins stated the proposed parking would be behind any buildings with sufficient buffering from the rest of the neighborhood.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Crihfield stated that the applicant has communicated well with the neighborhood, but the neighborhood's concern remains the part of the subject property inside the residential land use classification. The zoning for the subject property would remain even if the church sold the property in the future, and without firm zoning conditions the neighborhood is concerned what could happen in the future. He stated he sought more communication with the applicant.

Mr. Betschart stated that the varied activities on the subject property means that it would have significant traffic at all hours on most days, generating a lot of traffic. The traffic flow around Scotland Road would back up to West Gate City Boulevard, and he stated that it does not make sense to use anything except West Gate City Boulevard as a frontage.

Ms. Choate stated that the subject property contains significant old-growth trees, and clearing out the area will be complicated and damage the natural environment of the area. Neighbors are extremely confused about what the applicant intends to do with the property.

Ms. Cannon displayed aerial photography of the subject property and stated that the properties the neighbors are concerned about is the eastern area of the subject property intruding into the neighborhood at the intersection of Marion Elsie Drive and Scotland Road.

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Mr. Betschart stated that the zoning of the subject property is confusing.

With all speaking time expired, Chair O'Connor closed the public meeting.

Ms. Skenes stated that this was a difficult request, and she understood the concerns from the neighborhood. The subject property will have access to City services and that will mean development at a higher intensity than it currently is. She stated that the area of the subject property at the intersection of Scotland Road and Marion Elsie Drive is a peculiar island based on the configuration of the property.

Chair O'Connor stated that the Commission and neighbors could usually get a better idea about a complicated development like this when the applicant presents a sketch plan, and that the land use does go with the property. She stated that development on the property is very likely in the future.

Mr. Engle stated that this area has grown considerably in the last decade and the increase of intensive uses on West Gate City Boulevard means that he does not believe single-family residential is likely. The proposal is likely a lower traffic-generating use than other possibilities, and stated that he hoped the applicant would continue to work with the neighbors and staff in the lead up to the City Council vote.

Mr. Engle then made a motion to annex the property, seconded by Ms. Magid. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-05-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive from County MXU (Mixed Use) and County RS-40 (Residential Single-family) to City CD-PI (Conditional District - 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 CD-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. Ms. Skenes seconded the motion. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0).

Ms. Skenes then stated regarding agenda item Z-23-05-014, 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 West Gate City Boulevard and Queen Alice Road rights-

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of-way from County MXU (Mixed Use), County RS-40 (Residential Single-family), and County CZ-HB (Conditional Zoning - Highway Business) 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 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. Magid seconded the motion. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.

Chair O'Connor stated the Commission would take a short break starting at 7:34 p.m., and the meeting resumed at 7:47 p.m.

Z-23-05-005: A rezoning request from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) for the properties identified as 4000, 4002, and 4010 Walker Avenue, generally described as north of Walker Avenue and west of South Holden Road (1.93 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. He then advised the applicant wished to amend the conditions to the request and add a new condition, as follows:

2. Signage. External signage shall not exceed 8 feet in height. Electronic message boards shall not be allowed.
3. Uses: Permitted uses shall include all uses allowed in the Office zoning district, except for the following: Multi-family Dwellings, Family Care Homes, Chartered Homes, Twin Homes, Upper Story Residential, and Duplexes, all uses in the Group Living use group, Group Care Facilities, Temporary Emergency Facilities, all uses in the Indoor Recreation use group, all uses in the Outdoor Recreation use group, all uses in the Overnight Accommodations use group, all uses in the Personal and Professional Services use group, and all uses in the Day Care use group. All uses in the Accessory Uses and structures use group are not permitted except for the following: Accessory Uses and Structures (customary) and Accessory Dwelling Units.
4. Hours of operation. Hours of operation shall be limited to 7:00 a.m. to 11:00 p.m.

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At this point Mr. Carter noted that Mr. Egbert had to leave the meeting at 7:51 p.m.

Ms. Magid made a motion to accept the amended conditions, seconded by Ms. Skenes. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle; Nays: 0).

Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this 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 the GSO2040 Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro and the Creating Great Places strategy to protect and enhance the unique character of every neighborhood with place-making using historic resources. The proposed CD-O zoning designation, as conditioned, would allow a mix of office uses that are compatible with nearby residential uses, and restrict many land uses typically allowed in the Office zoning district such as multi-family dwellings, group care living, indoor and outdoor recreational facilities, overnight accommodations, and personal and professional services. Staff recommended approval of the request. Mr. Kirkman stated that this rezoning request would trigger an amendment to the Lindley Park Neighborhood Plan, so the Commission will only have the authority to make a recommendation on the rezoning request and City Council will take final action.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Jason Randall Little, 639 Scott Avenue, on behalf of the Lindley Park Neighborhood Association Executive Committee, stated that the LPNA supports the Kellin Foundation's rezoning request. While LPNA is concerned about additional nonresidential uses along Walker Avenue, Kellin has worked with the neighborhood to tailor conditions to make the request compatible, and the church is important to the neighborhood.

Ms. Magid asked to clarify what organization the speaker is representing, and Mr. Little stated the Lindley Park Neighborhood Association.

Tom Terrell, 230 North Elm Street, representing the Kellin Foundation, stated that the property would not remain as a church as the church has closed its congregation and there has been no market for another church at this location. The Kellin Foundation's use is compatible with the character of the neighborhood, and the subject property is on a 4-lane divided major thoroughfare, and is on the periphery of the neighborhood. The built form will not change, the applicant has worked with the LPNA to design the conditions to be acceptable to the neighborhood, and there is strong support with church and neighborhood. Mr. Terrell stated that there is pre-existing heavy buffering adjacent to residential uses to the north, and he believes the request is compatible with GSO2040 Comprehensive Plan.

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Dr. Michie Dew, 2403 Camden Road, stated she is a psychologist practicing in the area for over 30 years and is representing the Kellin Foundation. This request allows for the iterative reuse of the historic structure providing social services to needy residents of Guilford County. The Kellin Foundation has many locations around the county and state, and conducts a lot of its work remotely. She stated the intent of the request is to use the subject property as its headquarters, and would allow it to enhance its public service activities.

Dr. Marian Earls, 673 Percy Street, President of the Kellin Foundation board, stated that there is a significant need for the kind of services the foundation provides as a nationally recognized provider. The church's donation of the subject property and approval of the rezoning request will allow much more services for the community.

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. Hearing none, Chair O'Connor closed the public meeting.

Ms. Skenes commended the applicant for working with the neighborhood to develop the request.

Vice Chair Bryson then stated regarding agenda item Z-23-05-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 4000, 4002, and 4010 Walker Avenue from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) 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-O 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 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.

Z-23-05-007: A rezoning request from R-3 (Residential Single-family – 3) to R-5 (Residential Single-family – 5) for the property identified as 4334 Four Farms Road, generally described as southeast of Four Farms Road and south of Horse Pen Creek Road (7.82 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan currently designates this

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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 GSO2040 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-5 zoning district permits similar uses to the existing R-3 zoning but allows for greater flexibility on individual lot configuration and a small increase in residential density. The request is consistent with the residential zoning designations surrounding the subject property. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Brent Cockrum, 8518 Triad Drive, Colfax, on behalf of the applicant, stated that the request is a reasonable increase in density to make the project more feasible. He stated they believe the request is consistent with the GSO2040 Comprehensive Plan, and they will construct improvements to the area. They held a neighborhood meeting with 12 attendees, mostly residents along Four Farms Road. Neighbors expressed concerns about traffic, and the applicant will construct improvements on Four Farms Road as directed by GDOT. He stated that connections to Four Farms Road and driveways specifications would be determined in the development review process.

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.

Jeff Skeahan, 4324 Four Farms Road, stated that he objects to the zoning proposed without conditions. The neighborhood believes this development will result in 9 driveways fronting on Four Farms Road. This neighborhood is low density with large lots, and the R-3 zoning district is reasonable for the neighborhood. He stated that the R-5 district, without conditions, permits a level of density that would be unreasonable in this neighborhood. The impact on public infrastructure would be too significant, as Four Farms Road is very narrow. Four Farms Road is also a dead end street without room to turn around large vehicles such as school busses. Mr. Skeahan stated that the requested density compared to the current pattern of development is inconsistent, and that the neighborhood requested the applicant to return with a conditional district request to allow them to work with the neighborhood and allay their concerns.

Tom Berry, 4323 Four Farms Road, stated that his neighborhood opposes an unconditional zoning request. The neighborhood does not oppose the requested density, but 10 new curb cuts on a narrow, difficult street is unreasonable and could disrupt the character of their community. He stated that the applicant's outreach efforts have been insufficient, and requested a

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development with traffic flow and buffering similar to the townhome communities nearby that are positive members of the neighborhood.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Cockrum stated that the current R-3 zoning district would permit up to 6 driveway frontages by right, and the request would permit only 3 more. The site has topographic challenges that do not lend it to a more significant development like the multi-family developments nearby.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Berry stated that the difficult nature of the subject property is not the community's responsibility or fault, and believes the neighborhood should not shoulder the burden to allow the applicant to build. He stated that the neighborhood can support an even higher level of density than the request, but adding many driveway frontages to this complicated road is unreasonable.

Mr. Skeahan stated that the subject property's topography would create stormwater management issues if the applicant clears it, and asked why the neighborhood should have to accommodate the requested density.

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. Skenes stated that the neighborhood would need to handle additional density and traffic anyway with interior traffic flow, and asked if the R-5 district permits Wireless Telecommunications Facilities, manufactured home parks, or the other stated uses, and Mr. Kirkman stated that most non-residential uses would require a Special Use Permit.

Chair O'Connor asked to confirm that the R-3 zoning district has a minimum 75-foot lot frontage and 12,000 square foot minimum lot size and the R-5 zoning district has a minimum 50-foot lot frontage and 7,000 square foot minimum lot size. Mr. Kirkman stated that was correct.

Vice Chair Bryson then stated regarding agenda item Z-23-05-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 4334 Four Farms Road from R-3 (Residential Single-family – 3) to R-5 (Residential Single-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

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and Future Land Use Map; (2.) The proposed R-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 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-05-008: A rezoning request from CD-BP (Conditional District - Business Park) to CD-LI (Conditional District - Light Industrial) for the properties identified as 640 and 640-YY Knox Road, and 401 Old Birch Creek Road, generally described as east of Old Birch Creek Road and west of Knox Road (145 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 GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. If the proposed rezoning is granted, the Future Land Use will change to Industrial. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses and the Prioritizing Sustainability 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, permits all uses that 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 the lower density residential uses on adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Alex Elkan, 230 North Elm Street, on behalf of the Welcome Group, displayed an illustrative sketch plan of the subject property and stated that the co-applicant, American Express, had originally petitioned for annexation of the property in 2010 for use as a logistics and distribution support facility. Since that time, it has determined it does not need that use in this location, and sold it to the applicant. The CD-LI zoning district will permit more flexibility in site layout and better suit the applicant's need for logistics and distribution uses. Mr. Elkan stated that with the development of large distribution centers in the area, the applicant requires the CD-LI zoning district to be competitive. He displayed an overview map of the area, and noted the subject

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property in relation to the large Publix distribution center to the north and the McConnell Road distribution center currently under development to the south. The location and improved transportation infrastructure supports this type of development. Displaying an illustrative sketch plan of a potential site layout, Mr. Elkan stated that the applicant would construct transportation infrastructure improvements in phase with development of the property, allowing for a seamless integration of the subject property into the area. The topography and natural features of the site will make screening and environmental mitigation easier. He stated that the TIA is under review by the NCDOT but the applicant will construct all improvements indicated by GDOT. Mr. Elkan stated that the applicant conducted outreach in the neighborhood, including a neighborhood meeting.

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.

Cheryl Lowe, 662 Knox Road, stated her property abuts the subject property. The applicant was flexible in meeting with her, but she is still uncomfortable about the traffic. The addition of large tractor-trailer traffic on Knox Road concerns her, even with the recent improvements in anticipation of the Publix distribution center. She believes that trucks might use Knox Road to access the subject property, and questions that Knox Road can handle it. She stated that there had been recent rezoning to LI in the area, and asked if those decisions considered this potential development. If all the properties are concurrently developed, it could overwhelm the area with truck traffic. Ms. Lowe requested the Commission to delay the decision until next month to allow neighborhood discussion about traffic and completion of TIA.

Edward Rongitsch, 668 Knox Road, stated that LI zoning in this area would negatively affect the neighborhood environmentally and with excess traffic. Knox Road is dangerous and congested under current conditions, and adding significant traffic would exacerbate the situation. He stated that he is concerned about stormwater issues regarding the watersheds that feed the residential wells in the area. The GSO2040 Comprehensive Plan designates the subject property as residential on the Future Land Use Map, and the GSO2040 Comprehensive Plan encourages adaptive infill versus proposals such as this. Mr. Rongitsch stated that the current BP zoning district permits economic development without harming the existing neighborhood and the description of the previous proposed use as a "logistics facility" is not representative of what the neighborhood understood it to be, a computer datacenter.

Chair O'Connor asked to confirm that the applicant submitted a TIA to GDOT, and Noland Tipton confirmed that was correct.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

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Austin Watts, 200 South Tryon Street, Charlotte, displayed an illustrative sketch plan of the subject property and stated that NCDOT is still reviewing the final transportation configuration of the site. While the buildings are large, they are not significant drivers of traffic, and the GDOT - approved TIA calls for only minor improvements to the transportation infrastructure in the area. The proposed uses are warehouses, not manufacturing uses, and should have little to no adverse environmental impact. He stated that the development review process of the City requires light pollution and stormwater runoff mitigation. Mr. Watts stated that the subject property has significant existing buffering, particularly streams on the site that construction cannot disturb, and the development review process will require significant additional vegetative buffering to adjacent residential uses.

Ms. Skenes asked if the applicant provided the TIA to the residents at the neighborhood meetings. Mr. Watts stated that the applicant and neighbors did not discuss traffic in detail at the meetings. Ms. Skenes asked if the neighbors were aware of the improvements the applicant will be required to construct. Mr. Watts stated that the applicant must construct whatever improvements indicated by DOT.

Randy Warren, 111 West Lewis Street, stated that the applicant gave an abbreviated presentation of the TIA at the neighborhood meeting, which included details about the necessary infrastructure improvements.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Rongitsch stated that he appreciated the outreach and dialogue of the applicant. He has concerns with the proposal given the pre-existing issues with traffic dangers in the area, as there have already been fatalities on Knox Road.

Ms. Lowe reiterated her concerns about the traffic, and stated that Knox Road is unfit for use as a connector for significant commercial truck traffic. She asked the Commission to wait to make a decision until NCDOT returns feedback on the request.

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.

Mr. Engle asked GDOT to reach out to the neighbors to provide more information about the TIA, and asked about TIAs considering future anticipated development. Mr. Tipton stated that the TIA had to consider future background development in its projections. Mr. Engle asked if the BP zoning district allows warehousing, and its size regulations. Mr. Kirkman stated that the BP district limits warehouse uses to 60,000 square feet per building. Mr. Engle asked if the LDO permits multiple buildings of that size in the district, and Mr. Kirkman stated that was correct. Mr.

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Engle stated that the uses were consistent between the previous proposal and this request, just at a different scale.

Ms. Magid then stated regarding agenda item Z-23-05-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 640 and 640-YY Knox Road, and 401 Old Birch Creek Road from CD-BP (Conditional District - 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. Ms. Skenes thanked Mr. Engle for his comments. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-05-009: A rezoning request from CD-O (Conditional District - Office) and R-3 (Residential Single-family – 3) to CD-O (Conditional District - Office) for the properties identified as 5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 722 and 724 Muirs Chapel Road, generally described south of West Friendly Avenue and east of Muirs Chapel Road (4.01 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. He then advised the applicant wished to amend the conditions to the request as follows:

4. Plantings within the required "Type B" buffer along the southern and eastern property lines shall be of evergreen material.

Ms. Magid made a motion to accept the amended conditions, seconded by Ms. Skenes. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle; Nays: 0).

Mr. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban General within an Urban Mixed-use Corridor on the Future Built Form Map. The Future Land Use Map designates the site as Residential and Commercial. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Filling In Our Framework Big Idea to

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encourage higher density, mixed-use, walkable infill development. It also balances the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the GSO240 Comprehensive Plan's Creating Great Places Goal to protect and enhance the unique character of every neighborhood. The proposed CD-O zoning designation, as conditioned, would allow a mix of office and professional service uses in immediate proximity to similar office uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential uses on adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of Lomax Properties LLC, stated that the Commission rezoned the subject property for medical office use in September 2021. That use has not changed, but the applicant has acquired more property and will now be capable of preserving an historic structure on West Friendly Avenue. He displayed a zoning map of the area, and stated the additional property allows for site layout flexibility along with preserving the structure. There are significant numbers of Office-zoned properties along West Friendly Avenue abutting residential properties, and these uses have been compatible with the character of the neighborhood. Mr. Isaacson displayed an illustrative sketch plan of the subject property, and stated that the site plan extensively buffers adjacent residential uses to the proposed medical office use and historic house on the subject property. The proposal moves the access cuts on Friendly and Muirs Chapel Road away from the intersection, enhancing the safety of access to the property. He displayed an illustrative elevation rendering of the development, and indicated it would have a covered entrance for patients to enter safely. The applicant conducted neighborhood outreach including a meeting at a church in the neighborhood with 15 attendees, where neighbors expressed similar concerns from the previous request, and the applicant shared details about the preservation of the home and traffic flow changes. Mr. Isaacson stated that the engineering team updated the TIA and it shows a decrease in traffic on Friendly Avenue from 2019 conditions, indicating that the Greensboro Urban Loop is working to alleviate traffic on thoroughfares such as Friendly Avenue. He stated that this is the same type of zoning and anticipated use as the recently previously approved rezoning, simply expanded with more resources. The neighborhood expressed a desire to have a condition for the preservation of the home, but applicant is uncomfortable with that given the age and condition of the property.

John Lomax, 212 South Elm Street, stated that he has listened to neighbors about the importance of the historic home on the subject property, and believes this is a mutually beneficial compromise for all parties. They intend to save the old growth trees as natural vegetative cover with supplemental plantings as needed to meet City standards for the Type B planting yard.

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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.

Bill McNeil, 1014 D Gretchen Lane, co-clerk of the New Garden-Guilford College Area Alliance, stated that the neighborhood opposed the commercial rezoning of this traditionally residential area in 2021, and stated that the historic structure on the subject property is on the National Register of Historic Places. He asked why the protection of the house could not be a condition of the rezoning, and stated that the neighborhood cannot trust the developer without a firm requirement. The Neighborhood appreciates the intent of the developer to preserve the house, but feels that another office building does not add to the community's distinctiveness. Mr. McNeil stated that his neighborhood is concerned about expansion of office uses east of Muirs Chapel Road. They are concerned about commercial uses encompassing the entire triangle, and asked for a study of the activity center in the area.

Carol Salmon, 105 Leonard Drive, on behalf of her mother at 720 Cannon Road, stated that her family opposes the request because they are unsure what the applicant intends to build. The large number of parking spaces is excessive, double the amount required, and the neighborhood is concerned that the applicant will build a 24-hour medical facility. She stated that there are extensive medical practices in the area already, and she is concerned that this proposal will destroy the existing large, tall oaks that visually buffer the water tower on the intersection. Ms. Salmon stated that the scale of the proposed building is out of scale with the development in the area and could overwhelm streets like Cannon Road. She displayed drone photography of the area and stated that the area has extensive natural tree coverage, and advocated for missing middle housing as an alternative infill development more compatible with the residential character of the neighborhood.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Lomax stated that he already has the ability to build the proposal some neighbors are concerned about by right, and this rezoning request is to facilitate the preservation of the historic home and the old-growth trees.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. McNeill stated that the applicant could add a condition for the preservation of the home and return to modify the conditions in the future if the preservation efforts fail.

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Ms. Salmon stated that with the growth of telehealth, this area does not need a large medical facility like that proposed. She reiterated that the scale of the proposal is not compatible with the pattern of uses in the area.

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 thanked the applicant for their efforts to preserve the historic home.

Vice Chair Bryson then stated regarding agenda item Z-23-05-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 722 and 724 Muirs Chapel Road from CD-O (Conditional District - Office) and R-3 (Residential Single-family – 3) to CD-O (Conditional District - Office) 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-O 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 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-12 & Z-23-05-011: An annexation, original zoning and rezoning request from County HI (Heavy Industrial), County AG (Agricultural), and City R-3 (Residential Single-family – 3) to City CD-HI (Conditional District - Heavy Industrial) for the properties identified as 9067 and 9069 West Market Street; 609, 611, 613, and 619 Gray Wilson Road; 105 and 106 Bobby Lane; and 8839 Neville Road, generally described as southwest of West Market Street, southwest of Bobby Lane, and east of Gray Wilson Road (123.84 acres). (APPROVED)

Mr. Kirkman stated that the applicant has worked with neighbors and is reducing the size and scope of the request. The request now excludes the properties on Gray Wilson Road: 609 Gray Wilson Road (PIN 7805085914), 611 Gray Wilson Road (PIN 7805084715), 613 Gray Wilson Road (PIN 7805085451), and 619 Gray Wilson Road (PIN 7805084106), and Condition 2 relating to those properties is no longer applicable.

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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 property as Urban General on the Future Built Form Map. The Western Area Plan's Future Land Use Map designates these properties as Employment Area and Future Employment Area. Staff determined the proposed original zoning and rezoning request supports the GSO2040 Comprehensive Plan's Growing Economic Competitiveness Big Idea through increasing the inventory of developable sites compatible with corporate and industrial uses and the Filling In Our Framework strategy to maintain, inventory, and market key underutilized sites and structures to private industry and developers. The proposed CD-HI zoning district, as conditioned, includes conditions to limit negative impacts of adjacent properties. Land uses permitted under this request are compatible with uses existing in the surrounding area. 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. Chair O'Connor asked if they required a motion. Mr. Ducharme said yes

Ms. Magid moved to remove the properties on Gray Wilson Road and second condition from consideration, seconded by Ms. Skenes. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle; Nays: 0).

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Nathan Duggins, 400 Bellemeade Street Suite 800, on behalf of the applicants, stated that significant neighborhood outreach and collaboration resulted in the removal of the small parcels along Gray Wilson Road, a mutually beneficial outcome for both the neighbors and the applicant for site planning. The subject property is in an employment zone in the GSO2040 Comprehensive Plan's Future Land Use Map, and there is significant industrial activity in this corridor. He stated that the subject property has direct Norfolk Southern railroad access, and this will allow the applicant to eliminate two of the three at-grade railroad crossings in proximity, a high priority for the railroad. Mr. Duggins displayed an illustrative sketch plan of the subject property, and stated that due to the interface of residential uses with the proposed industrial use, there will be significant buffering required. Colfax Elementary will benefit from the traffic signals the applicant is required to construct per the TIA findings, and that interchanges in the area will benefit from NCDOT's work to create greater connectivity with West Market Street.

