

**PARTIAL MINUTES OF THE
ZONING COMMISSION
April 18, 2022**

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

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

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

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

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

Mr. Kirkman then stated that the GSO 2040 Comprehensive Plan designated this site as Urban General within a Neighborhood and District-Scale Activity Center and in an Urban Mixed-Use Corridor on the Future Built Form Map and Commercial/Mixed Use in support of the Campus Village Planning Area on the Future Land Use Map of the Western Area Plan. Mr. Kirkman explained that the request supported both the Comprehensive Plan’s Economic Development goal to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. Additionally, the request supported the Growing Economic Competitiveness Big Idea for supporting Commercial/Mixed Use development in proximity to transit networks, community public and institutional anchors, and neighborhood and district

connections within an increasingly urban area. The proposed PUD zoning designation, as conditioned, would allow a mix of uses that are generally similar to the existing uses on the site and surrounding area. Care should be given to orient the development to limit potential negative impacts of noise, traffic, and light trespass on nearby residential uses. Staff recommended approval of the annexation and original zoning request.

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

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

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

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

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

Mr. Alford then made a motion with respect to Z-22-04-012 to recommend approval of the zoning request for the property described as 1691 Greenbourne Drive from County CZ-PDM (Conditional Zoning – Planned Unit Development – Mixed), County AG (Agricultural) and City CD-C-M (Conditional District – Commercial - Medium) to City PUD (Planned Unit Development) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2) The proposed City PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Seconded by Mr. Engle. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

Mr. Alford also made a motion with respect to Z-22-04-013 to recommend approval of the zoning request for the property described as a portion of Leabourne Road and NC Highway 68 right-of-way from County CZ-PDM (Conditional Zoning – Planned Unit Development - Mixed), County AG (Agricultural) and County RS-40 (Residential Single-family) to City C-M (Commercial Medium) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2) The proposed City C-M zoning district permits uses which fit the context of surrounding area; (3) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Seconded by Mr. Engle. The Commission voted 8-0. (Ayes: Peterson, Magid, Alford, Engle, Skenes, Glass; Egbert; and Chair O'Connor; Nays, 0).

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

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