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.

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Mr. Duggins stated that he made contact with a neighbor who had signed up to speak in opposition and was able to address his concerns before the hearing.

William Shular, 8836 Neville Road, Colfax, stated that he does not oppose the project, but opposes the use of Neville Road. His home adjoins the subject property, and it is low to the ground. Due to the earth-shelter nature of his home, any high-speed or heavy traffic on Neville road is extremely disruptive due to his health issues. He displayed a photograph of his home, and indicated how low it is to the ground. Mr. Shular stated that redirecting traffic away from Neville Road would mitigate many of the problems with the proposal.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Duggins displayed the illustrative sketch plan, and stated that the plan calls for an extension of Triad Drive, and Triad Drive will likely be preferable for access to the subject property. The TIA indicated a need for improvements on Farrington Road, which connects, to Neville Road.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Shular stated that he understands that GDOT intends to shut off Triad Drive eventually, and it is unclear how traffic will flow in the area. He stated that improvements to Farrington Road could facilitate access to Triad Drive as an alternative traffic flow.

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. Skenes asked if the illustrative sketch plan indicated access to the site off Triad Drive, and Mr. Kirkman stated that was correct. Mr. Tipton stated that it does indicate access on Triad Drive, but future Sandy Ridge Road expansion will shut off Triad Drive and redirect the traffic onto Farrington Road.

Ms. Magid then made a motion to annex the property, seconded by Vice Chair Bryson. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-05-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 9067 and 9069 West Market Street; 609, 611, 613, and 619 Gray Wilson Road; 105 and 106 Bobby Lane; and 8839 Neville Road from County HI (Heavy Industrial), County AG (Agricultural), and City R-3 (Residential Single-family – 3) to City CD-HI (Conditional District - Heavy Industrial) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest

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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-HI 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. Vice Chair Bryson seconded the motion. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.

Vice Chair Bryson left the meeting at 10:09 p.m. Chair O'Connor advised that with only 5 Commissioners seated, the Commission could not take final action on any remaining items. After a brief delay, Mr. Carter indicated the applicant in case Z-23-05-012 wished to move forward.

Z-23-05-012: A rezoning request from R-3 (Residential Single-family – 3) to CD-RM-26 (Conditional District - Residential Multi-family – 26) for the properties identified as 401 Muirs Chapel Road and 4900 Kenview Street, generally described as west of Muirs Chapel Road and north of Kenview Street (3.45 acres). (RECOMMENDED APPROVAL)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties and advised of the condition associated with the request. He then advised the applicant has added a new condition to the request subsequent to the item's advertisement. The new condition reads as follows:

2. New understory trees and/or shrubs within the required buffer yard adjacent to the cemetery shall be of evergreen material for year round screening.

Ms. Skenes made a motion to recommend acceptance of the new condition, seconded by Ms. Magid. The Commission voted 5-0, (Ayes: Magid, Skenes, Glass, Engle, Chair O'Connor, Engle; Nays: 0).

Mr. Carter stated the GSO2040 Comprehensive Plan currently designates this property as Urban General and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Filling in Our Framework Big Idea for arranging our land uses for where we live, work, attend school, and other activities for a more livable Greensboro. Additionally, this proposal supports the Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed CD-RM-26 zoning district would limit uses to a maximum of 72 multi-family dwelling units. The proposed residential development allows an appropriate transition between adjacent religious assembly uses and existing residential uses.

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Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure this appropriate transition to the lower density uses on adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Amanda Hodierno, 804 Green Valley Road, displayed a zoning map of the area and stated that this request is an infill proposal fitting the built form of the area. There is significant multi-family development in the area and a classic land use pattern scaling densities and intensities of uses with careful transitions to create an effective activity center. This request facilitates an increase in housing options for the area and City as a whole as it grows. She displayed aerial photography of the area, and stated that the GSO2040 Comprehensive Plan designates this area as Urban General due to its built-up character. The condition the applicant has imposed on the request effectively limits the density to approximately 20 dwelling units per acre, which is compatible with the existing RM-18 zoning districts in the area. The new condition adding vegetative buffering will effectively protect the cemetery, a direct result of communication with the trustee of the church across the street. Ms. Hodierno displayed an illustrative sketch plan from TRC sketch plan review, indicating a 15-foot average width Type C planting yard on the boundary with the cemetery and stated that while GDOT did not require a TIA for this request, it will permit access only off Muirs Chapel Road. She stated that the applicant held a neighborhood meeting with 6 attendees on Zoom, and the applicant added the new condition specifically due to feedback from the adjacent property owner.

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.

Laura Van Vuuren, 4836 D Tower Road, asked if the applicant would rent or sell as a condominium the dwelling units in the proposal. Mr. Ducharme stated that the tenure of a subject property is not germane to land use considerations. Ms. Van Vuuren asked about the property value impact of the request on the Hamilton Village community. Chair O'Connor stated that the Commission could only address land use considerations in its deliberations.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Ms. Skenes stated that the adjacent community to the north is also multi-family, as is this request.

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Ms. Magid stated that she supports the decision to restrict traffic access off Kenview Street. Chair O'Connor concurred and stated that she can support this request, and believes it is a good infill proposal.

Ms. Magid then stated regarding agenda item Z-23-05-012, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 401 Muirs Chapel Road and 4900 Kenview Street from R-3 (Residential Single-family – 3) to CD-RM-26 (Conditional District - Residential Multi-family – 26) 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-26 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: Magid, Skenes, Glass, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSIONERS:

Chair O'Connor stated that the National Association of Realtors has recognized Greensboro Regional Realtors Association president Sofia Crisp as a national Fair Housing Champion Aware winner and grant recipient.

Ms. Skenes asked about a previous rule that the Commission would accept only 10 cases a month, asked about reinstating that as this heavy workload severely tasks staff and the anticipated caseload for next month. Mr. Kirkman stated that next month has 6 cases, and he was not aware of a case limit but any such change would require City Council action. Ms. Skenes stated a limit is reasonable, given that dropping to 5 Commissioners at the end of tonight's meeting put extra items on the Council agenda. Mr. Engle stated that visiting 11 sites Wednesday through Sunday was difficult, and stated that the Commission needs material available earlier if there will be this level of work. Ms. Magid stated that this was an important meeting, touching every Council district.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 10:35 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, June 12, 2023, beginning at 5:31 p.m. Members present were Keith Peterson, Catherine Magid, Vernal Alford, Mary Skenes, Zac Engle, Vice Chair Richard T. Bryson, and Chair Sandra O'Connor. Present for City staff were Luke Carter, Rachel McCook, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. The Commission cannot affirmatively offer conditions to the applicant, any conditions that are part of a rezoning application must be offered by the applicant themselves. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES

Chair O'Connor acknowledged the absences of Andrew Egbert and Erica Glass.

APPROVAL OF THE APRIL 10, 2023 AND MAY 15, 2023 REGULAR MEETING MINUTES AND MAY 17, 2023 SPECIAL MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the April 10, 2023, May 15, 2023, and May 17, 2023 meeting minutes. Ms. Magid made a motion to approve the meeting minutes as presented, seconded by Mr. Peterson. The Commission voted 6-0, (Ayes: Peterson, Magid, Alford, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: 0).

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WITHDRAWALS OR CONTINUANCE:

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

EXPEDITED AGENDA:

Chair O'Connor noted that there were no items eligible for the expedited agenda.

PUBLIC HEARINGS:

OLD BUSINESS:

Z-23-05-002: 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 2517 West Florida Street, generally described as south of West Florida Street and west of West Gate City Boulevard (0.23 acres). (DENIED)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Urban Central adjacent to a Reinvestment Area and an Urban Mixed-use Corridor on the Future Built Form Map and Residential on the Future Land Use Map. 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 CD-RM-8 zoning district would allow a variety of medium density residential uses consistent with other multifamily zoning in the larger area. The request limits the maximum number of units to two in order to address compatibility with adjacent low intensity residential uses directly adjacent to the subject property. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Mr. Alford asked if the size of the subject property allows the applicant to build two units with the RM-8 zoning district as requested. Mr. Carter stated that the Planning department uses a density table to determine minimum lot sizes. Mr. Carter stated that the minimum lot size for a duplex in the RM-8 zoning district is 7,500 square feet, and the subject property is 10,018 square feet.

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

Phillip Lee, 2208 West Cone Boulevard, stated that his business has been renovating and renting homes in the Triad region for over a decade. He displayed photographs of previous

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projects they had developed, and stated that this request was to build one duplex on the subject property. After sending letters to neighbors about the request, they received no feedback.

Chair O'Connor inquired if there was anyone else wishing 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.

Laura Jackson, 2615 West Court Street, stated that most homes in the neighborhood are rental properties and the level of maintenance is insufficient.

Mr. Ducharme reminded the Commission that it could not consider tenure of a property in zoning decisions.

Ms. Jackson stated that she believed duplexes should be built on corner lots, and there are multiple available in the neighborhood more suited for this request than the subject property. She stated that many rental properties in the neighborhood create parking issues.

Mr. Peterson asked if Ms. Jackson received a letter from the applicant, and Ms. Jackson confirmed she had. She stated that neighbors attempted to contact the applicant with the e-mail address and phone numbers on the letter and could not receive a reply.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition of the request. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Lee stated that he has received no emails about this request, and they will follow all parking and driveway development standards.

Chair O'Connor asked if the applicant used any other outreach methods than the letter, and Mr. Lee stated they had not.

Chair O'Connor inquired if there was anyone else wishing to speak in favor of the request. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. Jackson stated that side-by-side curb cuts encourage the use of driveways as a turnaround, which increases the danger of this busy street.

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

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Vice Chair Bryson asked if there had been a TRC review of this site. Mr. Carter stated that the subject property meets the minimum lot dimensions for a duplex use. Mr. Tipton stated that he had not reviewed a sketch plan for the subject property, and TRC has authority over driveway cuts. Mr. Carter stated that duplex uses do not usually require TRC review, and the applicant would need to go through the residential building permit process. Vice Chair Bryson stated that he has a hard time seeing how four or more vehicles will work on the subject property. Mr. Tipton stated that GDOT has minimum spacing requirements as part of their driveway permit process as well.

Ms. Magid asked if the Planning Department received any questions regarding the request. Mr. Carter stated they received phone calls and e-mails as well, with follow-up. Ms. Magid asked if staff forwarded the contacts to the applicant. Mr. Carter stated that staff's practice is to forward contacts to the applicant.

Ms. Skenes asked to confirm that staff forwarded neighbors' contact information to the applicant. Ms. McCook stated that staff received two contacts regarding this request and did forward their contact information to the applicant, as well as sending the neighbors the applicant's contact information. Ms. Skenes stated there seems to be some question if there was contact regarding this. Mr. Carter stated that neighbors in opposition received information about the request and the hearing.

Vice Chair Bryson asked if staff was aware of any contact made between the applicant and neighbors. Mr. Carter stated that the applicant would need to clarify that.

Mr. Ducharme stated the Commission should re-open the public hearing if it wishes to hear from the applicant, and Chair O'Connor re-opened the public meeting.

Mr. Lee stated that he has not received any e-mails from neighbors.

Ms. Jackson stated that she received e-mails from staff, but did not know how to respond to it. She stated that neighbors attempted to contact the applicant via phone numbers on the mailing envelopes and could not.

Chair O'Connor closed the public hearing.

Vice Chair Bryson stated that he could not support the application due to the level of public involvement undertaken by the applicant.

Ms. Magid then stated regarding agenda item Z-23-05-002, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the

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property at 2517 West Florida Street from R-5 (Residential Single-family – 5) to CD-RM-8 (Conditional District - Residential Multi-family – 8) 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-8 zoning district does not limit negative impacts on the adjacent properties nor does it permit uses which 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, and denial is in the public interest. Mr. Peterson seconded the motion. The Commission voted 6-0, (Ayes: Peterson, Magid, Alford, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 18, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor stated that the items heard by the Planning and Zoning Commission were public hearings. She stated it is the intention of the Commission to help facilitate the distribution of information ahead of time to answer questions, as the hearing format is not suitable for dialogue.

Mr. Engle joined the meeting in progress at 6:09 p.m.

Z-23-05-006: A rezoning request from R-3 (Residential Single-family – 3) to CD-C-M (Conditional District - Commercial – Medium) for the property identified as 1801 Cude Road and 1199 Pleasant Ridge Road, generally described as west of Pleasant Ridge Road and southwest of Cude Road (2.1 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He stated that the applicant has requested changes to the zoning conditions as follows:

1. Height. Building height shall not exceed 24 feet.
4. Uses. The following uses shall be prohibited:
Upper Story Residential; All Animal Shelters; All Cemeteries; All Cultural and Community Uses; Day Care Centers; Colleges and Universities; Elementary/Secondary Schools, Neighborhood and Community Scale; Retreat Centers; All Government Facilities; Specialty Hospitals; Bus and Rail Terminals; All Religious Assembly Uses; All Social Service Facilities; Minor Utilities; TV/HDTV/AM/FM Broadcast Facilities; Utility Lines and Related Appurtenances; Clubs and Lodges; Movie and Other Theaters; Physical Fitness Centers, Sports Instructional Schools; Shooting Ranges; All Outdoor Recreation Uses; All Overnight

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Accommodations; Bars, Nightclubs, and Brewpubs; Special Events Facilities; All Mobile Food Vendors; Dry Cleaning Pick-up/Drop Off with Drive-Through Facilities; Veterinary Services, Pet Grooming, Kennels; ABC Stores (Liquor); Advertising Services, Outdoor; Pawnshops; Sexually Oriented Businesses; All Vehicle Sales and Service Uses; and All Light Industrial Uses.

6. Landscaping and buffers. Plantings with required "Type B" buffer along the northern and western property lines shall be of evergreen material. Any new vegetation to supplement existing vegetation shall be a minimum of 3 feet in height at time of planting. In addition to landscaping, the applicant shall construct an opaque fence of wood or composite material no less than 6 feet in height along the general western boundaries of tax parcels 97799 and 97800 where they abut tax parcel 97796. Fence opacity shall not be achieved by constructing a slatted, chain link fence.
7. Hours of operation. Hours of operation shall be limited to 5:00 a.m. to 1:00 a.m.

Mr. Alford asked if the building height would be 24 feet or 28 feet. Mr. Carter stated that the amended conditions would reflect the change to 24 feet.

Mr. Engle moved to accept the amended conditions, Seconded by Ms. Magid. The Commission voted 7-0, (Ayes: Peterson, Magid, Alford, Engle, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Mr. Carter 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 the Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed. The request also supports the Becoming Car Optional strategy to encourage new development that is compatible with the intended use of the adjacent roadway. The proposed CD-C-M zoning district includes conditions that limit negative impacts on surrounding properties and the request is compatible with existing uses on adjacent tracts. 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 asked for any questions or comments from the Commissioners.

Mr. Engle asked about the sign condition, and if external illumination was allowed. Mr. Carter stated that was correct, and a sign with an electronic message board or lights projecting through the sign are prohibited.

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Chair O'Connor asked to confirm that the applicant would need to construct buffering on their property and could not count or use neighboring property to satisfy the development standards, and Mr. Carter stated that was correct.

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

Tom Terrell, 230 North Elm Street, on behalf of the applicant, displayed historical aerial photography of the area from the early 1950s and aerial photography from 2023 and stated there has been significant growth in the area. He asserted that the Western Area Plan as adopted in 2013 expresses intentions that support the growth patterns reflected by the request. Due to the hundreds of millions of dollars invested in the region in recent years in infrastructure and business support, more growth is coming at an accelerated pace and increasing the need for commercial properties. Mr. Terrell stated that the subject properties are at an intersection of a major thoroughfare with over 10,000 vehicles per day traffic levels and the area is not suitable for new residential development. The existing manufactured home dwelling uses are no longer the highest and best use for this part of the County in 2023. He displayed aerial and street-level photography of adjacent properties and noted the increasing intensity of multi-family residential and commercial uses. Mr. Terrell then noted that the applicant had carefully conditioned the request to allow the inevitable growth of the area to scale intensity to the residential uses in proximity. Mr. Terrell stated that they held a neighborhood meeting with one attendee, and they have remained in contact with the neighborhood to discuss the request. There are no tenants under contract and the applicant has not selected a built form. The Transportation Impact Analysis (TIA) required projecting conditions with the most intense possible use, but the applicant has conditioned any future development for compatibility with the neighborhood.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Russell Nelson, 8202 Caffey Drive, on behalf of the Quail Creek Homeowners Association (HOA), stated that his neighborhood overwhelmingly opposed this request. He does not believe the request promotes the wellbeing of the area. He stated that some available uses could create ecological contamination and the conditions permit business hours incompatible with a residential neighborhood.

Mary Fabrizio, 8512 Quail Creek Drive, stated that she served on the Citizens Advisory Committee of the Western Area Plan, and believes this request is incompatible with the plan and the GSO2040 Comprehensive Plan. The majority of land uses in proximity to the subject property are predominately residential and agricultural. She stated that the GSO2040 Comprehensive Plan emphasizes development in pre-existing and emerging Activity Centers and supports infill development, and the subject property reflects neither. The traffic in the area makes the subject property not walkable and any development will not be compact or

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accessible. Ms. Fabrizio stated that a national chain eating and drinking establishment or convenience store use with fuel pumps would not be small scale or compatible with the neighborhood. This is an inappropriate area for this type of commercial development.

Brian Haderlie, 1197 Pleasant Ridge Road, displayed aerial photography of the area and stated that recent development in the area referenced by the applicant are south of Pleasant Ridge Road, and there is no development of this type north of Pleasant Ridge Road within one or two miles. The TIA references potential uses that he believed are incompatible with the area, given the conditions the applicant has requested. He stated that the Commission should make zoning decisions to preserve and benefit neighborhoods, and that the request as conditions do not sufficiently protect the character of this neighborhood.

Chair O'Connor asked about how Greensboro's development review process addresses groundwater and wells. Mr. Carter stated that TRC site plan review addresses those concerns.

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

Mr. Terrell stated that there is an assumption that only single-family residential uses can abut single-family residences, but transitional uses are important in land use considerations. This request, as conditioned, is a reasonable scale for the neighborhood given the growth patterns in the area and region at large. The TIA had to consider the most intense possible use, which is one of the few remaining uses given the significant conditions of the request.

Chair O'Connor inquired if there was anyone else wishing to speak in favor of the request. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Kate Fogarty, 8513 Quail Creek Drive, stated that the neighborhood does not believe the proposed land use is compatible with the area, which is heavily residential and agricultural in character. She hoped that any future development would consider this, and take into account traffic, light pollution, ecological impacts, and stormwater concerns. There are Voluntary Agricultural District parcels in the area, some of which are heritage sites, and she believes both the City and County wish to preserve those.

Mr. Haderlie stated that this request does not support the expansion of the Piedmont Triad International Airport or the intensified growth in the overall area, as the subject property is isolated and far away from those developments. He agreed that housing is critical for the growth, but questioned how an eating and drinking establishment with drive through would be a benefit. Referencing FBI crime statistics, he stated that convenience stores, and eating and

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drinking establishment uses are at a high risk of violent crime. The request is not compatible with the GSO2040 Comprehensive Plan or development trends in the area.

Ms. Skenes asked to confirm that the Commission could not consider the possibility for crime in its decisions. Mr. Ducharme stated that generalized concerns about crime are not germane to land use determinations.

Mr. Peterson asked how this rezoning request specifically supports the goals outlined in the Western Area Plan. Mr. Terrell stated that there are varieties of complementary uses around the City that do not necessarily look like each other. This request is for a community-scale use that would benefit anyone living or traveling around Pleasant Ridge Road. He stated that greater numbers of eating and drinking establishments have added drive through capabilities following the Covid-19 pandemic, and the neighbors' understanding of the potential land use for the subject property is not in line with market conditions for these kind of uses.

Ms. Skenes stated that she has worked on a number of area plans, and the City uses them as a general guide for a snapshot in time and are not permanent or binding. She is very familiar with the area, which has undergone significant growth and intensification in the last two decades. Pleasant Ridge Road is a rapidly changing corridor, and the concentration of residential in the area creates a complimentary need for convenience uses. She can support the request.

Mr. Engle asked to confirm that a TIA must consider the most intense possible use, recently approved uses including those not yet built, plus future expansion and development trends. Mr. Tipton stated that was correct, and the applicant's study did consider other developments along Pleasant Ridge. Mr. Engle stated the TIA accounts for the industrial and multi-family residential uses in proximity and Mr. Tipton stated that was correct and GDOT requires analysis for a year following the anticipated build-out time. Mr. Engle asked about the maximum building height in the current R-3 zoning district, and Mr. Carter stated it was 50 feet. Mr. Engle stated this request was a difficult decision, but there are significant uses adjacent to the subject property, and the GSO2040 Comprehensive Plan calls for logical mixing of uses to reduce sprawl and needed travel time. He stated that he believes the request is reasonable and he can support it.

Ms. Magid stated that she could support the request given the commercial uses on either end.

Vice Chair Bryson asked if the development nearby to the northeast of the subject property is commercial or residential. Mr. Carter stated that is a proposed church. Vice Chair Bryson stated that the area is not changing, it has already changed, and the transition to multi-family and more intense commercial uses is complete. He can support the request based on the subject property's surroundings.

With all speaking time expired, Chair O'Connor closed the public hearing.

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Mr. Engle then stated regarding agenda item Z-23-05-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 1801 Cude Road and 1199 Pleasant Ridge Road from R-3 (Residential Single-family – 3) to 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 CD-C-M 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. Vice Chair Bryson seconded the motion. The Commission voted 7-0, (Ayes: Peterson, Magid, Alford, Engle, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 18, 2023 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 7:06 p.m., and the meeting resumed at 7:17 p.m.

Chair O'Connor stated that Mr. Peterson had to leave the meeting.

NEW BUSINESS:

Z-23-06-002: A rezoning request from LI (Light Industrial) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 1017 and 1019 Arnold Street, generally described as west of Arnold Street and north of East Bessemer Avenue (0.3 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban Central and being located within a Reinvestment Area and an Urban Mixed Use Corridor on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed rezoning request supports the Filling in Our Framework goal to transform underutilized sites and buildings into valued assets that complement their surroundings, Greensboro is recognized and admired for its mixed-use activity centers where people live, work and enjoy life and the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-C-M zoning district limits uses to all uses permitted in the C-M (Commercial – Medium) zoning district except the following: Any

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use with a Drive-through Facility and Retail Sales. The uses permitted in the proposed CD-C-M zoning district are consistent with surrounding uses zoned both C-M and LI. 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.

Michael Boston, 4500 Jamesford Drive, Jamestown, stated that this request is to facilitate a new event center and gathering uses on recently renovated buildings he owns on Arnold Street. Some events need a smaller venue, and he intends to open a suitable facility to provide a service to the community.

Ms. Skenes asked if the applicant had any specific plans for the subject properties. Mr. Boston displayed a map and street-level photography of the subject properties, and stated that 1017 Arnold Street is near to his pre-existing nightclub use and will likely be some kind of lounge or club use compatible with that. He plans for 1019 Arnold Street to be an event center.

Chair O'Connor inquired if there was anyone else wishing 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.

Elizabeth Stovall, 1027 Arnold Street, stated that she owns a business property adjacent to the subject property. She stated that she is in favor of redevelopment in this area, but is concerned about parking issues.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition of the request. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Boston stated that parking is an issue around the City, and the popularity of his facilities does create issues occasionally. He has parking agreements with nearby businesses and is in the process of entering into more agreements. The operating hours of the proposed uses will be different from the nightclub hours, and that should limit any potential impact on parking.

Mr. Engle stated that the surrounding businesses operate in the daytime, and asked about the operating hours of the proposed businesses. Mr. Boston stated that they are primarily anticipating hosting weddings at 1019 Arnold Street, and he does not have firm plans for 1017 Arnold Street yet. The nightclub does not start generating significant traffic until 10:30 p.m. or later, and by owning all the businesses in question he can assure parking will not be a problem. Mr. Engle stated that parking is also not a primary purview of the Commission's review, and TRC will have the final say. Mr. Engle encouraged Mr. Boston to have additional conversations

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with his neighbors to ensure a greater level of understanding. Mr. Boston stated that his establishment is not a source of problems in the area, and he hopes to contribute even further.

Vice Chair Bryson asked to confirm that the applicant intends the event center for special events and not in constant operation, and Mr. Boston stated that was correct. In his experience, most parties will end before traffic begins increasing from the nightclub use, and he does not intend for it to be in operation late at night.

Chair O'Connor inquired if there was anyone else wishing to speak in favor of the request. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal. Hearing none, Chair O'Connor closed the public hearing.

Vice Chair Bryson then stated regarding agenda item Z-23-06-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties at 1017 and 1019 Arnold Street from LI (Light Industrial) to 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 CD-C-M 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. Mr. Engle seconded the motion. The Commission voted 6-0, (Ayes: Magid, Alford, Engle, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 18, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-06-003: A rezoning request from C-L (Commercial – Low) to CD-C-M (Conditional District - Commercial – Medium) for the property identified as 2005 and 2007 Martin Luther King Jr. Boulevard, generally described as northeast of Martin Luther King Jr. Boulevard and southeast of South Benbow Road (0.43 acres). (DENIED)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban Central and being located within a Reinvestment Area and an Urban Mixed Use Corridor on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that

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creates equitable opportunities to succeed and the Filling in Our Framework strategy to ensure revitalized sites will be of high quality and complement existing neighborhood character. The proposed CD-C-M also includes conditions that limit potential negative impacts on adjacent residential properties. The uses permitted in the proposed CD-C-M zoning district are also compatible with existing commercial and civic uses located on adjacent tracts. 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 asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

Akan Davis, 4321 Creekdale Drive, stated that he is seeking to move his automobile sales business from High Point to Greensboro. His goal is to establish a customer base in the area so local businesses can work to support the history in the Benbow community. As a State-licensed independent automobile dealer, he anticipates starting with 15 to 20 preowned cars sold per month and start expanding his business. Mr. Davis displayed an illustrative sketch plan of the subject property, and stated that the reduced size of the building will be compatible with the neighborhood but give him enough space to expand in the future. The adjacent property across the street is a convenience store use with gas pumps, and the area has an existing commercial corridor character. There are many abandoned properties in this area, and he wishes to expand in the future to increase value for the community. He has discussed his request with neighbors and heard support for it. Mr. Davis stated that he held a neighborhood meeting and felt the neighborhood was supportive, but he heard about a second meeting without him where neighbors expressed opposition.

With the applicant's speaking time expired, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Pam Leak, 1205 Eton Drive, stated that she opposed the request because it will interfere with the walkability of her community. The properties the applicant cited as vacant were previously treasured neighborhood-scale retail and commercial services uses, and she supports redevelopment of the area to restore its walkability and mixed-use character. She stated that automobile service uses bring petroleum pollution, and her neighborhood is in strong opposition to this request.

Sharon Graeber, 1903 Curry Street, stated she appreciated the applicant's business proposal but the neighborhood does not feel the subject property is a good location for an automobile service use. There are pre-existing abandoned structures along the corridor that were automobile service uses, and she is concerned that a used automobile sales use will threaten

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the neighborhood. Her neighborhood can support the existing Commercial – Low zoning, but the corner is already difficult to navigate.

Ray Williams, 2203 South Benbow Road, stated that there are pre-existing water runoff issues with the subject property, and he is concerned what that will turn into with further development. The traffic at the intersection is manageable currently, but he is concerned it would create a safety hazard. He stated that the area is currently quiet and walkable, and he does not support endangering that.

Michelle Wright, 1912 Belcrest Drive, stated that the request does not fit in with the character of the neighborhood. Other used automobile sales uses in the area have failed and left unsightly vacant properties. She stated that there was not necessarily a need for this use in the Benbow Park neighborhood, and she supports other new commercial uses that are compatible with the area.

Sheila Cheng, 2004 South Benbow Road, stated that the Benbow Park neighborhood is very proud of its heritage and character, and is concerned that the request will damage that.

Chair O'Connor asked to confirm that staff mailed official notices to the property owners within the 750-foot notification boundary, and Mr. Carter stated that was correct.

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

Mr. Davis stated that he needs to start his business at a smaller scale, and wants to do so in his community. There are vacant properties in proximity, and he has tried to work to improve the area. He stated that vacant properties like the subject properties are going to be for sale, and he wants to keep local interests in the area. He intends to bring loyal customers with him to this location and use the proceeds from that business to expand his business activity in the neighborhood. Mr. Davis stated that he would preserve sidewalks and remove a curb cut to maintain walkability. Previous uses in the area have already created ecological concerns, and his proposal would have stringent environmental development standards.

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

Brian McKoy, 2111 South Benbow Road, stated that the neighborhood does not need a used automobile sales use. His family is attempting to buy abandoned houses in the area to reinforce the community's strong character and history.

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William Evans, 1918 Belcrest Drive, stated that the Benbow Park neighborhood is tight knit, and they are working hard to clean up the area in question. Automobile service uses are not what the neighborhood needs here.

Ms. Graeber stated that the photographs shown of the area do not indicate the importance of the architecture of some houses in proximity. She stated that the neighborhood is not against starting a business at the subject property, but they do not want the zoning changed from Commercial – Low. Commercial – Medium opens up the possibility for disruptive uses in their stable neighborhood, and she believes a used automobile sales use does not represent the neighborhood. Ms. Graeber stated that the existing zoning supports the GSO2040 Comprehensive Plan and the uses currently available by right are more compatible with the neighborhood.

Chair O'Connor asked for any questions or comments from Commissioners.

Mr. Engle asked if the applicant could develop a convenience store with fuel pumps on the subject property by right. Mr. Carter stated that was correct. Mr. Engle stated that the existing straight Commercial – Low zoning permits a great deal of potentially objectionable uses by right. He stated that he does not support automobile sales and services next to single-family residential without significant conditions, and while this is close, he cannot support the request due to the lack of sufficient conditions to limit some uses, hours of operation, and other disruption.

Chair O'Connor closed the public hearing.

Mr. Alford stated that he does not have a problem with the request given the use across the street, and he can support the request given the applicant's intentions to develop more business in the area.

Vice Chair Bryson stated that he is very familiar with this area, and he cannot imagine a used automobile sales and service use at the subject property. He cannot support the request as presented.

Chair O'Connor stated that she admires the applicant's goals and ideas, but she hears the concerns of the neighbors and does not believe the request supports the needs and character of the corridor.

Vice Chair Bryson then stated regarding agenda item Z-23-06-003, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the properties at 2005 and 2007 Martin Luther King Jr. Drive from C-L (Commercial – Low) to

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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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-M zoning district does not limit negative impacts on the adjacent properties nor does it permit uses which 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, and denial is in the public interest. Ms. Magid seconded the motion. The Commission voted 5-1, (Ayes: Magid, Alford, Skenes, Vice Chair Bryson, Chair O'Connor; Nays: Alford). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, July 18, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PL(P) 23-13 & Z-23-06-004: An annexation, original zoning, and rezoning request from County AG (Agricultural) and City R-3 (Residential Single-family – 3) to City CD-RM-26 (Conditional District - Residential Multi-family – 26) for the properties identified as 800-ZZ, 800-ZZ1, 804, 822, 824, 824-ZZ1, 826, 826-ZZ, 828, 828-ZZ, and 832-ZZ1 Roberson-Comer Road, generally described as east of Roberson-Comer Road and south of North Elm Street (15.88 acres). (RECOMMENDED APPROVAL)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan currently designates this property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning and 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 CD-RM-26 zoning district would permit uses that are complimentary to those existing in the surrounding area. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the low density residential on adjacent properties. 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 Eminent Investments, stated that the request's conditions ensure it will be good fit for the neighborhood's character and would be an expansion of the existing Waterford Place apartments. The requested density is approximately 18.9 dwelling units per acre, matching the existing density of the current development. He

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displayed a zoning map of the area, and stated that the request is compatible with the existing mix of multi-family residential and Planned Unit Development uses in the Lake Jeanette area. Displaying an illustrative sketch plan of the subject properties, Mr. Isaacson stated that access would be limited to the two access points from the existing Waterford Place apartments. There is a gated, emergency-only access point per discussions with the applicant's traffic engineering firm and GDOT. They anticipate no additional transportation impact on Roberson-Comer Road. He stated that there would be significant street yard buffering and new sidewalks along with the existing significant landscape buffers and stormwater control devices. Mr. Isaacson stated that they sent out a letter to neighbors about the request and held a neighborhood meeting with four or five attendees and he believes they have been able to resolve most of the concerns, but are willing to continue their outreach. He stated that this is a quickly growing area of the City, and there is a need for housing here.

Chair O'Connor inquired if there was anyone else wishing 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.

Deanna DeLiberto, 4723 Tuliptree Drive, stated that the staff report for this request was not available in a timely manner. She stated that the RM-8 zoning district is more appropriate for this area. She believes that the applicant has addressed traffic concerns, but flooding is a significant problem in the area. There will be development on the properties, but she wished for a continuation of the discussion to find a more appropriate level of density and consideration of pre-existing stormwater issues.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition of the request. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Isaacson stated that significant stormwater mitigation is a part of this proposal, and the development review process under TRC would require no additional runoff generation. The subject properties are sloped toward Lake Jeanette, and that should contribute to a solution as well.

Chair O'Connor inquired if there was anyone else wishing to speak in support of the request. Hearing none, Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal.

Ms. DeLiberto stated that there is a hill from Roberson Comer Road to Tuliptree Drive, and that is where the flooding occurs. Removal of the trees on the subject property concerns her about flooding. She stated that the neighborhood knows development will occur here, but it hopes it will be in scale with their needs.

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

Mr. Engle stated that the access via the neighboring apartment complex allows him to support this request. Stormwater is an item for TRC, and development standards do not permit the creation of new runoff post-buildout.

Ms. Magid stated that Roberson-Comer Road is very narrow, and they had concerns about it due to that but this request resolves that.

Ms. Magid then made a motion to annex the property. Vice Chair Bryson seconded the motion. The Commission voted 6-0, (Ayes: Skenes, Magid, Alford, Engle, Vice Chair Bryson, Chair O'Connor; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-06-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 800-ZZ, 800-ZZ1, 804, 822, 824, 824-ZZ1, 826, 826-ZZ, 828, 828-ZZ, and 832-ZZ1 Roberson-Comer Road from County AG (Agricultural) and City R-3 (Residential Single-family – 3) to City CD-RM-26 (Conditional District - Residential Multi-family – 26) 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-RM-26 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 6-0, (Ayes: Skenes, Magid, Alford, Engle, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, July 18, 2023 City Council meeting.

ITEMS FROM PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSION MEMBERS:

None.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 8:52 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, July 17, 2023, beginning at 5:31 p.m. Members present were Keith Peterson, Catherine Magid, Vernal Alford, Mary Skenes, Zac Engle, Erica Glass, Andrew Egbert, Vice Chair Richard T. Bryson, and Chair Sandra O'Connor. Present for City staff were Mike Kirkman, Luke Carter, Rachel McCook, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. The Commission cannot affirmatively offer conditions to the applicant; any conditions that are part of a rezoning application must be offered by the applicant themselves. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES

There were no absences.

APPROVAL OF THE JUNE 12, 2023 REGULAR MEETING MINUTES: [APPROVED]

Chair O'Connor requested approval of the June 12, 2023 meeting minutes. Ms. Magid made a motion to approve the June meeting minutes as presented, seconded by Mr. Engle. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

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WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman stated that there was a request to continue item Z-23-07-001 until the Commission's next regular meeting on August 21st.

Chair O'Connor asked if the applicant would like to speak regarding their continuance.

Alexander Elkan, 230 North Elm Street, on behalf of CZS Development Company, LLC, stated that the applicant was requesting a continuance in order to further engage with the neighborhood and community with respect to their rezoning request and its associated conditions.

Mr. Engle made a motion to approve the continuance, seconded by Mr. Peterson. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

EXPEDITED AGENDA:

Chair O'Connor stated that item Z-23-07-002 was the only case on the agenda with a speaker registered in opposition. She then asked if anyone in attendance or online wished to speak in opposition to any of the other items on the agenda. Hearing none, Chair O'Connor noted that the Commission would address these items through expedited review and reordered the agenda accordingly.

PUBLIC HEARINGS:

PL(P) 23-14 Z-23-07-003: An annexation and original zoning request from County AG (Agricultural) to City RM-8 (Residential Multi-family-8) for the property identified as 5735 Eckerson Road, generally described as west of Eckerson Road and north of White Oak Drive (12.04 acres) [RECOMMENDED APPROVAL]

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter 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 the zoning request is approved, the Future Built Form map will be amended to Urban General and the Future Land Use Map will be amended to Residential to reflect the proposed use. Mr. Carter stated that 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 RM-8 zoning district is primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and other residential uses at a density of 8 units per acre or less.

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The request allows uses that are compatible with existing residential uses in the surrounding area and can provide housing opportunities for workers at nearby industrial and commercial uses closer to US Highway 29. Staff recommended approval of the request.

Chair O'Connor then asked if the applicant wished to speak in favor of the request.

Sam Schultz, 620 Green Valley Road, stated that the annexation and zoning was being requested in order to build a subdivision of single story single-family homes and townhouses. The single-family homes would be located at the southern end of the parcel, adjacent to another subdivision of primarily single-family residences, in order to provide a smooth transition into the denser townhomes in the rest of the parcel. Mr. Schultz then displayed illustrative images showing the planned layout of the subdivision, including the design and distribution of the homes.

Ms. Skenes confirmed that there were no conditions associated with the applicant's request and asked why the applicant was requesting the RM-8 zoning district if the planned subdivision will include single-family homes. Mr. Schultz stated that the RM-8 district was requested to simplify development and administrative burdens, adding that the number of single-family homes on the parcel will be limited.

Ms. Skenes asked if staff was comfortable with the idea of single-family residences interspersed, without definition, in a district primarily intended for multi-family dwellings. Mr. Kirkman stated that staff was comfortable with the request, adding that both uses (single-family and multi-family) were allowed within the district.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Engle made a motion to recommend annexation of the property, seconded by Ms. Magid. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Mr. Engle then stated regarding item Z-23-07-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property at 5735 Eckerson Road from County AG (Agricultural) to City RM-8 (Residential Multi-Family – 8) 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 RM-8 zoning district permits uses which fit the context of

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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. Magid seconded the motion. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Chair O'Connor advised the votes constituted a favorable recommendation and was subject to a public hearing at the Tuesday, August 15, 2023 City Council Meeting.

PL(P) 15-23: An annexation request for 2220 Huffine Mill Road, a portion of 260 Willowlake Road, a portion of Willowlake Road right-of-way, 2300 Z-4 Huffine Mill Road, and a portion of I-840 right-of-way, generally described as south of Huffine Mill Road, east of Willowlake Road and including a portion of I-840E/I-785 (46.03 acres). [RECOMMEND APPROVAL]

Z-23-07-004: An original zoning and rezoning request from County AG (Agricultural), County RS-30-MH (Residential Single-family-Manufactured Home), and City HI (Heavy Industrial) to City PUD (Planned Unit Development) for the properties identified as 2220 Huffine Mill Road and a portion of 260 Willowlake Road, generally described as south of Huffine Mill Road and east of Willowlake Road (59.53 acres). [RECOMMEND APPROVAL]

Z-23-07-005: An original zoning and rezoning request from County AG (Agricultural) and County RS-30 (Residential Single-family - 30) to City C-M (Commercial - Medium) for the properties identified as a portion of Willowlake Road right-of-way, generally described as south of Huffine Mill Road and north of Burlington Road (0.07 acres). [RECOMMEND APPROVAL]

Z-23-07-006: An original zoning request from County AG (Agricultural) to City HI (Heavy Industrial) for the properties identified 2300 Z-4 Huffine Mill Road and a portion of I-840 right-of-way, generally described as south of Huffine Mill Road, east of and including I-840 (11.73 Acres). [RECOMMEND APPROVAL]

Mr. Carter stated that this request requires multiple votes. Items Z-23-07-005 and Z-23-07-006 both stem from a satellite annexation associated with item Z-23-07-004. Case law on satellite annexations holds that any publically owned land between a proposed annexation and a municipality's primary corporate limits must be added to the proposed annexation as well.

Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Urban General, Exurban, and Planned Industrial on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates these properties as Industrial and Residential. The Residential designation includes both single and multifamily residential. If the zoning request is

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approved, the Exurban designation will be amended to Urban General to reflect the proposed uses. Staff determined that the proposed original zoning and rezoning request supports 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 and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed PUD zoning district, as conditioned, allows moderate intensity residential uses that support nearby industrial uses and are also compatible with the various nearby residential uses. 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. 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 D. Stone Builders, Inc., stated that they are requesting the annexation and zoning in order to build a residential subdivision off the outer-loop that will accommodate the area's growing housing needs.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Ms. Magid made a motion to recommend annexation, seconded by Vice Chair Bryson. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Ms. Magid then stated regarding item Z-23-07-004, the Greensboro Planning and Zoning commission believes that its action to recommend the approval of the original zoning request for the properties at 2220 Huffine Mill Road and a portion of 260 Willowlake Road from County AG (Agricultural), County RS-30-MH (Residential Single-Family-Manufactured Home) and City HI (Heavy Industrial) 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 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. Mr. Alford seconded the motion. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

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Ms. Magid then made a motion to approve the Unified Development Plan for item Z-23-07-004, seconded by Mr. Peterson. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Mr. Peterson then stated regarding item Z-23-07-005, the Greensboro Planning and Zoning Commission believes that its action to recommend the approval of the original zoning request for a portion of Willowlake Road right-of-way from County AG (Agricultural) and County RS-30 (Residential Single-Family – 30) to City C-M (Commercial – Medium) to be consistent with the adopted 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 City 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. Ms. Skenes seconded the motion. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Vice Chair Bryson then stated regarding item Z-23-07-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property at 2300 Z-4 Huffine Mill Road and a portion of I-840 right-of-way from County AG (Agricultural) to City HI (Heavy Industrial) to be consistent with the adopted 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 City HI 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 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised the votes constituted a favorable recommendation and were subject to a public hearing at the Tuesday, August 15, 2023 City Council Meeting.

Z-23-07-007: A rezoning request from PUD (Planned Unit Development) to PUD (Planned Unit Development) for the properties identified as 2970 Mearns Castle Drive, 2998 Mearns Castle Drive, 3000 Queenslands Trail, 3020 Queenslands Trail, 1800 Kauri Cliffs Point, and 1820 Kauri Cliffs Point and 1839 Kauri Cliffs Point, generally described as northeast of NC Highway 68 and northwest of I-73 (50.902 acres) (RECOMMEND APPROVAL)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He stated that the

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applicant has requested changes to the previously approved zoning conditions and that was the reason for the rezoning.

Mr. Carter 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 the Comprehensive Plan's Filling In Our Framework strategy to encourage higher density, mixed-use, walkable infill development. The request also supports the Comprehensive Plan's Creating Great Places goal to create a citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choice. The proposed PUD zoning designation, as conditioned, would allow a mix of residential and nonresidential uses in immediate proximity to manufacturing, educational, and residential uses. The request also provides an appropriate transition between the adjacent low density residential uses located to the north. 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, on behalf of the Retreat at 68, LLC, stated that they are requesting a lift a prohibition on construction of multi-family buildings beyond three stories on parcel 3 of the PUD project. Mr. Isaacson added that the reason behind their request stemmed from the steep topography around the subject parcel and its proximity to Cone Medical Center, which has attracted interest in residency from an older population who would require elevator service on the property that would otherwise be unavailable in a three-story structure.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she closed the public hearing.

Mr. Engle then stated regarding item Z-23-07-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 2970 Mearns Castle Drive, 2998 Mearns Castle Drive, 3000 Queenslands Trail, 3020 Queensland Trail, 1800 Kauri Cliffs Point, and 1820 Kauri Cliffs Point and 1839 Kauri Cliffs Point from PUD (Planned Unit Development) to PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of 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 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

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Mr. Engle made a motion to recommend approval of the UDP for item 23-07-007, seconded by Ms. Magid. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0). Chair O'Connor advised these vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 15, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-07-002: A rezoning request from R-5 (Residential Single-family – 5) to PUD (Planned Unit Development) for the properties identified as 1332 and 1334 Lees Chapel Road, generally described as south of Lees Chapel Road and east of Mizell Road (3.73 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request.

Mr. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban Central and being located within a Reinvestment Area and an Urban Mixed Use Corridor on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework goal regarding how we 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 PUD zoning designation, as conditioned, would allow residential uses in immediate proximity to each other. The nonresidential component of the proposed PUD includes conditions that limit potential negative impacts on the surrounding area. The zoning also encourages appropriate scaled development close to an urban mixed-use corridor and maintains good transitions between existing residential development and commercial uses. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Ms. Skenes stated that the UDP included a comment that TRC had conditionally approved the plan subject to the identification and inclusion of existing easements on the property. Ms. Skenes then stated that there were no easements reflected on the UDP provided to the Commission. Mr. Carter stated that the UDP, as a document, is primarily meant for zoning information and that easements are not required to be reflected on it, although service providers may request that they be included. Mr. Carter then stated the Commission has the right to approve the UDP subject to the same conditions requested by TRC regarding easements.

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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.

Judy Stalder, 115 South Westgate Drive, for Old Vineyard Development LLC, stated that they are requesting a rezoning to construct a mixed-use development with 20 townhomes and a self-storage facility at the intersection of a major thoroughfare and collector street. Ms. Stalder noted that the self-storage facility will service the entire community and will be designed in accordance with existing development standards on such structures while maintaining similar aesthetics with the surrounding townhomes. Ms. Stalder stated that the applicant believes the property, overall, will not generate excessive traffic. Ms. Stalder stated that the applicant conducted outreach to discuss the proposed development with the surrounding community.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if anyone else was present to speak in favor of the application. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the application.

Gina Reed, 1339 Lees Chapel Road, stated she was unclear how the development planned to accommodate for traffic flow around existing roads in the area, and more specifically how surrounding traffic would be impacted with residents moving in and out of the subject property. Ms. Reed stated that she only knew of two smaller roads (Church and Merrill Street) to the north and south of the property that could service the property besides Lees Chapel Road.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition of the application. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Ms. Stalder stated that TRC had reviewed their UDP and site plan and did not highlight any issue with the entrance to the subject property being located on Lees Chapel Road. Ms. Stalder then stated that she had visited the site and asserted that traffic in the area was light, adding that a neighboring single-family home and tree buffer deterred them from directing traffic through a side street.

Mr. Engle noted that, in its considerations, the Commission typically focuses on land use rather than traffic concerns, adding that the concern here was whether the development was appropriate and in character within the surrounding area.

Vice Chair Bryson, acknowledging Mr. Engle's comments, stated that he lives near the subject property and shares Ms. Reed's confusion on how the development plans to accommodate traffic generated by its residents along Lees Chapel Road. He added that the development was entirely unlike anything else in the surrounding area.

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Ms. Stalder affirmed that the development would be the first of its kind in the area.

Vice Chair Bryson asked how much of the parcel's acreage would be taken up by the 20 townhomes. Ms. Stalder stated she could not speak to the specifics of how the development's density would be calculated as the property is mixed use.

Vice Chair Bryson stated that many of the surrounding properties were rentals owned by individuals who may not live in the area and asked if the applicant had taken this into consideration during their community outreach.

Ms. Stalder reiterated the outreach measures taken by the applicant, adding that they had discussed the development with the owner of a neighboring rental property.

Vice Chair Bryson asked staff if TRC would review the development further, noting the need for evaluation of traffic impacts. Mr. Kirkman confirmed that the initial review mentioned by Ms. Stalder was only for a conceptual plan of the development and that a full site plan review would be contingent on the approval of the zoning request by the Commission.

Chair O'Connor asked for any other questions or comments from the Commissioners. Hearing none, Chair O'Connor inquired if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor closed the public hearing.

Ms. Magid then stated regarding agenda item Z-23-06-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties at 1332 and 1334 Lees Chapel Road from R-5 (Residential Single-Family-5) 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 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. Engle seconded the motion. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

Ms. Skenes made a motion to conditionally approve the UDP for item Z-23-07-002, subject to the items noted from TRC, seconded by Vice Chair Bryson. The Commission voted 9-0 in favor, (Ayes: Peterson, Magid, Alford, Skenes, Engle, Glass, Egbert, Vice Chair Bryson, Chair O'Connor; Nays: 0).

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Chair O'Connor advised these vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, August 15, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSION MEMBERS:

None.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 6:44 p.m.

Respectfully submitted,

Sandra O'Connor, Chairperson

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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 21, 2023, beginning at 5:30 p.m. Members present were Chair Sandra O'Connor, Warché Downing, Vernal Alford, Mary Skenes, Catherine Magid, Keith Peterson, Erica Glass, and Zac Engle. Present for City staff were Mike Kirkman, Luke Carter, Rachel McCook, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor acknowledged the absences of Mr. Peterson & Mr. Egbert

APPROVAL OF THE JULY 17, 2023 REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the July 17, 2023 meeting minutes. Mr. Engle made a motion to approve the July meeting minutes as presented, seconded by Ms. Magid. The Commission voted 6-0-1, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle; Nays: none; Abstention: Downing).

WITHDRAWALS OR CONTINUANCE:

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

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Mr. Kirkman advised that there was a request for a continuance for items Z-23-08-001.

Mr. Engle made a motion to approve the continuance to the next Commission meeting in September. Ms. Magid seconded the motion. The Commission voted 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

Mr. Kirkman advised that there was a request from the staff for a continuance for public hearing on the Consolidated Annual Performance Evaluation Report (CAPER).

Mr. Alford made a motion to approve the continuance to the next Commission meeting in September. Ms. Magid seconded the motion. The Commission voted 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

EXPEDITED AGENDA:

Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-08-002 and Z-23-08-005. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

Z-23-08-002 A rezoning request from R-3 (Residential Single-family 3) to CD-RM-18 (Conditional District-Residential Multi-family-3) for the property identified as 6801-YY West Friendly Avenue, generally described as east of Stage Coach Trail and south of West Friendly Avenue (0.11 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter 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 GSO2040 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 meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed CD-RM-18 zoning district, as conditioned, would ensure that the subject property will be developed in conjunction with the adjacent property already zoned CD-RM-18. This rezoning request allows uses that are compatible with existing varied residential uses and densities in the surrounding area and makes better use of remnant property originally acquired by the State as part of the development of the Urban Loop to the west. Staff recommended approval of the request.

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Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request.

Jim Galyon, 421 Spring Garden Street, stated that the rezoning will permit construction of additional parking and pervious surface to the development.

Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Ms. Magid then stated regarding agenda item Z-23-08-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as at 6801-YY West Friendly Avenue from R-3 (Residential Single-family – 3) 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-RM18 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 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 19, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-08-005: A rezoning request from C-M (Commercial-Medium) to CD-RM-18 (Conditional District Residential Multi-family-18) for the property identified as 103-105 Winston Street and 2220 Stamey Street, generally described as east of Winston Street and south of Stamey Street (0.64 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and High Residential on the Jonesboro/Scott Park Neighborhood Plan. Staff determined the proposed rezoning request supports the GSO2040 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 meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed CD-RM-18 zoning district limits uses to residential uses only as well as building height to be no taller

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than 45 feet (approximately three-stories). The proposed rezoning also provides an appropriate transition between the heavier commercial uses located along East Market Street and the lower intensity residential uses north of Stamey Street. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

Mr. Alford then stated regarding agenda item Z-23-08-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties at 103-105 Winston Street and 2220 Stamey Street from C-M (Commercial – Medium) 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, 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 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 19, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

PUBLIC HEARINGS:

NEW BUSINESS:

PL(P) 23-16 & Z-23-08-003: An annexation and original zoning from County MXU (Mixed Use) to City CD-O (Conditional District-Office) and County RS-40 (Residential Single-family 40) for the properties identified as 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive, generally described as east of West Gate City Boulevard, north of Scotland Road, and south of Marion Elsie Drive (7.3 acres). (RECOMMEND APPROVAL)

PL(P) 23-16 & Z-23-08-004 An annexation, original zoning and rezoning request from County RS-40 (Residential Single-family 40) and County CZ-HB (Conditional Zoning-Highway Business) to City CD-O (Conditional District Office) and City C-M (Commercial Medium) for the property identified as a portion of West Gate City Boulevard and Queen Alice Road rights-of-way, generally described as the West Gate City Boulevard right-of-way from the intersection of Queen Alice Road to the intersection with Scotland Road and

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the Queen Alice Road right-of-way from the intersection with Marian Elsie Drive to the intersection with West Gate City Boulevard (2.43 acres). (RECOMMEND APPROVAL)

Regarding item Z-23-08-003, Mr. Carter stated that the applicant had proposed additional conditions and read them into the record before the Commission voted on their approval.

1. Uses. Permitted uses shall be limited to the following: Forestry and Crops; Daycare Centers; Elementary/Secondary Schools; Medical, Dental, and Related Offices; Religious Assembly; Parks and Open Areas; Office Use Group; Accessory Uses and Structures (Customary); and Temporary Construction Office. No elevated structures will be permitted on the parcels identified as 5800 Scotland Road and 5810 Marion Elsie Drive (Lot 24 and Lot 25 as shown on Plat Book 7, Page 154).
2. Buffers. (a) The applicant shall erect an opaque fence no less than 6 feet in height adjacent the western and northern boundaries of tax parcel 156251 (5806 Scotland Road) and adjacent the northern and eastern boundaries of tax parcel 156252 (5804 Scotland Road); (b) except for vegetation necessary to be removed for parking, bioretention cells, and drainage swale on tax parcel 156284 (5810 Marion Elsie) and tax parcel 232721 (5800 Scotland Road) and to construct a fence adjacent the northern and eastern boundaries of tax parcel 156252 (5804 Scotland Road), all vegetation on tax parcels 156284 and 232721 shall remain natural and undisturbed; (c) the applicant shall increase the street planting yard along the southern boundary of tax parcel 156250 from 10 feet to 20 feet in width, with a planting rate of 2 canopy trees and 8 evergreen trees per 100 linear feet. Evergreen trees used will not be less than 6 feet in height at time of planting and have a mature height of no less than 20 feet.
3. Lighting. Except for walls facing W. Gate City Blvd., internally illuminated wall signs shall be cut off no later than 11:00 p.m.
4. Signage. Freestanding signage shall be prohibited on Scotland Road, Queen Alice Road, and Marion Elsie Drive.
5. Hours. Office uses shall not be accessible to the public between the hours of 9:00 p.m. to 7:00 a.m.
6. Transportation. The applicant shall design access to Scotland Road to prohibit right-in and left-out movements

Chair O'Connor asked if the applicant wanted to come forth and clarify the nature of their requested conditions.

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Tom Terrell, 230 North Elm Street, counsel for Renaissance Church Gate City, Inc., stated that the updated conditions were developed from examination of permitted uses and requested exclusions from surrounding neighbors.

Chair O'Connor asked for any questions or comments from the Commissioners.

Ms. Skenes asked if the applicant had any illustrative images of the site that could clarify the nature and location of the buffers described in condition #2.

Mr. Terrell presented images of the site and identified the location of the buffers and noted condition #1's prohibition on the construction of elevated structures on 5800 Scotland Road and 5810 Marion Elsie Drive.

Mr. Alford asked staff to clarify what was is considered an "elevated structure".

Mr. Kirkman advised that an elevated structure is defined as anything built above finished elevation (above ground) and noted that construction at grade (e.g. parking) would still be permitted by the wording of condition #1.

Ms. Skenes made a motion to accept the additional conditions, seconded by Ms. Magid. The Commission voted 7-0 in approval, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Urban General and being located within an Urban Mixed Use Corridor on the Future Built Form Map. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's 'Filling in Our Framework' goal to ensure every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities. The uses permitted in the proposed CD-O zoning district are compatible with existing commercial, civic, and residential uses located on adjacent tracts. This request includes conditions designed to decrease potential negative impacts on surrounding properties. Staff recommended approval of the request.

Regarding item Z-23-08-004, Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Urban General and being located within an Urban Mixed Use Corridor on the Future Built Form Map. Staff determined the proposed rezoning request supports the GSO2040 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

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disruptions and changes at the regional, national and global scales. The proposed C-M zoning district would permit a variety of commercial, retail, office and service uses. The uses permitted in the proposed C-M zoning district are compatible with existing commercial 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, she then asked if the applicant or anyone else wished to speak in favor of the request.

Mr. Terrell stated that the subject property (a proposed church) fronts Gate City Boulevard and orbits a developed commercial corridor, noting that this proximity befitted commercial use rather than residential. He added (citing previous comments made by commission members) that even in the event of a denial the area would likely be rezoned and developed for commercial use in the future, and speculated that the proposed development and its uses would be lower impact than a potential alternative. Mr. Terrell spoke on the updated conditions, specifically the addition of buffers to the north and south of the subject property and the design of a turning lane that would regulate traffic between the surrounding neighborhoods. He also noted that the proposed development would be the only in the city with office hours regulated by zoning condition.

Frank Amenia, on behalf of Davenport Engineering, 119 Brookstown Avenue, stated that they had, in collaboration with NDOT and GDOT, designed a turning lane with a concrete median that would direct traffic from the subject property towards Gate City Boulevard (via Scotland Road) and away from the surrounding neighborhoods.

Chair O'Connor advised that the applicant's speaking time had expired and invited anyone speaking in opposition to come forward.

[Further testimony largely concerns the properties at 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive]

Matt Kepley, 2011 Thayer Circle, stated that there were comments from neighbors regarding outstanding conditions that had not been addressed by the applicant as part of their community outreach efforts. Mr. Kepley added that there had been a call to continue the rezoning request at a previous community meeting, citing concerns about Scotland Road's capacity to handle traffic from the subject property, preference by surrounding neighbors to instead direct traffic via Queen Alice Road, and "extracurricular" use of the subject property.

Triva Osborne, 2018 Thayer Circle, reiterated Mr. Kepley's comments and stated that there was concern among neighbors that approval of the rezoning request would contribute to a depreciation of property values and diminished desirability of residential living as a result of nearby commercial and office use. Ms. Osbourne added that approval of the rezoning request risks future harm to

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the surrounding area should the applicant decide to sell the subject property to unscrupulous developers.

Kay Perry, 2010 Thayer Circle, stated that they would like the rezoning request to place additional conditions that would restrict the subject property's use to "church related events" only (e.g. worship, bible study, weddings, and funerals) and that the applicant provide explicit clarification on what their intended uses would be. She added that the Davenport's traffic assessment of their proposed turning lane only considered Sunday traffic from the subject property and requested that a more extensive assessment be conducted alongside further communication with neighbors. Ms. Perry stated that neighbors are asking for further conditions to create a denser buffer for surrounding residential properties (15 foot heavy vegetative buffer along Scotland Road with a minimum of 4 canopy trees, at least two of which must be evergreen for screening; 4 evergreen understory trees; 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). Ms. Perry asked that the rezoning request be continued until these concerns were addressed.

Chair O'Connor advised that the opposition's speaking time had expired and invited the applicant to come forward for their rebuttal.

Mr. Terrell stated that the zoning of parcels identified in the opposition's testimony, whether residential or the requested district, would not change their use as they are already designated to be developed as a buffer and tree preserve and will see no additional construction. In response to objection to the subject property's location within a residential area, Mr. Terrell reiterated his earlier comments on its proximity to a larger commercial corridor. Regarding Scotland Road, Mr. Terrell noted that it would be widened at the applicant's expense to accommodate the increased traffic flow and advised that acquiesce to every requested condition from neighbors would stall development indefinitely.

Chair O'Connor asked if there were any other speakers in favor of the request. Hearing none, Chair O'Connor advised that the opposition had five minutes to respond to the applicant's rebuttal.

Ms. Perry stated that the applicant's presentation failed to show images of the surrounding community that would be impacted by the request and expressed concern about future encroachment on the surrounding residential neighborhood stemming from the rezoning. She reiterated her request for additional conditions buffer.

Chair O'Connor asked if there were any other opposition speakers. Hearing none, Chair O'Connor asked for any questions or comments from the Commissioners.

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Ms. Magid asked for the applicant to speak on the reactions of the property owners at 5804 and 5806 Scotland Road referenced in condition #2.

Mr. Terrell confirmed that a tree reserve was proposed as a buffer between the subject property and 5804 Scotland Road, however, at the request Jeremy Kinley, property owner at 5804 Scotland Road, a fence was added to the buffer. Mr. Terrell noted that there was a dispute between Mr. Kinley and the applicant regarding the material of the fence (Mr. Kinley requested an 8 foot chain link fence while the applicant offered a wooden "stockade" fence). Mr. Terrell stated the property owner at 5806 had been invited to every community meeting regarding the development but has not reached out.

Ms. Magid confirmed that the applicant had taken steps to mediate encroachment for the properties across from 5900 Scotland Road.

Mr. Engle asked that Mr. Kinley come forth and speak on Mr. Terrell's testimony.

Jeremy Kinley, 5804 Scotland Road, stated that he owns one of the oldest homes in the surrounding Sedgefield neighborhood and that the rezoning and subsequent development would have a major impact on him and his family. He added that he would be opposed to any commercial development in the area, although welcomed the construction of a fence between him and the subject property.

Mr. Engle asked Mr. Terrell and staff if the rezoning was necessary to build parking on the subject property. Mr. Terrell confirmed that it was. Mr. Kirkman clarified that the parking lot would not be permitted if the subject property remained a residential district.

Chair O' Connor closed the public hearing and asked for further questions or comments from the Commissioners

Ms. Magid expressed her intention to approve the request and commented on similar cases throughout the city of residential districts situated beside commercial districts used for religious purposes, citing Temple Emmanuel Synagogue and Friendly Hills Presbyterian Church.

Ms. Skenes expressed her intention to approve the request, reiterating Ms. Magid's comments and noting that the applicant's updated conditions represented an improvement from the initial request.

Mr. Downing confirmed that the opposition speakers were in support of the rezoning request for 5909, 5913, 5915 West Gate City and were only opposed to the rezoning request for 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive.

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Mr. Engle expressed his intention to approve the request, stating that he could see denser development in the area, particularly due to its proximity to Gate City Boulevard. He added that the opposition speakers and surrounding neighbors should consider the complexity of uses for the subject property during future meetings with the applicant, noting that churches are community meeting spaces that serve other purposes beyond their religious function (e.g. polling places, meeting places for the Boy Scouts, community centers, etc.)

Chair O'Connor expressed her intention to approve the request, reiterating Ms. Skenes comments on the applicant's updated conditions.

Mr. Engle made a motion to approve annexation, seconded by Ms. Magid. The Commission voted 7-0 in approval, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

Ms. Magid stated that, regarding agenda item Z-23-08-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive from County MXU (Mixed Use) and County RS-40 (Residential Single-family – 40) to City CD-O (Conditional District - Office) 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-O 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 Commission voted 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

Mr. Engle stated that, regarding agenda item Z-23-08-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for a portion of West Gate City Boulevard and Queen Alice Road rights-of-way from County MXU (Mixed Use), County RS-40 (Residential Single-family – 40), County CZ-HB (Conditional Zoning - Highway Business) 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 property owner and surrounding community, and approval is in the public interest. Ms. Magid seconded the motion. The Commission voted 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none).

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PL(P) 23-17: A street closure request for Fargis Street from its intersection with Granite Street in an eastward direction approximately 147 feet to its terminus.

Mr. Carter provided background information on the request and advised the Commission that their determination constituted a recommendation to City Council, adding that the closure of the street would not be contrary to the public interest and no property owner in the vicinity would be deprived of reasonable means of ingress or egress. Mr. Carter stated that TRC recommended approval of the closure on the condition that 20 foot utility easements over existing private or public utility lines be retained until such time that they are no longer needed.

Shawna Tillary, Planning and Project Development head for Greensboro Parks & Rec, presented on general development and renovations around Meyers Park that requires the road closure.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, 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. Engle then made a motion to approve of the street closure, seconded by Mr. Downing. The Commission voted 7-0, (Ayes: O'Connor, Alford, Skenes, Magid, Glass, Engle, Downing; Nays: none). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the September, 2023 City Council Meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

Staff welcomed Mr. Downing to the Commission as its newest member and acknowledged the service of Vice-Chair Bryson and Mr. Alford whose tenures on the Commission are coming to an end.

Staff and Commissioners acknowledged the service of Ms. McCook as she prepared to leave her position with the Planning Department.

ITEMS FROM COMMISSIONERS:

None

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 7:23 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 18, 2023, beginning at 5:36 p.m. Members present were Chair Sandra O'Connor, Warché Downing, Andrew Egbert, Mary Skenes, Catherine Magid, Keith Peterson, Erica Glass, and Zac Engle. Present for City staff were Mike Kirkman, Luke Carter, and Andrew Nelson (Planning), Denice Conway (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide-reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised that Mr. Egbert would arrive late.

APPROVAL OF THE AUGUST 21, 2023, REGULAR MEETING MINUTES: (APPROVED)

Chair O'Connor requested approval of the August 21, 2023 meeting minutes. Ms. Magid made a motion to approve the August meeting minutes as presented, seconded by Ms. Skenes.

The Commission voted 7-0, (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass; Nays: None).

Mr. Egbert arrived following this vote.

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WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman advised that the applicant for item Z-23-08-001 had withdrawn their request and no action was needed from the Commission.

EXPEDITED AGENDA:

Chair O'Connor noted that only one item (Z-23-08-005) had registered opposition and all other items were eligible for consideration on the expedited agenda. These items were Z-23-09-001, Z-23-09-002, Z-23-09-003, Z-23-09-004, Z-23-09-005, and Z-23-09-006. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

Mr. Kirkman took a moment to answer questions posed by the audience regarding the scope of Commission actions. He advised any action taken by the Commission would have no bearing on properties adjacent to the subject property for a given item in terms of use rights or jurisdiction.

NEW BUSINESS:

PL(P) 23-18 & Z-23-09-001: An annexation and original zoning from County AG (Agricultural) to City R-3 (Residential Single-family – 3) for the property identified as 219 Ward Road, generally described as south of Ward Road and east of Sharing Terrace (0.86 acre). (RECOMMEND 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 GSO2040 Comprehensive Plan designates this property as Industrial on the Future Land Use Map. Staff determined the proposed original 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 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 proposed original zoning request allows uses that are similar to existing uses in the surrounding area and does not significantly impact the options for future industrial development envisioned in the Comprehensive Plan for the larger area. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request. Hearing none, she closed the public hearing.

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Ms. Magid then made a motion to annex the property, seconded by Mr. Engle. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Ms. Magid then stated regarding agenda item Z-23-09-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 219 Ward Road from County AG (Agricultural) to City R-3 (Residential Single-family – 3) 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 R-3 zoning district permits uses that 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. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

Z-23-09-002: A rezoning request from CD-LI (Conditional District – Light Industrial) to LI (Light Industrial) for the property identified as 3214 North O'Henry Boulevard, generally described as southeast of North O'Henry Boulevard and north of McKnight Mill Road (2.55 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this property as Urban General and within a Reinvestment Corridor on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates these properties as Residential. Staff determined the proposed rezoning request supports the Comprehensive Plan's "Growing Economic Competitiveness" Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses and the "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 LI zoning district allows a variety of warehouse, industrial, distribution and office uses that are generally consistent with other surrounding uses on nearby properties. In general, the uses permitted in the proposed LI zoning district have little or no adverse effect upon adjoining properties. The proposed LI zoning is consistent with the variety of higher-intensity commercial and industrial zoning fronting along US Highway 29. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower-density residential uses on adjacent properties. Staff recommended approval of the request.

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Mr. Peterson then stated regarding agenda item Z-23-09-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 3214 North O'Henry Boulevard from CD-LI (Conditional District – Light Industrial) to 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 LI 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. Mr. Engle seconded the motion. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

PL(P) 23-19 & Z-23-09-003: An annexation and original zoning request from County RS-30 (Residential Single-family) to City CD-RM-26 (Conditional District - Residential Multi-family – 26) for the property identified as 200 Wolfetrail Road, generally described as north of Wolfetrail Road and east of Randleman Road (0.275 acres). (RECOMMEND 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 GSO2040 Comprehensive Plan designates this property as Urban General on the Future Built Form Map. The Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed original zoning request supports 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 RM-26 zoning district generally is intended to accommodate duplexes, twin homes, townhouses, cluster housing, and other residential uses at a density of 26 units per acre or less. As conditioned, the subject property will be incorporated into the surrounding property, currently zoned CD-RM-26, and be developed at a similar size and scale with the larger development. This request allows uses that are also compatible with existing residential uses in the surrounding area.

Mr. Engle then made a motion to annex the property, seconded by Ms. Magid. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

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Mr. Engle then stated regarding agenda item Z-23-09-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 200 Wolfetrail Road from County RS-30 (Residential Single-family) to City CD-RM-26 (Conditional District - Residential Multi-family – 26) 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-26 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. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

Z-23-09-004: A rezoning request from R-3 (Residential Single-family - 3) to CD-C-L (Conditional District – Commercial – Low) for the property identified as 4309 Brinton Drive, generally described as west of Brinton Drive and south of Horse Pen Creek Road (0.56 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this property as Urban General and as Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports 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 rezoning request also supports the "Growing Economic Competitiveness" goal to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed C-L zoning district in general permits lower-intensity retail, office, and service uses that are compatible with uses existing in the surrounding area. Additionally, the proposed conditions further limit the negative impacts of the development on the adjacent properties and are designed to enhance compatibility. Staff recommended approval of the request.

Mr. Egbert then stated regarding agenda item Z-23-09-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 4309 Brinton Drive from R-3 (Residential Single-family - 3) to CD-C-L (Conditional District – Commercial – Low) 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-C-L zoning district permits uses

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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. Engle seconded the motion. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

PL(P) 23-20 & Z-23-09-005: An annexation and original zoning request from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family – 3) for the property identified as 4018 Sedgewood Lane, generally described as north of Sedgewood Lane and east of Groometown Road (0.497 acres). (RECOMMEND 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 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 R-3 zoning district is primarily intended to accommodate low-density single-family detached residential development of up to 3 dwelling units per acre that is similar to existing uses in the surrounding area. Staff recommended approval of the request.

Mr. Peterson made a motion to annex the property, seconded by Mr. Engle. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Mr. Downing then stated regarding agenda item Z-23-09-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 4018 Sedgewood Lane from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family – 3) 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-R-3 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

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public interest. Mr. Engle seconded the motion. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

PL(P) 23-21 & Z-23-09-006: An annexation and original zoning request from County RS-40 (Residential Single-family) to City CD-LI (Conditional District – Light Industrial) for the property identified as 3900 Randleman Road, generally described as west of Randleman Road and north of Pitman Road (0.807 acres). (RECOMMEND 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 Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports 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 rezoning request also supports the "Growing Economic Competitiveness" goal 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 other surrounding uses on nearby properties and includes conditions to limit potential negative impacts on surrounding properties. Staff recommended approval of the request.

Mr. Eugene Lester, 400 Bellmeade Street, represented the owner of the property. Mr. Lester stated that the Technical Review Committee required the owner to annex this property in order to develop it with the adjacent property was already in the City. Mr. Lester stated that the property would be developed for an accounting business and the building would include a couple car bays for car detailing.

Ms. Magid then made a motion to annex the property, seconded by Mr. Peterson. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Ms. Magid then stated regarding agenda item Z-23-09-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 3900 Randleman Road from County RS-40 (Residential Single-family) to City 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

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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. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, October 17, 2023 City Council Meeting.

PUBLIC HEARINGS:

OLD BUSINESS:

Z-23-06-005: A rezoning request from CD-O (Conditional District Office) to CD-C-N (Conditional District – Commercial – Neighborhood) for the properties identified as 1318 & 1920 Bradford Street, generally described as east of Bradford Street and south of State Street (0.26 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 GSO2040 Comprehensive Plan designates this site 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 GSO2040 Comprehensive Plan's "Filling in Our Framework" strategies to ensure revitalized sites will be of high quality and complement existing neighborhood character to encourage higher density, mixed-use, and walkable infill development. The proposed rezoning also supports the "Growing Economic Competitiveness" goal to promote homegrown businesses, support entrepreneurship, cultivate industry leaders, and welcome major corporations and institutions. The proposed CD-C-N zoning district prohibits eating and drinking establishment uses and requires the existing structure on the subject property to be retained. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners.

Mr. Engle asked how the district's conditions would be applied to this property if the current structure was destroyed by natural means (i.e. if it burned down).

Mr. Kirkman advised that the condition would require any new structure built after such circumstances to remain within the same footprint as the original structure. Mr. Kirkman clarified that the condition, in this circumstance, would not require the architectural or design standards of the original structure to be maintained (Mr. Kirkman later added that the design specifications of the new zoning district would apply to a new structure).

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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.

Susan Mayer, 1907 North Elm Street, stated that she was seeking a rezoning of the subject properties to open a small shop to sell local artisan merchandise and teach lessons on home gardening. She stated that her vision was for the shop to become a community hub that would contribute to the atmosphere of the nearby State Street area.

Ms. Mayer stated that she had reached out to several of the neighboring residents and discussed her ideas with them, receiving generally positive responses. She added that one of the subject properties (1920 Bradford Street) was a gravel parking lot and noted that it would prevent on-street parking around the shop that may be a nuisance to surrounding residents.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she asked if anyone else wished to speak in favor of the request.

Courtney Curtis, 1704 Regents Park Lane, reiterated Ms. Mayer's comments and spoke on Ms. Mayer's work ethic and commitment to the McAdoo Heights neighborhood and the State Street area.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she asked if anyone else wished to speak in favor of the request.

Jenna Trizzino, 1906 North Elm Street, spoke in favor of the request and stated that the shop would be an asset to the area.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she asked if anyone else wished to speak in favor of the request. Hearing none, she asked for any objections to the request.

Andrew Young, 1907 Bradford Street, introduced himself as a longtime resident of the McAdoo Heights neighborhood and presented illustrative images of the orientation and distance between Bradford Street, State Street, and the subject property. He stated that, although generally supportive of commercial development along State Street and Ms. Mayer's vision for her shop, he was opposed to the encroachment of commercial properties on the primarily residential Bradford Street, citing increased traffic and harm to neighborhood character as chief concerns. Mr. Young also voiced concern about the possibility of more intense development of the subject property under the new zoning district should it change ownership (e.g., multi-story offices being built).

Chair O'Connor asked for any questions or comments from the Commissioners.

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Ms. Skenes told Mr. Young that the property was already zoned for office use.

Mr. Young acknowledged and noted that the previous owners operated a therapy counseling office with a very small clientele.

Ms. Skenes stated that under its existing zoning, the property could be developed into multi-story offices. She then asked the staff to confirm this.

Mr. Kirkman stated that, although the district allows the construction of professional offices, the current conditions of the district contain a standard requiring the existing structure to be retained (this condition was being carried forward by the rezoning request).

Mr. Engle asked Mr. Kirkman to further clarify whether the lot would be nonconforming if something happened to the house.

Mr. Kirkman stated that there are zoning standards, such as parking, that would keep the scale of the building limited if it had to be rebuilt.

Chair O'Connor asked for any further objections to the request.

Patsy Locklear, 1919 Bradford Street, introduced herself as the owner of the property across the street from the subject property. She voiced her opposition to the request, stating that Bradford Street was too narrow to handle the traffic and parking generated by Ms. Mayer's business.

Chair O'Connor asked for any further objections to the request. Hearing none, she asked if the applicant would like to speak in rebuttal.

Susan Mayer, 1907 North Elm Street, stated that most of the traffic to her shop would be coming from State Street and would only have to pass a few residential properties on Bradford Street before turning into the gravel parking lot.

Mr. Engle asked how many cars could fit in the parking lot as well as how much of the building would be used as retail space.

Ms. Mayer displayed a site plan of the subject properties, showing the orientation and dimensions of the building and parking lot.

Ms. Magid stated that the business along State Street only had room for one or two cars to utilize on-street parking.

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Ms. Mayer stated that the on-street parking was mostly for to go order pickup. Each of the restaurants had off-street parking behind the buildings.

Ms. Magid asked if the applicant would provide off-street parking for her customers.

Ms. Mayer stated that the existence of off-street parking on this site was one of the reasons she purchased this property.

Chair O'Connor asked if anyone else wished to speak in favor of the request. Hearing none, she asked if anyone in opposition to the request would like to speak in rebuttal.

Mr. Young reiterated his concerns about the encroachment of commercial activity on Bradford Street.

Chair O'Connor asked for any questions or comments from the Commissioners.

Mr. Downing, citing opposition remarks about traffic, asked staff what the process would be to conduct a traffic impact study for the area.

Ms. Conway stated that the subject property was too small to receive a traffic impact study and advised that the gravel parking lot would likely offset some traffic.

Chair O'Connor closed the public hearing and asked for any questions or comments from the Commissioners.

Ms. Skenes expressed her intention to approve the request, citing transitional commercial uses as the impetus for the creation of the Commercial-Neighborhood zoning district and its compatibility with the intended use of the subject property. She noted that the rezoning, while not a "downzoning" in the technical sense, could be considered a less intense use than the existing Office zoning.

Mr. Engle expressed his intention to approve the request, reiterating Ms. Skenes' comments and noted that the condition's prohibition on eating and drinking would limit potential nuisances. He stated that the intended use as a shop was feasible within the building's current footprint and that the parking lot would limit off-street parking. He acknowledged the potential concern of harmful development of the subject property in the future but noted the risk was minimal considering the conditions.

Ms. Magid, addressing Ms. Locklear, stated that the parking lot would hopefully address her concerns regarding traffic and parking.

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Mr. Downing expressed his intention to approve the request, citing the low impact of the intended use. He also stressed the importance of continued neighborhood discussion and collaboration as the State Street area continues to grow.

Chair O'Connor acknowledged the distance between the subject property and State Street as identified by Mr. Young and expressed her appreciation for the credulity, presence and credulous testimony of neighbors. She expressed her intention to approve the request, stating that the conditions were sufficient to protect the neighborhood from harmful development of the subject property in the future.

Mr. Downing then stated regarding agenda item Z-23-06-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1318 & 1920 Bradford Street from CD-O (Conditional District Office) to CD-C-N (Conditional District – Commercial – Neighborhood) 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-N-C 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. Magid seconded the motion. The Commission voted 8-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, October 17, 2023, City Council Meeting.

Annual Report & Other Business

Eunika Smalls and Shonta Flemming (Housing and Neighborhood Development) presented on the 2022-2023 Consolidated Annual Performance Evaluation Report.

The Commission thanked the presenters for their time.

ITEMS FROM THE PLANNING DEPARTMENT:

Sue Schwartz (Planning) presented on a proposed application by the city for a Pathways to Removing Obstacles to Housing (PRO Housing) grant from HUD and stated that a full application would be sent to the Commission for their comment within the next month.

ELECTIONS:

Mr. Ducharme advised that there would need to be an election for the positions of Chair and Vice Chair of the Commission and outlined the procedure of the voting process.

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Mr. Engle nominated Ms. O'Connor for the position of Chair, seconded by Mr. Peterson. Ms. O'Connor accepted the nomination. The Commission voted 7-0 in approval (Ayes: Downing, Egbert, Skenes, Magid, Peterson, Glass, Engle; Nays: None).

Ms. Skenes nominated Ms. Magid for the position of Vice Chair, seconded by Mr. Peterson. The Commission voted 7-0 in approval (Ayes: O'Connor, Downing, Egbert, Skenes, Peterson, Glass, Engle; Nays: None).

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 7:02 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 16, 2023, beginning at 5:30 p.m. Members present were Chair Sandra O'Connor, Vice Chair Catherine Magid, Andrew Egbert, Mary Skenes, Zac Engle, Erica Glass, and Warché Downing. Present for City staff were Mike Kirkman, Luke Carter, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on the land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor acknowledged the absence of Mr. Peterson.

APPROVAL OF THE SEPTEMBER 18, 2023 REGULAR MEETING MINUTES: (DELAY)

Chair O'Connor advised that the Commission requested a delay on the approval of the September 18, 2023 meeting minutes until the next regular meeting, citing errors and omissions.

WITHDRAWALS OR CONTINUANCE:

Chair O'Connor inquired if there were any withdrawals or continuances. Mr. Kirkman advised there were no withdrawals or continuances.

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EXPEDITED AGENDA:

Chair O'Connor noted there was one item that did not have opposition signed up to speak and was eligible for the expedited agenda. This item was Z-23-10-003.

Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to this item. Hearing none, Chair O'Connor noted the Commission would address this item through expedited review and reordered the agenda accordingly.

PL(P) 23-22 & Z-23-10-003: An annexation and original zoning request from County MXU (Mixed-Use) to City CD-C-M (Conditional District – Commercial - Medium) for the property identified as 5503 Sapp Road, generally described as north of West Wendover Avenue, west of Sapp Road, and south of Sapp Road (0.408 acres). (RECOMMEND APPROVAL)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter stated the GSO 2040 Comprehensive Plan designates this property as Urban General within an Urban Mixed Use Corridor and a Regional Scaled Activity Center. The Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed rezoning request supports the Filling in Our Framework goal to transform underutilized sites and buildings into valued assets that complement their surroundings. Additionally, the request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-C-M zoning district permits uses that are consistent with uses allowed with the surrounding C-M and C-H zoning and are compatible with existing large scale commercial 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, she then asked if the applicant or anyone wished to speak in favor of the request. Hearing none, Chair O'Connor closed the public hearing.

Mr. Engle made a motion to approve annexation, seconded by Mr. Egbert. The Commission voted 7-0 in approval, (Ayes: O'Connor, Magid, Egbert, Skenes, Engle, Glass, Downing; Nays: none).

Mr. Engle stated regarding agenda item Z-23-10-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property at 5503 Sapp Road from County MXU (Mixed Use) 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 the surrounding area and limits negative impacts on the adjacent properties; (3.) The request

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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. Vice-Chair Magid seconded the motion. The Commission voted 7-0 in approval, (Ayes: O'Connor, Magid, Egbert, Skenes, Engle, Glass, Downing; Nays: none).

Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the November 21, 2023 City Council Meeting.

PUBLIC HEARINGS:

NEW BUSINESS:

Z-23-10-001: A rezoning request from RM-18 (Residential Multi-family – 18) and PUD (Planned Unit Development) to PUD (Planned Unit Development) with the required Unified Development Plan for the properties identified as 1606 Cobb Street and 520 South Josephine Boyd Street, generally described as north of Cobb Street and west of South Josephine Boyd Street (1.858 acres). (CONTINUED)

Mr. Carter advised of the conditions associated with the request and noted that the portion of the subject property at 520 South Josephine Boyd is already zoned PUD and has been built out subject to the conditions in Phase 1. He clarified that the present case concerns the portion of the subject property at 1606 Cobb Street which is subject to the conditions in Phase 2.

Phase 1

1. Uses: Limited to residential multifamily and Commercial Neighborhood uses, excluding laundromats, commercial parking and any use with drive-thru service. Commercial uses shall be limited to a maximum of 3,000 square feet.
2. Maximum number of residential units shall not exceed 32.
3. Maximum number of buildings shall not exceed two 3-story buildings.
4. Buildings will have similar architectural features.
5. A minimum of 57 parking spaces will be provided.
6. Development shall include bicycle rack(s) to accommodate a minimum 12 bicycles.

Phase 2

1. Uses limited to a maximum of 24 dwelling units.

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2. Maximum building height shall not exceed 3 stories/52 feet.
3. Buildings shall have similar architectural features as Phase 1

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site 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 Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we 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 PUD zoning designation, as conditioned, would allow higher density residential uses in immediate proximity to a university and other mixed-use development. The nonresidential component of the proposed PUD includes conditions that limit potential negative impacts on the surrounding area. The zoning also encourages appropriately scaled development close to a major thoroughfare and maintains good transitions between residential development and commercial uses. Staff recommended approval of the request.

Chair O'Connor asked staff if all elements of Phase 1 were complete and if some, noting condition 5 in particular, would be carried into Phase 2.

Mr. Carter stated that all conditions in Phase 1 were complete to his knowledge, although he could not speak to the applicant's complete compliance. He added that they were obligated to comply with all the conditions prior to obtaining a building permit.

Chair O'Connor clarified that the Commission was only considering the conditions in Phase 2 of the request. Mr. Carter confirmed that, stating that the nature of the PUD district required both phases and their conditions to be brought before the Commission.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone wished to speak in favor of the request.

Mr. Carter noted that an unregistered speaker was present via Zoom but the applicant was not present physically or virtually.

Mr. Kirkman advised that, absent any speakers in favor, the Commission could consider opposition speakers.

Ms. Skenes asked if the Commission could vote on a continuance for the item until the next regular meeting, citing the applicant's absence.

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Mr. Ducharme advised that it was within the Commission's discretion to continue the item if they felt it was appropriate.

Chair O'Connor asked if staff had been in communication with the applicant. Mr. Carter confirmed that staff had been in contact with the applicant prior to the meeting but was unaware of the reason for the absence.

Ms. Skenes made a motion to continue item Z-23-10-001 to the next Commission meeting in November. Vice Chair Magid seconded the motion.

Mr. Engle stated that, before the Commission votes, he would like to hear from any opposition speakers present regarding their opinion on the continuance.

Mr. Ducharme advised that this would be prudent and reiterated that the decision was still within the Commission's sole discretion.

Vice Chair Magid asked staff if the applicant had provided any illustrative images of their proposed development.

Mr. Carter stated that the applicant did submit a draft UDP but advised against presenting it to the Commission as evidence on behalf of the applicant without them present to provide further elaboration.

Mr. Egbert wondered if the applicant was aware of any opposition to their request and reiterated his desire to hear from the present opposition speakers regarding the continuance, adding that the Commission's deliberation should be predicated on their attitudes.

Mr. Downing agreed.

Chair O'Connor, while acknowledging the difficulty with allowing one side to speak while another is unrepresented, invited the public to voice their opinion on the continuance. She reminded them to only speak on the continuance and not the content of the request.

Michael Walker, 709 Mayflower Drive, expressed his opposition to the continuance, citing the fact that several opposition speakers were physically present for the meeting. Mr. Walker added that he had spoken with the applicant on the phone the night before and could attest to their knowledge of opposition to their request.

Geoffrey Hamerlinck, 1613 Morton Street, expressed his opposition to the continuance and reiterated Mr. Walker's comments.

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Chair O'Connor asked for any further objections to the continuance. Hearing none, she closed the public hearing.

Mr. Egbert stated that he had not received any emails regarding opposition to the request and asked if there was a possibility that the applicant had also not received any emails.

Mr. Kirkman noted staff had just recently received an email from one person noting some opposition to the request and had provided that information to the applicant.

Mr. Engle expressed his intention to vote against the continuance, citing the opposition's attendance and the lapse in communication between the applicant and the opposition.

Chair O'Connor expressed her intention to vote in favor of the opposition, noting her appreciation of Mr. Engle's comments and the opposition's speaker's presence in spite of the applicant's absence.

Mr. Downing asked if there were other opposition speakers present besides the two that came forward.

Mr. Walker, from the gallery, stated that he was there on behalf of a larger neighborhood association.

Mr. Carter then introduced the unregistered speaker on Zoom as David Hagaman, a realtor representing the applicant.

Chair O'Connor asked Mr. Hagaman if he represented the applicant. Mr. Hagaman affirmed that he did represent the applicant and identified himself as the manager of the subject property.

Mr. Hagaman stated that he was unaware of any opposition to the request and noted that the applicant had based his decision to not attend the hearing on the understanding that there was no opposition.

Ms. Skenes asked staff if Mr. Hagaman was allowed to represent the applicant in their absence considering they were neither the applicant proper nor counsel for the applicant.

Mr. Ducharme advised that there was no issue with Mr. Hagaman representing the applicant, noting that the Commission does not function in a quasi-judicial capacity where only counsel is allowed to represent an applicant in absentia.

Mr. Kirkman asked Mr. Hagaman if he would like to continue the hearing, now knowing about the opposition to the request.

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Mr. Hagaman stated that the continuance was fine and that they would use the extra time to communicate with the opposition and secure the applicant's presence for the next hearing.

Chair O'Connor asked for any questions or comments from the Commissioners regarding the continuance.

Mr. Egbert asked Mr. Hagaman for a more emphatic answer on whether they would like a continuance or not and Mr. Hagaman stated he would like continuance.

The Commission voted 6-1 to approve the continuance for item Z-23-10-001 to the next Commission meeting in November (Ayes: O'Connor, Magid, Egbert, Glass, Downing; Nays: Engle).

Chair O'Connor advised that the motion carried and the Commission would continue the matter.

Z-23-10-002: A rezoning request from R-3 (Residential Single Family – 3) to CD-C-M (Conditional District Commercial Medium) for the properties identified as 611 Pisgah Church Road and a portion of 3917 Baylor Street, generally described as south of Pisgah Church Road and west of Baylor Street (.93 acres). (DENIAL)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the condition associated with the request.

Mr. Carter stated the GSO2040 Comprehensive Plan currently designates this property as Urban General within a District Scaled Activity Center. The northwestern edge is also within an Urban Mixed Use Corridor. The GSO2040 Comprehensive Plan's Future Land Use Map designates this property as Commercial. Staff determined the proposed rezoning request supports 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 rezoning request also supports the Growing Economic Competitiveness Goal to build a prosperous, resilient economy that creates equitable opportunities to succeed. The proposed CD-C-M zoning district, as conditioned, permits uses that are compatible with existing uses in the surrounding area. 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.

Erik Haeffs, 5986 Financial Drive, on behalf of Waffle House, Inc., stated that he had sent 123 letters to surrounding neighbors regarding the request and received three responses via phone, one in support, one in opposition, and one neutral.

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Mr. Haeffs stated that the request was reasonable due to its compliance with the Future Land Use Map. He noted the subject property's proximity to other eating and drinking establishments and its location alongside a growing commercial corridor that is expanding to the west along Pisgah Church Road.

Mr. Engle asked if opposition emails submitted to the Commission were forwarded to Mr. Haeffs.

Staff confirmed that they were forwarded and Mr. Haeffs affirmed that he had received the emails.

Mr. Engle asked if Mr. Haeffs had responded to any of those emails. Mr. Haeffs stated that he had only received them that day and had not responded to them.

Mr. Engle asked if Mr. Haeffs had been given a list of approved uses for the C-M (Commercial Medium) zoning district. Mr. Haeffs stated that he had looked at a list of approved uses for the district.

Mr. Engle clarified that the only use conditioned out concerned drive-thru facilities and asked if Mr. Haeffs was aware that the district allows for many other uses such as convenience store with fuel pumps and auto-repair shops. Mr. Haeffs affirmed that he was aware of the other uses.

Mr. Engle asked if Mr. Haeffs had looked at surrounding conditional districts when preparing the application. Mr. Haeffs stated that they had looked at the zoning conditions for the eating and drinking establishment to the northeast of the subject property as a reference.

Ms. Skenes, noting the subject property's proximity to residential communities and its intended operation as a 24-hour facility, asked what the applicant had done/planned to do to mitigate potential nuisances on the west and south sides of the property (e.g. headlights, trash blowing, cut-through traffic).

Mr. Haeffs stated that, in addition to existing buffers separating the subject property from the surrounding residential areas, they plan on installing additional landscaping in accordance with the City's ordinances. Concerning light pollution, they intend to create a photometric light plan to limit the amount of light escaping the site. Mr. Haeffs stated that he had not considered cut-through traffic but would be amenable to implementing solutions in that regard.

Ms. Skenes clarified that her comments on cut-through traffic were primarily concerned with pedestrian traffic.

Mr. Haeffs stated he was unsure what measures could be taken to mitigate pedestrian cut-through traffic even under the existing zoning district.

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Mr. Downing clarified if Mr. Haeffs had reached out to any of the other opposition speakers.

Mr. Haeffs stated that he had spoken with two of them, one in support and one who had expressed curiosity in the request and proposed development.

Vice-Chair Magid asked if the required 750 foot notification area extended to the Findley Ridge Townhome Community to the west and Mr. Kirkman confirmed that it did.

Mr. Haeffs also confirmed that it did and that he had received calls from residents of the area.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if anyone else wished to speak in favor of the request.

David Faust, 615 Pisgah Church Road, expressed neither support nor opposition for the request. He suggested that a fence along the west side of the property and the Baylor Street side of the property would redirect cut-through traffic around residential properties.

Chair O'Connor asked if anyone else wished to speak in favor of the request. Hearing none, Chair O'Connor asked for any objections to the request.

Susan Giraldo, 705 Riley Lane, introduced herself as a resident of the Findley Ridge Townhome Community. She stated that the community was built three years ago, after the existing eating and dining establishment on the subject property. She noted that the existing establishment only allows drive-through/pick-up order and stated that the proposed development, as conditioned, would introduce foot-traffic 24-hours a day. She expressed further concern about vermin, litter, and encroachment of commercial uses on residential areas.

Jennette Hutchinson, 702 Riley Lane, introduced herself as a resident of the Findley Ridge Townhome Community. She expressed concerns about nuisances (e.g. light pollution from 24-hour parking lot, pedestrian cut-through traffic, noise) and the encroachment of commercial uses on residential areas, specifically one operating 24-hours a day. She noted that the GSO2040 Comprehensive Plan outlines an expansion to a commercial corridor near Elm Street, on the east of Pisgah Church Road, not the west end where the subject property is located. Ms. Hutchinson stated that she was also concerned about crime and other changes to quality of life.

Mr. Ducharme advised that generalized concerns about crime rates were not germane to the Commission's determinations.

Esther Ratcliff, 802 Riley Lane, introduced herself as a resident of the Findley Ridge Townhome Community. She expressed concerns about increased auto and pedestrian traffic. She noted that she is not opposed to development in the area but is concerned about a 24-hour commercial use.

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Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Erik Haeffs, 5986 Financial Drive, on behalf of Waffle House, Inc., stated, in response to opposition's concerns about increased traffic in the area, that the location of the proposed development would likely direct foot traffic through the existing sidewalk along Pisgah Church Road rather than through surrounding residential properties. Mr. Haeffs stated that they may not be able to build a fence to mitigate pedestrian cut-through traffic, as suggested by Mr. Faust, due to a utility easement bisecting the property that prohibits the construction of vertical structures. He added that he would be open to investigating the provisions of the easement and add a fence to the site plan if possible. Mr. Haeffs stated that the site would have routine pest control services and that trash receptacles would be located throughout the site to mitigate the spread of litter.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Esther Ratcliff, 802 Riley Lane, asked if there was a way to increase police monitoring of traffic violations along Pisgah Church Road.

Chair O'Connor stated that was a question that should be directed to relevant City staff.

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

Mr. Engle expressed his intention to deny the request, stating that the subject area is in the process of acute transition between residential and commercial use and noted that applications for rezoning in such areas must be very careful in regard to their conditioned uses. Concerning opposition remarks, he added that the present case was primarily concerned with land use and not increased traffic, adding that with proper buffers and conditions he would have no issue with a 24-hour commercial use in that area.

Mr. Downing expressed his intention to deny the request as well, reiterating Mr. Engle's statement regarding the application's conditions and noting the opposition's concerns.

Ms. Skenes also expressed her intention to deny the request, stating that the application was not sufficiently conditioned to prevent future harmful uses.

Chair O'Connor expressed her intention to deny the request, affirming previous comments and stating that the application, if approved, would allow for land uses that are unsuitable for the area as it currently exists. She voiced disappointment regarding communication between applicants and neighboring residents and suggested that a more open dialogue may provide more sufficient conditions for a future application.

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Mr. Engle then stated regarding agenda item Z-23-10-002, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 611 Pisgah Church Road and a portion of 3917 Baylor Street from R-3 (Residential Single Family – 3) to CD-C-M (Conditional District Commercial Medium) to be inconsistent 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 inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-M zoning district even as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which 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, and denial is in the public interest. Ms. Skenes seconded the motion. The Commission voted 5-2 in denial, (Ayes: O’Connor, Magid, Skenes, Engle, Downing; Nays: Glass, Egbert).

Chair O’Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the November 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-10-004: A rezoning request from CD-RM-8 (Conditional District – Residential Multi-family - 8) to CD-C-N (Conditional District – Commercial - Neighborhood) for the property identified as 325 Erwin Street, generally described as south of Erwin Street and east of Randleman Road (0.33 acres). (APPROVAL)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban Central within an Urban (Mixed-use) Corridor and a Reinvestment Corridor. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan’s Filling in Our Framework strategies to ensure revitalized sites will be of high quality and complement existing neighborhood character to encourage higher density, mixed-use, and walkable infill development and the Growing Economic Competitiveness goal to promote homegrown businesses, support entrepreneurship, cultivate industry leaders, and welcome major corporations and institutions. The proposed CD-C-N, as conditioned, limits uses to those that are generally considered appropriate transitional uses between more intense commercial uses found to the west and lower intensity residential uses found to the east and northeast of the subject property. The request also includes conditions to limit potential negative impacts on surrounding properties. Staff recommended approval of the request.

Chair O’Connor asked staff to explain the nature of the C-N (Commercial Neighborhood) zoning district

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Mr. Kirkman stated that the C-N (Commercial Neighborhood) district is the least intense commercial zoning district and is designed to limit the scale of uses and ensure compatibility with residential spaces via caps on square footage, off-street parking requirements, and pedestrian oriented design.

Chair O'Connor asked for any questions or comments from the Commissioners. Hearing none, she then asked if the applicant or anyone else wished to speak in favor of the request

Nick Blackwood, 804 Green Valley Road Suite 200, on behalf of Nicole and Hatfield Charles, stated that they are applying for a rezoning that would allow uses already permitted on the site by a previous zoning approval.

The applicant had obtained zoning approval for the CD-RM-8 district to operate a daycare center but found that setback requirements for non-residential uses in the RM-8 district were prohibitively strict. As conditioned, the requested CD-C-N district will allow for the same uses as the previously approved request but with greater setback flexibility.

Mr. Blackwood noted that the only addition to the application's conditions from the previously approved rezoning is the inclusion of Office Uses without a drive-through facility within the permitted use group. The reason for this change is that, of the uses desired by the applicant, the RM-8 district permits daycare centers and single family residences while the C-N district does not allow residential uses. In the event that the daycare center is unsuccessful, this condition will allow the applicant to convert the property to another low impact non-residential use (e.g. accounting office, real estate office).

Mr. Blackwood displayed a zoning map of the subject property, noting the existing mix of uses in the surrounding area (commercial to the west and residential to the east).

Mr. Blackwood then displayed an illustrative sketch plan for the subject property. He noted that, save for a parking lot in the rear of the property, no improvements will be made and that the footprint of the existing primary structure will remain unchanged.

Mr. Blackwood then displayed an image of a 6-foot opaque fence constructed around the subject property as part of conditions from the previous rezoning approval. He noted that the fence is a sufficient buffer to mitigate any potential impacts from the daycare center use.

Mr. Blackwood also displayed an image of the subject property in its current condition, noting that it will retain its existing façade and remain in character with the surrounding residential 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 to the request.

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Brenda Barksdale, 308 Erwin Street, expressed her opposition to the request, citing concerns about increased traffic, congestion and excess parking on the primarily residential Erwin street, and encroachment of commercial uses. She added that she was not opposed to the applicants using the property for residential purposes. She stated that Erwin Street needs a sidewalk.

Christine Lloyd Marshall, 319 Erwin Street, expressed her opposition to the request, citing concerns about encroachment of commercial uses and disapproval of using a single-family home for commercial use. She also expressed concern about nuisances such as light pollution and increased traffic and added that approving the rezoning request could allow more harmful uses in the future. She also stated that Erwin Street needs a sidewalk.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Nick Blackwood, 804 Green Valley Road Suite 200, on behalf of Nicole and Hatfield Charles, stated that there was no traffic impact study required for the rezoning request on account of the use's low impact. He added that the subject properties position at an outlet of Randleman Road would likely limit the amount of cut-through traffic on Erwin Street. Mr. Blackwood stated the subject property already abuts two higher impact commercial uses (Dollar General and a car wash) and that the daycare center would act as a good transitional use between these properties and the surrounding residential community.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Adriane Lindsay, 309 Erwin, expressed her opposition to the request, citing concerns about increased traffic coming from Randleman Road through Erwin Street and potential hazards to pedestrians.

Margret Rawls, 218 Erwin, expressed her opposition to the request, citing general concern about traffic.

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.

Mr. Ducharme noted that most of the opposition testimony concerned broader community concerns and advised the Commission to base their decision on the subject property and questions of its intended use. Concerning opposition remarks about traffic, he advised the Commission to consider that a traffic impact study was not required.

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Vice Chair Magid expressed her appreciation for the opposition's attendance and remarks, then asked staff to clarify the nature of the urban mixed-use corridor (urban central classification). Mr. Kirkman advised that the GSO2040 Comprehensive Plan's Future Built Form Map identifies areas as mixed-use corridors where future investment, development, and diversification of uses is anticipated.

Vice Chair Magid expressed her intention to approve the request, citing compatibility with its designation on the Future Built Form Map and the proximity to other commercial uses in the area.

Mr. Downing his appreciation for the opposition's attendance and asked staff if there were any actions the City could take to mitigate the concerns voiced by the opposition regarding traffic and pedestrian hazards.

Mr. Tipton noted that the size of the property and impact of the desired use did not warrant a traffic impact study. He added that concerns about speeding and pedestrian hazards should be forwarded to the City.

Mr. Downing expressed his intention to approve the request, citing the economic benefit, growth potential, and existing buffers (the fence). He added that the opposition's concerns, particularly their demand for sidewalks, still warranted continued advocacy and action by the City.

Mr. Engle asked staff if the rezoning would require the applicant to install a sidewalk on the property.

Mr. Tipton advised that a sidewalk would be required and was included in the property's initial sketch plan.

Mr. Engle and Ms. Skenes asked to clarify that daycare centers were an allowed use under the previously approved RM-8 district and that the current request is primarily concerned with more permissive setbacks requirements between the RM-8 and C-N districts. Mr. Kirkman confirmed that was correct.

Mr. Downing encouraged residents to coordinate with neighboring business owners in support of traffic control measures on Erwin Street.

Mr. Downing then stated regarding agenda item Z-23-10-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 325 Erwin Street from CD-RM-8 (Conditional District Residential Multi-family 8) to CD-C-N (Conditional District Commercial Neighborhood) 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

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Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-C-N 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. Vice Chair Magid seconded the motion.

The Commission voted 6-1, (Ayes: Downing, Egbert, Magid, O'Connor, Engle, Skenes; Nays: Glass). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the November 21, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Public hearing to accept public comments on the draft PRO Housing grant application.

Mr. Kirkman introduced Planning Director Sue Schwartz to deliver a presentation on the City's draft application for the Pathways to Reduce Obstacles to Housing (PRO Housing) grant.

Chair O'Connor welcomed Ms. Schwartz and congratulated her on her recent election as president of the American Planning Association.

Ms. Schwartz stated that the PRO Housing grant is a federal initiative run through the Department of Housing and Urban Development (HUD) that aims to eliminate institutional barriers to construction of affordable housing and diverse housing in general. There are \$85 million in available funds with a minimum award of \$1 million for recipients.

Ms. Schwartz stated that the City's grant application asks for \$1.35 million and is split into three components: \$350,000 is asked to help develop demonstration projects of diverse housing types; \$250,000 is asked to help develop an outreach program to educate builders developers and the community about expanded housing choices and avenues to build affordable housing, including the development of permit-ready plans to expedite the planning process; and the remaining \$750,000 is asked to evaluate the City's regulatory framework and identify necessary amendments to the City's Land Development Ordinance and City Code.

Ms. Schwartz stated that the City stands in a competitive position relative to other applicants because of its existing policy frameworks(s) (e.g. GSO2040, Housing GSO, strategic priorities from Council) and recent analysis of institutional barriers done for the Land Development Ordinance. She spoke on the importance of building a network of partners in support of the grant during the application and eventual implementation.

Ms. Skenes asked for clarification on the development of permit-ready plans.

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Ms. Schwartz stated that the plans would not be formulaic and would not be required, adding that they may be used as a foundation for developments and customized in accordance to the developer's desires.

Chair O'Connor expressed her excitement with the application and its goals then asked if there were any further comments as part of the public hearing.

Rev. Elizabeth McKee-Huger, 6017 Bush Road, expressed her support for the grant application and discussed the need for greater housing diversity and supply in the City.

Chair O'Connor asked if there were any further comments as part of the public hearing. Hearing none, Chair O'Connor closed the public meeting.

Vice Chair Magid asked if staff could provide greater data on the housing need by demographics.

Mr. Engle made a motion to recommend approval of the application and spoke on the importance of increased housing supply in addressing the affordable housing crisis. Vice Chair Magid seconded the motion.

The Commission voted 7-0 in favor (Ayes: Downing, Egbert, Magid, O'Connor, Engle, Skenes, Glass; Nays: none).

ITEMS FROM THE PLANNING DEPARTMENT:

N/A

ITEMS FROM COMMISSIONERS:

Mr. Egbert asked for clarification on the policy allowing registered speakers to appear virtually.

Mr. Ducharme advised that a recent amendment to the City's code of ordinances allows remote participation in proceedings to stand on equal footing with in-person participation. This applies to registered speakers and members of the Commission (e.g. when voting or establishing quorum).

Mr. Engle clarified that Commissioners are now able to attend meetings virtually. Mr. Ducharme confirmed and added that the change to the City's code of ordinance has not yet been incorporated within the Commission's rules for procedure.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 7:50 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, November 20, 2023, beginning at 5:30 p.m. Members present in person were Chair Sandra O'Connor, Vice Chair Catherine Magid, Keith Peterson, Mary Skenes, Warché Downing, Zac Engle, and Paul Gilmer Sr., with Andrew Egbert and Erica Glass attending virtually. Present for City staff were Mike Kirkman, Luke Carter, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on all land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor advised that there were no absences.

**APPROVAL OF THE SEPTEMBER 18 & OCTOBER 16, 2023 REGULAR MEETING MINUTES:
(APPROVED)**

Chair O'Connor requested approval of the October 16, 2023 meeting minutes and September 18, 2023 meeting minutes as amended. Mr. Engle made a motion to approve both meeting minutes, seconded by Ms. Magid. The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none).

WITHDRAWALS OR CONTINUANCE:

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

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Mr. Kirkman advised that there was a request for a continuance for item Z-23-11-013 for 409-27 and 443 West Meadowview Road.

Chair O'Connor asked if there was anyone who would like to speak on the continuance.

Mr. Kirkman noted that counsel for the applicant was requesting a continuance to conduct further community outreach on the development, adding that there was no one registered to speak in favor or opposition to the item at this time.

Chair O'Connor acknowledged and requested a motion.

Mr. Engle made a motion to approve the continuance to the Monday, December 18th Commission meeting. Ms. Magid seconded the motion. The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none).

EXPEDITED AGENDA:

Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-11-001, Z-23-11-002, Z-23-11-003, Z-23-11-004, Z-23-11-005, Z-23-11-006, Z-23-11-008, Z-23-11-010, and Z-23-11-011.

Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

PL(P) 23-23 & Z-23-11-001: An annexation and original zoning request from County RS-20 (Residential Single-family) to City R-5 (Residential Single-family – 5) for the properties identified as 2810-2812 Roland Road, generally described as southwest of Roland Road and southeast of High Point Road (0.544 acres). (RECOMMEND APPROVAL)

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site 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 R-5 zoning district is primarily intended to accommodate low-density single-family detached residential development of up to 5 dwelling units per acre and allows uses that are similar to existing uses in the surrounding area. Staff recommended approval of the request.

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Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on the request. Hearing none, she requested a motion.

Mr. Engle made a motion to annex the property, seconded by Ms. Skenes. The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none).

Mr. Engle then stated regarding agenda item Z-23-11-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property identified as 2810-2812 Roland Road from County RS-20 (Residential Single-family) to City R-5 (Residential Single-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 proposed City R-5 (Residential Single-family – 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. Skenes seconded the motion.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday December 19th, 2023 City Council Meeting.

Z-23-11-002: A rezoning request from LI (Light Industrial) to CD-RM-8 (Conditional District – Residential Multi-family - 8) for the properties identified as 1217, 1219, and 1223 Boston Road, generally described as southeast of Boston Road and south of Norwalk Street (5.21 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the condition associated with the request.

Mr. Carter stated the GSO2040 Comprehensive Plan designates this site as Planned Industrial Campus 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 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-8 zoning district, as conditioned, ensures that the subject property will be

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developed in conjunction with the adjacent property already zoned CD-RM-18. The residential uses permitted in the request are supportive of the characteristics of the Planned industrial District given the features of the subject property and adjacent uses and does not unduly impact the larger employment areas near the site. Staff recommended approval of the request.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on their request. Hearing none, she requested a motion.

Ms. Skenes then stated regarding agenda item Z-23-11-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1217, 1219, and 1223 Boston Road from LI (Light Industrial) to CD-RM-8 (Conditional District – Residential Multi-family - 8) 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-8 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. Engle seconded the motion.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-003: A rezoning request from R-3 (Residential Single-family – 3) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 608 and 610 Stage Coach Court and 6811 and 6815 West Friendly Avenue, generally described as west of Stage Coach Trail and south of West Friendly Avenue (3.0997 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the condition associated with the request.

Mr. Carter stated the GSO2040 Comprehensive Plan designates this 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 the Comprehensive Plan's Filling in Our Framework Big Idea regarding how we 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 rezoning request also supports the Growing Economic Competitiveness Goal to build a prosperous, resilient

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economy that creates equitable opportunities to succeed. The proposed CD-C-M zoning district is limited only to self-storage uses that are compatible with uses existing in the surrounding area and can provide an appropriate transition from the high intensity highway to lower intensity residential uses nearby. The site's location within a Scenic Corridor will also help with compatibility with nearby development. Staff recommended approval of the request.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on the request.

Ms. Magid then stated regarding agenda item Z-23-11-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 608 and 610 Stage Coach Court and 6811 and 6815 West Friendly Avenue from R-3 (Residential Single-family – 3) to 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 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 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-004: A rezoning request from R-3 (Residential Single-family – 3) to CD-R-5 (Conditional District - Residential Single-family – 5) for the property identified as 2404 Stanley Road, generally described as west of Stanley Road and south of Huntmaster Trail (0.95 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the condition associated with the request.

Mr. Carter stated the GSO2040 Comprehensive Plan designates this property as Urban General. The Comprehensive Plan currently also designates this property as Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Creating Great Places goal to create interesting and attractive places and vibrant public spaces in neighborhoods across Greensboro and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed CD-R-5 zoning

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district limits permitted uses to residential uses only. The request is compatible with uses present in the surrounding area and would increase the range of choice and supply of housing in this area. Staff recommended approval of the request.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on the request. Hearing none, she requested a motion.

Ms. Skenes then stated regarding agenda item Z-23-11-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 2404 Stanley Road from R-3 (Residential Single-family – 3) to CD-R-5 (Conditional District - Residential Single-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 proposed CD-R-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. Mr. Engle seconded the motion.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-005: A rezoning request from R-5 (Residential Single-family – 5) to NS (Neighborhood Support) for the property identified as 2409 Maywood Street, generally described as south of Maywood Street and east of West Gate City Boulevard (0.44 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan currently designates this property as Urban Central within an Urban Mixed Use Corridor and a Regional Scaled Activity Center. The Comprehensive Plan currently also designates this property as Commercial on the Future Land Use Map, and it is adjacent to the West Lee Street High Point Road Plan area. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework goal to transform underutilized sites and buildings into valued assets that complement their surroundings. Additionally, the request supports the Comprehensive Plan's Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed NS zoning district is consistent with surrounding existing uses and will allow greater

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development opportunities with adjacent sites. This request is generally compatible with the existing development and trend in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on their request.

Nathan Duggins, 400 Bellemeade Street Suite 200, on behalf of Amer Estate Holdings, LLC, stated that he was available for comment and that the engineer for the development was present via Zoom.

Chair O'Connor acknowledged this and with no further speakers she closed the public hearing and requested a motion.

Mr. Peterson then stated regarding agenda item Z-23-11-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 2409 Maywood Street from R-5 (Residential Single-family – 5) to NS (Neighborhood Support) 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 NS 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 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-006: A rezoning request from R-3 (Residential Single-family – 3) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 3420 and 3422 Battleground Avenue, generally described as northeast of Battleground Avenue and northwest of Westridge Road (1.83 acres). (APPROVED)

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

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Mr. Carter stated the GSO2040 Comprehensive Plan designates these properties as Urban General. The Comprehensive Plan currently also designates these properties as Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework goal to transform underutilized sites and buildings into valued assets that complement their surroundings. Additionally, the request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses. The proposed CD-C-M zoning district, includes conditions that limit the potential negative impacts on the surrounding area. This request is generally compatible with the existing development and trend in the surrounding area. Staff recommended approval of the request.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on their request. Hearing none, she requested a motion.

Mr. Engle then stated regarding agenda item Z-23-11-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 3420 and 3422 Battleground Avenue from R-3 (Residential Single-family – 3) to 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 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 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-009: A rezoning request from C-M (Commercial – Medium) to CD-RM-26 (Conditional District - Residential Multi-family – 26) for the property identified as 709 Eagle Road, generally described as north of Eagle Road and east of Landmark Center Boulevard (5.62 acres). (APPROVED)

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

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Mr. Carter stated the GSO2040 Comprehensive Plan designates this property as Urban General. The Comprehensive Plan currently also designates this property as Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 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 request also supports the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed CD-RM-26, as conditioned, ensures that the subject property will be developed in conjunction with the adjacent property already zoned CD-RM-18. This rezoning request allows uses that are compatible with existing varied residential uses and densities in the surrounding area.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on their request. Hearing none, she requested a motion.

Mr. Peterson then stated regarding agenda item Z-23-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 709 Eagle Road from C-M (Commercial Medium) to CD-RM-26 (Conditional District – Residential Multi-family – 26) 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-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. Downing seconded the motion.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-010: A rezoning request from RM-18 (Residential Multi-family – 18) and O (Office) to CD-RM-18 (Conditional District - Residential Multi-family – 18) for the property identified as 510 Banner Avenue, generally described as west of Banner Avenue and south of Apache Street (6.25 acres). (APPROVED)

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. He noted that the property was split zoned.

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Mr. Carter stated the GSO2040 Comprehensive Plan designates this property as Planned Industrial District. The Comprehensive Plan currently also designates this property as Industrial on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan's Filling in Our Framework strategies to ensure revitalized sites will be of high quality and complement existing neighborhood character to encourage higher density, mixed-use, and walkable infill development. The proposed rezoning also supports the Creating Great Places goal of contributing to Greensboro's citywide network of unique neighborhoods where residents of all walks of life have a variety of quality housing choices. The proposed CD-RM-18 zoning district limits uses to residential uses only. Care should be taken with respect to building orientation, building height, and visual buffers to ensure an appropriate transition. The proposed rezoning request allows uses that are similar to existing uses in the surrounding area and does not significantly impact the options for future industrial development envisioned in the GSO2040 Comprehensive Plan for the larger area.

Chair O'Connor asked for questions from the Commission.

Referring to information in the staff report concerning environment and soil of the subject property (page three) Mr. Peterson asked staff if the subject property was a flood area or had the potential to be one.

Mr. Carter stated there was a stream on the subject property that was determined to be a flood risk area, however, the applicant would require a permit to develop on that area of the site and go through the technical review process with relevant staff. He added that the developer would likely avoid building near the area.

Mr. Peterson asked staff to explain what the technical review process would look like.

Mr. Kirkman spoke on the specifics of the process and the duties of technical review staff as it relates to development near flood areas.

Mr. Peterson clarified that the technical review process would limit negative impacts to surrounding properties.

Chair O'Conner asked if the applicant or anyone else wished to speak further on their request. Hearing none, she requested a motion.

Mr. Downing then stated regarding agenda item Z-23-11-010, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 510 Banner Avenue from RM-18 (Residential Multi-family – 18) and O (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

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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 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. Engle seconded the motion.

The Commission voted 7-2 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Gilmer, Egbert; Nays: Peterson, Glass). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-011: A rezoning request from CD-C-M (Conditional District - Commercial – Medium) to CD-O (Conditional District - Office) for the property identified as 2505 Fairview Street, generally described as west of Fairview Street and north of American Legion Street (0.88 acres). (APPROVED)

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

Mr. Carter stated the GSO2040 Comprehensive Plan designates this property as Urban General. The Comprehensive Plan currently also designates this property as Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the GSO2040 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 request also supports the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed rezoning request supports the GSO2040 Comprehensive Plan's Filling in Our Framework strategies to ensure revitalized sites will be of high quality and complement existing neighborhood character to encourage higher density, mixed-use, and walkable infill development. The request also supports 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-O zoning district, as conditioned, permits uses that are complimentary to existing uses in the surrounding area.

Chair O'Connor asked for questions from the Commission. Hearing none, she asked if the applicant or anyone else wished to speak further on their request. Hearing none, she requested a motion.

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Mr. Peterson then stated regarding agenda item Z-23-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 2505 Fairview Street from CD-C-M (Commercial Medium) to CD-O (Conditional District - Office) 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-O 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. Downing seconded the motion.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Mr. Engle commended the applicant for their communication as part of their request.

PUBLIC HEARINGS:

NEW BUSINESS:

Ms. O'Connor advised that the Commission decided to move item Z-23-11-012 forward on the agenda.

Z-23-11-012: A rezoning request from R-3 (Residential Single-family – 3) to PUD (Planned Unit Development) and consideration of the associated Unified Development Plan for the property identified as 4000 West Friendly Avenue, generally described as north of West Friendly Avenue and east of Kemp Road East (4.4 acres). (DENIED)

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 property as Urban Central. The Comprehensive Plan currently also designates this property as Residential on the Future Land Use Map. 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 PUD zoning district, as conditioned, would allow new residential uses appropriately

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placed along a major thoroughfare and compatible with adjacent existing residential uses. The request also includes conditions to limit potential negative impacts on surrounding properties.

Chair O'Connor asked a few questions for clarification. Could you please explain to us that there was an adjustment because of a typo not because of any change in the buffer?

Mr. Carter advised that the staff report erroneously stated that the minimum height of the required Type C buffer in condition six was 25 feet, while the UDP and staff slides featured the correct figure of 15 feet.

Chair O'Connor said that this was simply for clarification, as the comment was confusing. She then said that we received a great deal of communications on this matter, so I just wanted to clarify some of the general questions. One question was about the limitations of the PUD. I think a lot of people identify PUD with large developments we have like Adams Farm or Reedy Fork. I recently have seen on some rezonings that we considered PUDs in smaller areas. Is there any guidance?

Mr. Kirkman stated that the PUD zoning district has been in use for a few decades, and although it was originally intended for use in large-scale developments, the current LDO has included provisions that allow the district to be used for infill development such as the present request. He added that the previous Unified Development Ordinance (UDO) had included similar provisions, although spread across several different PUD districts that were not all specific to infill development. Mr. Kirman advised that the current ordinance does not indicate a minimum or maximum size for development in the PUD district, although other regulations such as dimensional requirements and provisions concerning compatibility with surrounding properties still apply.

Chair O'Connor said she also saw quite a few comments about spot zoning. I don't believe this was spot zoning. Could you clarify that?

Mr. Ducharme advised that the question of whether a request was an example of spot zoning was ancillary to the Commission's consideration if the Commission deems the request reasonable. Based on its customary review considerations, if the Commission makes a determination that a request is reasonable and in conformity with the comprehensive plan, it is following the requirements of North Carolina General Statute 160D-605.

Chair O'Connor said she had a lot of questions about stormwater. Is that something that we as a zoning commission may consider or does it go under technical review?

Mr. Kirkman advised that part of the site plan review by the Technical Review Committee (TRC) would include all the departments that are involved with stormwater. Stormwater would be

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addressed as part of the review from water resources and they have certain factors that they look at. The general rule of thumb is that once a development is built, it would not generate additional stormwater beyond what may have existed prior to development, and in many cases this works towards to improve the situation as it existed before.

Chair O'Connor asked Mr. Kirkman to explain how the setback is calculated, as there was a lot of discussion about setbacks. Mr. Kirkman advised that general dimensional standards for a PUD zoning request, which would include setbacks, are outlined in the associated Unified Development Plan (UDP). Subsequent dimensional standards may be applied contingent on the proposed development itself. LDO section 30-7-1.4(A)(1)(b) requires that where 50% or more of the lots on the same block face as the subject lot are occupied by single family detached dwellings, buildings on the subject lot must comply with the minimum street setback determined by calculating the average (mean) setback that exists on the 2 lots on either side of the subject lot. He noted that, in this case, staff would refer to the UDP to determine the setback requirements, not general development standards for single-family residential dwellings.

Ms. Magid said the mention of this bioretention pond would fall under the stormwater concern. So that's not one of our concerns. Kirkman stated that was correct and that it would be addressed in the technical review process during site plan review if the zoning is approved.

Mr. Peterson clarified the language of condition six and asked how many entrances there would be to the proposed development, noting that sketch plans only identify one. Mr. Kirkman advised that questions like the number of entrances and safe access to the site would be addressed by relevant staff during the site plan review process. He added that the sketch plans were only illustrative of the proposed development and that it would not show the final number of entrances.

Ms. Magid asked what the side buffers for the proposed development would be. Mr. Carter clarified that the UDP designates an overall 20-foot perimeter setback along the boundaries shared by surrounding properties zoned R-5 (primarily the northern and eastern sides of the subject property), and a 30-foot setback along the boundaries shared by properties zoned R-3 (primarily the southern and western sides of the subject property).

Chair O'Connor asked if the applicant or anyone else wished to speak on their request.

Bo Rodenbough, 230 N. Elm Street, Suite 2000, on behalf of CZS Development Company, LLC, explained the incorporation of CZS Development as a family-owned LLC that had acquired the subject property as three separate lots with single family homes. The homes have since been demolished and the three lots had been combined into one in preparation for development.

Mr. Rodenbough presented a sketch plan of the proposed development and two of the associated conditions (conditions 1 & 7). He noted that, although the conditions had not been agreed to by

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the opposition, they had been discussed with counsel for the opposition and amended twice after discussion with city staff. He noted, in reference to Mr. Peterson's comments about entrances, that the seventh condition requires that vehicle access be taken from West Friendly Avenue only, adding that the median on that section of the road would make it a "right-in, right-out" access point.

Mr. Rodenbough presented further sketch plans and spoke to the variety of residences that would be built. He presented the Unified Development Plan (UDP) and reiterated previous comments on the setback requirements relative to surrounding properties, adding that elements of the plan such as the entrance and bio-retention pond were still subject to review by TRC. He presented an aerial image of the subject property and surrounding area and spoke further on the landscape buffers.

Mr. Rodenbough then spoke to the utility of denser residential development. He stated that the setbacks and density of the proposed development were commensurate with the nearby R-5 subdivision at Windsor Park and that the development would enhance the value of surrounding properties. He then stated that the proposed development supported the GSO2040 comprehensive plan as an example of "gentle density" and that it would provide affordable and diverse housing options in an area that is primarily single-family homes.

With the applicant's time expired, Chair O'Connor asked for any questions from Commissioners.

Mr. Peterson, citing the UDP and his observations from site visits, stated that some of the two-story townhomes would directly overlook surrounding properties along Tallwood Drive. He asked how these two-story townhomes would fit the context of properties in the surrounding area.

Mr. Rodenbough stated that Tallwood Drive was situated near the northwest corner of the property and, citing the sketch plan for the development, noted that there would not be any townhomes in that area.

Mr. Kirkman reminded the Commission that the sketch plan and UDP were illustrative and not representative of the final development as they asked further questions.

Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request.

Steve Freyaldenhoven, 4003 West Friendly Avenue, speaking on behalf of many of his neighbors, expressed his opposition to the request stating that the development would disrupt the density of the surrounding neighborhood and was out of context with the predominantly R-3 zoning. He stated that the PUD zoning was more applicable near activity centers. He added that the development would threaten the unique character of Friendly Avenue and the investments made in the area.

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Nicole Kohut, 3921 West Friendly Avenue, expressed her opposition to the request, citing concerns about how the development would change the character of the surrounding neighborhood, its incompatibility with the goals of the GSO2040 Comprehensive Plan, and the applicant's refusal to decrease the density of the development.

Eric Estep, 4103 West Friendly Avenue, expressed his opposition to the request, citing the proposed development's incompatibility with the surrounding area's low-density single-family residences and the vocalization of neighborhood opposition. He refuted Mr. Rodenbough's statement's regarding the affordability of the properties.

With opposition speaking time expired, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Rodenbough presented the 1986 plat of the Village at Windsor Park and spoke to the proposed development's compatibility with surrounding properties, with respect to the setbacks. He noted that, while residents requested a 100-foot setback for the proposed development, the four homes at Windsor Park that back up to Friendly Avenue were held to a 60-foot setback standard. He added that homes which similarly back up to Friendly Avenue in the nearby Benfield subdivision were held to 70-foot setback standard. Regarding traffic, Mr. Rodenbough stated that the city classifies Friendly Avenue as a major thoroughfare. He added that the activity generated by the proposed development was not intense enough to warrant a TIS and that staff determined that a trip generation report was also unnecessary. He stated that there would be no negative impact to traffic on Friendly Avenue from this development. He spoke further on the development as an example of "gentle density" and its conformity with the GSO 2040 comprehensive plan and the concessions made to neighboring residents.

Mr. Engle said I'm sorry Mr. Rodenbough, did you say you are requesting an R-5 district, because that's not what I am seeing on here? Mr. Rodenbough stated the zoning request is for 22 dwelling units on 4.4 acres. So that effectively a density like that of the R-5 district. Mr. Engle asked to confirm that you cannot do townhomes or twin homes under R-5 zoning. Mr. Rodenbough stated that was why the applicant had requested a PUD zoning district. Mr. Engle stated that R-5 is a Residential Single-family zoning designation. Mr. Rodenbough stated that he was referring to zoning density, and their request has an overall density similar to R-5. Mr. Engle stated that the request is for five units per acre in density, but he cannot say it's R-5. Mr. Engle then asked if the chain-link fence on the property was owned by the applicant or another party. Mr. Rodenbough stated that he was unsure, noting that although it runs along the property line it passes between the applicant's property and the neighboring property at several points. Mr. Engle asked what would happen with the fence if development began. Mr. Rodenbough stated that it would be removed and replaced with relevant landscaping.

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With the applicant's rebuttal time expired, Chair O'Connor then advised anyone speaking in opposition would have 5 shared minutes during rebuttals.

Marsh Prause, 516 Woodlawn Avenue, on behalf of several opposition speakers, introduced himself as counsel for several residents in connection with the request. He stated that, under the existing zoning district, the applicant could add ten more homes to the subject property. However, their desire to double that amount is the basis for much of the neighborhood opposition. He refuted the applicant's statement's regarding the proposed development's compatibility with the R-5 Windsor Park subdivision and the claim that its existence was evidence of a precedent for higher density residential zoning in the area. He noted that the subdivision was a small district with 41 single-family parcels surrounded by a much wider area of R-3 districts. He added that the average lot size in the Windsor Park subdivision was .27 acres, making them closer to properties in the R-3 districts. He refuted the applicant's statement that the properties would be affordable and stressed the language in the GSO2040 Comprehensive Plan regarding compatible development and neighborhood protections.

With the opposition's rebuttal time expired, Chair O'Connor closed the public meeting and asked for any comment from the Commission.

Ms. Skenes stated that her feeling is over the years and what I visualize, this is inconsistent with what Friendly avenue is. She stated she pulled the zoning maps and looked from Green Valley Road all the way out to Muirs Chapel Road and there are only three PUD that have been zoned in that area, and all three are at Friendly Shopping Center. That's the point of a PUD, it was designed to be an area where you work, shop and live. That is not what we have here at this request. It's totally inconsistent with the whole area that stretches from Hobbs Road all the way to Muirs Chapel Road which is single-family residential. The R-5 in Windsor Park, I will tell you I was involved in some of that when it was designated and we didn't have a cluster home designation in 1986. So it was a matter of how can we design this, fit it in, and R-5 worked for single-family detached there, and is not visible from Friendly Ave. This is an inconsistent location and I cannot support it.

Mr. Engle stated he concurs with Commissioner Skenes. To me this is not close enough to an activity center and that's what I would have liked to have seen with increased density. I'm not comfortable with the buffers. I recently planted evergreens that are going to take five years to grow. Having walked the property, I'm not comfortable with the density here. I concur with Mrs. Skenes.

Ms. Magid said she would just like to add that she thinks the outreach directly to the residents by the applicant's lawyer has been very diminished. As a Commission, we always are concerned about outreach, and had there been one-on-one conversations with talking about a concern. We

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have often have certain conditions added so to take care of the residents living around the surrounding area, and I don't feel comfortable that that has occurred. I will be voting against this.

Mr. Downing expressed his intention to vote against the request, citing language in the GSO2040 Comprehensive Plan that calls for protection of neighborhood character from harmful changes noting that while the area was not immune to future changes, the proposed development was not an example of affordable housing and should not be characterized as such. He added that the organization of the opposition by the neighborhood and the articulation of their argument helped prove their case.

Mr. Gilmer said he too will be voting no on this. When I look at a development coming into the middle of another neighborhood, I think this does not meet the criteria. It's not a positive development for the neighborhood as we can see by the support at this time. And at this time, I cannot support it

Chair O'Connor said I do think we are in a growth spurt in Greensboro, and I am not totally adverse to adjusting zoning in different neighborhoods so we can do infill and not continue to sprawl, I think that is the goal of the GSO2040 Comprehensive Plan. However, the density of this particular project and the fact that some of the units will be forward of the houses that are long established is especially offensive to me in the way it will be set. And while the plan that is proposed is just a characterization and it's not necessary the final plan, I think there are some short falls in it. That is enough to say I cannot support it. I do think that we need to be mindful of growth and we need to find ways to adjust. We are talking about accessory dwelling units in various traditional neighborhoods, and we are looking at other ways of approaching living, but I just don't think this meets the goal for me. I will be opposed.

Mr. Engle then stated regarding agenda item Z-23-11-008, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 4000 West Friendly Avenue from 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, even 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. Peterson seconded the motion.

The Commission voted 8-1, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert; Nays: Glass). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such

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appeals would be subject to a public hearing at the Tuesday December 19th, 2023, City Council Meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor asked staff to clarify if, having already denied the rezoning request, a vote was required to also deny the associated UDP.

Ms. Skenes stated that her belief was that due to the Commission denying the use, the UDP by virtue of the denial of the request does not come into play. You cannot approve a UDP if you've denied the use for it.

Mr. Kirkman stated that if the Commission is agreeable, it could amend the motion to deny the UDP and maintain it as once motion.

Mr. Engle acknowledged and suggested that the Commission make a separate motion to vote on the UDP as usual.

Mr. Engle then made a motion to deny the associated UDP. Ms. Magid seconded the motion. The Commission voted 9-0, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the denial constituted an unfavorable recommendation and was subject to a public hearing at the December 19th, 2023 City Council Meeting.

The hearing continued after a short break.

Z-23-10-001: A rezoning request from RM-18 (Residential Multi-family – 18) and PUD (Planned Unit Development) to PUD (Planned Unit Development) and consideration of the associated Unified Development Plan for the property identified as 1606 Cobb Street and 520 South Josephine Boyd Street, generally described as north of Cobb Street and west of South Josephine Boyd Street (1.858 acres). (APPROVED)

Mr. Carter advised of the conditions associated with the request and noted that the portion of the subject property at 520 South Josephine Boyd is already zoned PUD and has been built out subject to the conditions in Phase 1. He clarified that the present case concerns the portion of the subject property at 1606 Cobb Street which is subject to the conditions in Phase 2.

Phase 2

1. Uses limited to a maximum of 24 dwelling units.
2. Maximum building height shall not exceed 3 stories/52 feet.

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3. Buildings shall have similar architectural features as Phase 1

Mr. Carter reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. Mr. Carter stated the GSO2040 Comprehensive Plan designates this site 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 Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we 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 PUD zoning district as conditioned, would allow higher density residential uses in immediate proximity to a university and other mixed-use development. The nonresidential component of the proposed PUD includes conditions that limit potential negative impacts on the surrounding area. The zoning also encourages appropriate scaled development close to a major thoroughfare and maintains good transitions between residential development and commercial and institutional uses. Staff recommended approval of the request.

Todd Dorner, 3203 West Market Street, introduced himself as the owner of the subject properties. He stated that their proposed development, a three story, 24-bedroom apartment complex with no commercial uses, would be less dense than what is allowed by the existing RM-18 district for 1606 Cobb Street and would provide needed housing in the area. He stated that he had conducted extensive outreach to neighboring residents and the Mayflower Area Neighborhood Association and that many of the conditions included in the request were developed through discussions with neighbors. He stated that closing the entrance to the property on Cobb Street and opening one along South Josephine Boyd was requested by neighbors, but was not allowed by the City. He stated that he planned on adding a fence buffer for neighbors at the rear of the subject property. He added the subject property's proximity to UNCG is conducive for his proposed development.

Mr. Engle asked where language about a fence buffer was in the Phase 2 conditions. Mr. Dorner clarified that the fence was discussed during a meeting with neighbors and that it would have to be added to the PUD.

Mr. Kirkman asked if Mr. Dorner wished to add the fence as a condition at this time. Mr. Dorner stated that he did. Mr. Kirkman informed the Commission that staff would take a moment to discuss the language of the added condition.

Mr. Engle acknowledged that and then asked how many people were at the neighborhood meeting and where it was held.

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Mr. Dorner stated that the meeting was held at the College Park Baptist Church and there were six attendees from the neighborhood association.

Mr. Engle asked how big the portion of the subject property at 1606 Cobb Street was.

Mr. Dorner stated that it was 0.67 acres, adding that at RM-18 this would allow 11 units. He clarified that the total acreage including the portion of the subject property at 520 South Josephine Boyd was 1.85 acres.

Staff clarified that the complete property, incorporating the two separate properties developed during Phase 1 & 2, is 1.85 acres.

Mr. Dorner displayed the UDP of the subject property.

Mr. Kirkman then stated that staff had developed language to incorporate the fence into the request's conditions for Phase 2 and ask that Mr. Dorner confirm its appropriateness.

4. A minimum 7-foot-tall opaque fence shall be installed along the western and norther property line.

Mr. Kirkman advised that 7 feet was the highest minimum for fencing in a residential area and then Mr. Dorner affirmed that the condition was appropriate.

Mr. Engle asked if the applicant would require a variance to build an 8-foot fence. Mr. Kirkman stated that he would.

Mr. Dorner stated that landscape improvements in the area would be added as additional buffers for neighboring residences.

Mr. Kirkman advised that the Commission would need to vote on the added condition. Mr. Engle then made a motion to accept the added condition as read, seconded by Chair O'Connor. The Commission voted 9-0, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the condition was added to Phase 2.

Chair O'Connor asked if the commercial neighborhood uses mentioned in Phase 1 had been removed. Mr. Dorner stated that they had removed after discussions with neighbors.

Eve Hubbard, 510 Mayflower Drive, introduced herself as president of the Mayflower Area Neighborhood Association, adding that the organization had been formed in opposition to the applicant's Phase 1 request and development. She expressed opposition to the request, arguing that increased density in the area would decrease property values and erode quality of life, noting

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an increase in owner occupancy properties as indication of the area's attractiveness. She cited concerns about the development such as building height, proximity to neighboring residences, incompatibility with surrounding duplexes and single-family homes, lack of owner occupancy residency, and drainage/stormwater management.

Michael Walker, 709 Mayflower Drive, expressed opposition to the request, citing the development's incompatibility with the density of surrounding residences, and its lack of owner occupancy residency. He noted the outreach to neighboring residents by the applicant and requested a continuance to see what could be done to direct traffic away from the narrow Cobb Street entrance.

Katherine Collier, 1613 Morton Street, expressed opposition to the request. She noted that there was a larger community involvement with the request beyond those that were able to attend the neighborhood meeting. She cited concerns about increased traffic on surrounding streets and asked that the developer build as few units as possible and reduced the height of the development from two stories to three.

Chair O'Connor asked staff to clarify the nature of the entrance on Cobb Street and the resident's requested entrance on South Josephine Boyd Street.

Mr. Tipton stated that the residents and the developer had petitioned the City to remove the entrance to the subject property on Cobb Street and open one along South Josephine Boyd Street. He added that GDOT was not in favor of this for several reasons including the presence of a new pedestrian crossing on South Josephine Boyd Street that would be disrupted by the driveway.

Mr. Engle asked if alternative methods were discussed, such as installing a right-in right-out on Cobb Street. Mr. Tipton advised that installing a right-in right-out on Cobb Street would require a widening of the street to install a median.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Dorner reiterated that the development was less dense than what is allowed in the RM-18 district and that it is conducive for the area considering its proximity to UNCG. He noted, regarding opposition comments about owner-occupied residences, that many houses in the area were rentals. He added that drainage and stormwater issues were concerns for City staff.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none she advised anyone speaking in opposition had 5 minutes for rebuttal.

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Ms. Hubbard noted Mr. Dorner's transparency and cooperation in his communication with neighboring residents. She added that rental properties still had added value as single-family residences and that many residents in the area were not students. She reiterated her concerns with the development.

Mr. Walker reiterated his concerns about the development and noted that he would retract his opposition if there was some assurance of traffic mitigation on the narrow surrounding streets.

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-23-10-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1606 Cobb Street and 520 South Josephine Boyd Street from RM-18 (Residential Multi-family – 18) and PUD (Planned Unit Development) 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 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. Gilmer seconded the motion.

Mr. Engle stated that residents still had time to discuss the proposed development further with the applicant and that there were avenues for appealing the Commission's decision. He advised opposition speakers that the Commission often hears requests for decreases in density.

The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday December 19th 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Ms. Magid then made a motion to approve the associated UDP. Mr. Engle seconded the motion. The Commission voted 9-0 in approval, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the December 19th, 2023 City Council Meeting.

Chair O'Connor reiterated Mr. Engle's comments and noted that the conversation between residents and the developer could continue.

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PL(P) 23-24 & Z-23-11-008: An annexation and original zoning request from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family – 3) for the property identified as 4012 Hickory Tree Lane, generally described as south of Hickory Tree Lane and west of Youngs Mill Road (0.61 acres). (RECOMMENDED DENIAL)

Mr. Carter reviewed the summary information for the subject property and surrounding properties. Mr. Carter stated the GSO2040 Comprehensive Plan designates this property as Urban General. The Comprehensive Plan currently also designates this property as Residential on the Future Land Use Map. Staff determined the proposed original zoning request supports the GSO2040 Comprehensive Plan's Creating Great Places goal to create interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro and the Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro. The proposed CD-R-5 zoning district limits permitted uses to residential uses only. The request is compatible with uses present in the surrounding area and would increase the range of choice and supply of housing in this area. Staff recommended approval of the request.

Mr. Engle asked how many houses could be built on the subject property based on its frontage. Mr. Carter stated he was unsure, adding that it looked capable of fitting just one house.

Mr. Engle asked if the request was a simple annexation for city water and sewer service and Mr. Carter confirmed that access to city water and sewer services in that area would require annexation.

Mr. Kirkman advised that the subject property had 115 feet of frontage, adding that this was insufficient to construct more than one single-family lot under the requested R-3 district.

Chair O'Connor asked if the applicant or anyone else wished to speak in favor of the request. Hearing none, she asked if the Commission would like to continue the case, citing the applicant's absence amid present opposition speakers.

Mr. Ducharme advised that it was within the Commission's discretion to continue the case, adding that if there was substantive opposition to the continuance, it would also be appropriate for the Commission to hear the opposition if they choose.

Chair O'Connor requested a motion to continue the case. Hearing none, she asked anyone wished to speak in opposition to the request.

John Patterson, 141 West Lakefield Drive, introduced himself as a resident of the Young Acres community and expressed opposition to the request citing the applicant's track record in property development, particularly his actions at the adjoining property at 4010 Hickory Tree Lane, as well as his involvement in the Candace Ridge and Pleasant Hill communities.

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Mr. Ducharme interjected, reminding Mr. Patterson that the Commission's decision concerned questions of land use rather than individual character.

Mr. Patterson acknowledged this comment and then stated that the applicant's proposed development on the subject property would likely be a group home, similar to his other properties in the Candace Ridge communities. He stated that such a development would harm the residential character and historic significance of Young Acres.

Mr. Engle asked if Mr. Patterson had received any communication from the applicant prior to the hearing and Mr. Patterson stated that he had not.

Ernest Allen, 3913 Hickory Tree Lane, expressed his opposition to the request if it would allow development of anything except a single-family residence.

Para Tollison, 4014 Hickory Tree Lane, introduced herself as the next-door neighbor to the subject property, she reiterated that the applicant had not reached out to surrounding neighbors. She asked for information on how land in the area would be impacted by the connection of city water and sewer services to the subject property. She added that she did not receive any site plans for the proposed development and expressed opposition to the development of a group home on the subject property.

Chair O'Connor inquired if there was anyone else wishing to speak in opposition of the request. Hearing none, she closed the public hearing, noting that the applicant was not present for rebuttal.

Mr. Downing asked if it was known that the proposed development would be a group home.

Mr. Kirkman stated that the requested R-3 zone allowed a family care home for up to six persons by right. He added that the care home would have licensed by the state and separated by half a mile from any other family care home. He noted that the applicant's properties in other communities mentioned by the opposition are in the County's jurisdiction, so the city could not provide any information on them nor regulate their activity.

Mr. Engle stated that he did not feel comfortable approving the request, noting the lack of outreach by the applicant to neighboring residents or the Commission.

Ms. Skenes asked if a group home would require a special use permit. Mr. Kirkman advised that a "group home" or group care facility is a different, larger use than a "family care home". He noted that group homes were not allowed in the R-3 district but family care homes were.

Chair O'Connor clarified that, in the applicant's absence, the specific use of the property would be surmised by the Commission based on all permitted uses in the R-3 district. Mr. Kirman

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confirmed, reiterating that the Commission's consideration in this case should be based on the allowed uses in the R-3 district.

Ms. Magid asked if a motion to continue the case could be made this far into the hearing.

Chair O'Connor noted that, during the Commission's previous meeting, a continuance was granted on account of the applicant's absence.

Mr. Engle, noting that a representative of the applicant had requested the continuance in the previous case, stated that he was opposed to a continuance in this case. He cited the presence of opposition speakers and stated that he was prepared to vote on the request based on presented evidence. He added that the applicant had the opportunity to appeal an unfavorable ruling to the City Council if necessary.

Mr. Peterson then made a motion to deny annexation of the property, seconded by Mr. Engle. The Commission voted 9-0, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the motion to annex the property was denied.

Staff reminded the Commission that their votes concerning annexations constituted recommendations and that a subsequent motion to deny the original zoning would also be required.

Mr. Downing then stated regarding agenda item Z-23-11-008, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the original zoning request for the property identified as 4012 Hickory Tree Lane from County RS-40 (Residential Single-family) to City R-3 (Residential Single-family – 3) to be inconsistent 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 inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City R-3 zoning district even 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. Magid seconded the motion. The Commission voted 9-0, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the denial constituted an unfavorable recommendation and was subject to a public hearing at the December 19th, 2023 City Council Meeting.

Chair O'Connor expressed disappointment with the lack of communication by the applicant.

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STREET CLOSURE REQUEST:

PL(P) 23-25: Street closure petition for Whittemore Street from its intersection with O'Ferrell Street extended westward approximately 891.62 feet to its terminus.

Mr. Carter presented illustrative images of the requested closure on O'Ferrell and Whittemore Streets and stated that the applicant is requesting a closure to the right-of-way. He noted that the all of the property within the right-of-way would be combined with properties to the north rather than being split between properties. He then and stated that the signatories of the street closure petition represented 100 percent of the owners that have street frontage on the subject street.

Mr. Carter stated that the street closure request went before TRC and received a favorable recommendation with relevant conditions. He advised that the Commission would need to consider the request with TRC's conditions based on the following criteria: (1) The closing of the street to vehicular traffic is not contrary to the public interest; (2) That no property owner within the vicinity is deprived of reasonable means of ingress and egress.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none she inquired if the 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. Engle then made a motion to approve the street closure with the conditions from TRC as read, seconded by Ms. Magid. The Commission voted 9-0, (Ayes: O'Connor, Magid, Skenes, Downing, Engle, Peterson, Gilmer, Egbert, Glass; Nays: none). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the December 19th, 2023 City Council Meeting.

ITEMS FROM THE PLANNING DEPARTMENT:

N/A

ITEMS FROM COMMISSIONERS:

The Commission welcomed Mr. Gilmer as its newest member.

Chair O'Connor thanked staff for their assistance in anticipation of and during the meeting.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 9:17 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, December 18, 2023, beginning at 5:34 p.m. Members present were Chair Sandra O'Connor, Keith Peterson, Mary Skenes, Warché Downing, Zac Engle, Paul Gilmer, Andrew Egbert, and Erica Glass attending virtually. Present for City staff were Mike Kirkman, Luke Carter, and Andrew Nelson (Planning), Noland Tipton (GDOT), and Brent Ducharme (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. 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.

ACKNOWLEDGEMENT OF ABSENCES:

Chair O'Connor excused the absence of Vice Chair Magid due to an illness.

WITHDRAWALS OR CONTINUANCE:

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

Mr. Kirkman advised that the applicant for request Z-23-12-001, 318 and 320 Dolley Madison Road, wishes to continue the request to the January hearing.

Chair O'Connor asked if there was anyone who would like to speak in opposition to the continuance. Hearing none, Mr. Gilmer made a motion to approve the continuance to the Monday, January 8th Planning and Zoning Commission meeting, seconded by Ms. Skenes. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None).

APPROVAL OF THE NOVEMBER 20, 2023 REGULAR MEETING MINUTES: (CONTINUED)

Chair O'Connor requested approval of the November 20, 2023 meeting minutes. Ms. Skenes made a motion to continue approval of the meeting minutes to next month's meeting, seconded by Mr. Egbert. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None).

EXPEDITED AGENDA:

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Chair O'Connor noted there were several items that did not have opposition signed up to speak and were eligible for the expedited agenda. These items were Z-23-11-007, Z-23-11-013, Z-23-12-002, and Z-23-12-003. Chair O'Connor asked if anyone in attendance or online wished to speak in opposition to any of those items. Hearing none, Chair O'Connor noted the Commission would address these items through expedited review and reordered the agenda.

Brent Ducharme, Assistant City Attorney, then advised that, when considering rezoning applications, the Planning and Zoning Commission makes determinations based on all land uses allowed under the proposed zoning district put forth in the rezoning application and, where applicable, any proposed conditions included with the application. Land use concerns can be wide reaching and, by way of example, impacts on public infrastructure such as traffic concerns may be relevant when new land uses would be allowed by a rezoning. However, concerns not related to land use and the conditions of a rezoning application, including concerns about school impacts and crime rates, are not germane to the determinations made by this body. Such issues may be referred to the Planning Department or the Technical Review Committee (TRC) as appropriate.

PUBLIC HEARINGS:

OLD BUSINESS:

Z-23-11-007: A rezoning request from CD-O (Conditional District - Office) to CD-C-M (Conditional District - Commercial – Medium) for the properties identified as 1501 and 1503 Highwoods Boulevard, generally described as west of Highwoods Boulevard and east of New Garden Road (7.8 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties and advised of the conditions associated with the request. He then advised the applicant wished to amend the conditions to the request, adding additional prohibited uses in condition 1:

1. Within 1503 Highwoods Boulevard, permitted uses shall include all uses permitted in the C-M zoning district except: Residential Uses; All animal shelters; All cemeteries; Auditoriums, Coliseums and Stadiums; Bus and Rail Terminals; Shelters, Temporary and Emergency; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Hotels and Motels; Tourist Homes (Bed & Breakfast); Single Room Occupancy Residences (conversion); All commercial parking; Park and ride facilities; Bars, Nightclubs and Brewpubs; Special Event Facilities; Mobile Food Vendor, Motorized & Pushcart; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; ABC Stores (liquor); Convenience Stores with fuel pumps; Pawnshops; Sexually Oriented Businesses; All vehicle sales and service; Automobile, Boat and Motorcycle Repair Services, Major & Minor; Automobile Towing and Storage Services; Car Washes, Artisan Manufacturing; Craft Distillery; Equipment Repairs and Rental, Light; Laundry and Dry Cleaning Plants; Microbrewery; All warehousing, storage and freight handling; Caretaker

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Dwellings; Junked Motor Vehicles; Recycling Collection Points; Campgrounds and Recreational Vehicle Parks; Veterinary Services, Pet Grooming, Kennels; Taxidermists; Wholesale Trade; Self Storage; and all uses within the Group Living and Government Facilities use groups.

Ms. Skenes moved to accept the expansion of condition 1, seconded by Mr. Gilmer. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None).

Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this property as Urban General, within an Urban (Mixed-use) Corridor, and partially within a District Scaled Activity Center on the Future Built Form Map. The New Garden Road Strategic Plan designates this property as Mixed-Use Commercial and Institutional. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses and the 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-C-M zoning district limits uses to those that are generally consistent with other surrounding uses on nearby properties and appropriately located along a major thoroughfare and within a district scaled activity center. The request is generally supported by the policies of the New Garden Road Strategic Plan. Staff recommended approval of the request.

Chair O'Connor asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of SEBR SM, LLC, stated that the new conditions are the result of discussions with the New Garden Road area plan steering committee.

Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request. Hearing none, she closed the public hearing.

Ms. Skenes then stated regarding agenda item Z-23-11-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 1501 and 1503 Highwoods Boulevard from CD-O (Conditional District - Office) to 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 CD-C-M zoning district permits uses that 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 8-0, (Ayes: Engle,

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Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday January 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-11-013: A rezoning request from C-H (Commercial – High) to CD-LIM (Conditional District - Light Industrial – Mixed) for the properties identified as 409-427 West Meadowview Road and 443 West Meadowview Road, generally described as south of West Meadowview Road and west of Randleman Road (14.02 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 stated that the GSO2040 Comprehensive Plan designates the property as Urban Central and within a Reinvestment 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 increase and preserve the inventory of developable sites compatible with corporate and industrial uses and the 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-LIM zoning district, as conditioned, limits uses to those that are generally consistent with other surrounding uses on nearby properties. In general, the uses permitted in the proposed LIM zoning district have little or no adverse effect upon adjoining properties while allowing for additional development options. 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 asked if the applicant or anyone else wished to speak in favor of the request.

Marc Isaacson, 804 Green Valley Road, on behalf of Evans Best, LLC, stated that they met with multiple stakeholder groups in the area and feel the conditions associated with the request fit the neighborhood well and take advantage of the reinvestment corridor.

Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request. Hearing none, she closed the public hearing.

Mr. Downing then stated regarding agenda item Z-23-11-013, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 409-427 West Meadowview Road and 443 West Meadowview Road from C-H (Commercial – High) to CD-LIM (Conditional District - Light Industrial – Mixed) to be consistent

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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-LIM zoning district permits uses that 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 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday January 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

NEW BUSINESS:

Z-23-12-002: A rezoning request from CD-O (Conditional District - Office) and CD-O (Conditional District - Office) to CD-O (Condition District - Office) for the property identified as 1411 Lees Chapel Road, generally described as north of Lees Chapel Road and east of Yanceyville Street (3.88 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 stated that the GSO2040 Comprehensive Plan designates this 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 the Comprehensive Plan's Growing Prioritizing Sustainability Big Idea to take a strong leadership role in environmental stewardship, social equity, and a resilient economy and the Filling In Our Framework goal to arrange our land uses 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 district, as conditioned, limits uses to those that are complimentary to uses on adjacent tracts. 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 asked if the applicant or anyone else wished to speak in favor of the request.

Andrea Leslie-Fite, 301 W Market Street, County Attorney of Guilford County, stated that this project will be an asset to the surrounding community and the County as a whole.

Ms. Skenes commended the applicant for their outreach and information efforts.

Mr. Engle concurred and stated that the community outreach by the County was greatly appreciated.

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Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request. Hearing none, she closed the public hearing.

Mr. Downing then stated regarding agenda item Z-23-12-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 1411 Lees Chapel Road from CD-O (Conditional District - Office) and CD-O (Conditional District - Office) to CD-O (Conditional District - Office) 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-O zoning district permits uses that 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 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday January 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-12-003: A rezoning request from O (Office) to CD-C-L (Conditional District - Commercial – Low) for the property identified as 3602 Lawndale Drive, generally described as northeast of Lawndale Drive and southeast of Pisgah Church Road (0.77 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 stated that the GSO2040 Comprehensive Plan currently designates this property as Urban Central and within a Reinvestment Corridor. The Comprehensive Plan currently also designates this property as Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses and the Filling in Our Framework goal regarding how we 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-L zoning district, as conditioned, limits uses to those that are generally consistent with other surrounding uses on nearby properties while expanding potential development opportunities on this site. Staff recommended approval of the request.

Chair O'Connor asked if the applicant or anyone else wished to speak in favor of the request.

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Ian Phillips, 8410 US Highway 158, Stokesdale, stated that the request would facilitate new development in a growing area. They held a neighborhood meeting and answered site plan and use questions with positive feedback about the proposal.

Chair O'Connor inquired if there was anyone wishing to speak in opposition to the request. Hearing none, she closed the public hearing.

Mr. Peterson then stated regarding agenda item Z-23-12-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 3602 Lawndale Drive from O (Office) to CD-C-L (Conditional District - Commercial – Low) 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-C-L zoning district permits uses that 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. Gilmer seconded the motion. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday January 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

Z-23-12-005: A rezoning request from PUD (Planned Unit Development) to CD-RM-18 (Conditional District - Residential Multi-family – 18) for the properties identified as 2000-2014 Fleming Road, generally described as north of Isaacson Boulevard and east of Horse Pen Creek Road (62.38 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties and advised of the condition associated with the request. He then advised the applicant wished to amend this, adding two new conditions:

2. No more than 850 dwelling units; and
3. No buildings or parking areas may be located within 75 feet of the eastern property line.

Ms. Skenes moved to accept the new conditions, seconded by Mr. Egbert. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None).

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Mr. Kirkman stated that the GSO2040 Comprehensive Plan currently designates this property as Urban General and Residential on the Future Land Use Map. The Fleming Road Area Plan identifies this property as the eastern portion of Site A. The Plan suggests mixed-use residential, but a purely residential development is not out of character with the recommendations of the plan and land uses in the surrounding area. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we 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-RM-18 zoning district allows uses that are compatible with existing varied residential uses and densities in the surrounding area. Care should be taken with respect to building orientation, 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 asked if the applicant or anyone else wished to speak in favor of the request.

Nathan Duggins, 400 Bellemeade Street, Suite 800, stated that the subject property's current zoning was established prior to the completion of I-840 and its status has changed in the area's long range plan. Given the need for housing in northwest Greensboro, the applicant is requesting a downzoning to exclusively residential as opposed to the originally envisioned mixed use. He stated that they conducted neighborhood outreach to establish the new conditions in collaboration with the community. Mr. Duggins displayed an illustrative sketch of the site's conditions and indicated the buffer area as required by new condition 3, in excess of the required buffer and in conjunction with trail development. He stated that the phased development would be compatible with the existing residential character of the community.

John Davenport, 119 Brookstown Avenue, Winston-Salem, stated that his firm conducted the Transportation Impact Analysis (TIA) for this site, currently under review by GDOT. Significant improvements already exist around Isaacson Boulevard and Fleming Road, and thus only minor changes to the present infrastructure are required. He stated that this request would have less impact on traffic in the area than the original proposal.

Carol Carter, 5505 Hempstead Drive, stated that she lives a mile south of the subject properties and that she supports the request. The expansion of I-840 requires the previous proposal to change. She stated that she worked with the City on the Fleming Road Plan, and that this request exceeds her expectations for how the subject property could have been used. Ms. Carter stated that she believes the neighborhood is generally supportive of the 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.

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John Wehe, 1935 Fleming Road, stated that he does not fully oppose the request but is concerned about the planned buffering. He asked that neighbors living across the development have as much of a buffer as that proposed on the east of the property.

Chair O'Connor asked if there was anyone else to speak in opposition. Hearing none, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Duggins stated he spoke to Mr. Wehe and that there would be some buffer in the area he described, but not equaling the 75-foot buffer in the east property line.

Ms. Skenes asked if the City owns some of the proposed buffer, and Mr. Duggins stated that the new proposed buffer is not part of the City land to the east. The total buffer will be up to 150 feet.

Ms. Skenes stated there are a number of townhomes fronting on Fleming Road currently.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal. Hearing none, she closed the public hearing.

Ms. Skenes stated that this is a downzoning, and she supports the request. She then stated regarding agenda item Z-23-12-005remre, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties at 2000-2014 Fleming Road from PUD (Planned Unit Development) 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 that 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. Gilmer seconded the motion. The Commission voted 8-0, (Ayes: Engle, Skenes, Egbert, Peterson, Glass, Downing, Gilmer, Chair O'Connor; Nays: None). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday January 16, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.

ITEMS FROM THE PLANNING DEPARTMENT:

Mr. Kirkman thanked the Commission members for their service to the City.

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ITEMS FROM COMMISSIONERS:

Chair O'Connor wished everyone a pleasant holiday.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 6:29 p.m.