

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

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

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

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

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

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

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

WITHDRAWALS OR CONTINUANCE:

Mr. Kirkman advised there were no withdrawals or continuances.

EXPEDITED AGENDA:

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

PUBLIC HEARINGS:
NEW BUSINESS:

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

PL(P) 22-27 & Z-22-08-002: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-R-7 (Conditional District Residential Single Family – 7) for the property identified as 4513 McKnight Mill Road and a portion of Whiterock Road right of way, generally described as west of McKnight Mill Road and on both sides of Whiterock Road (15.097 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition related to the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed original zoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed City CD-R-7 zoning district, as conditioned, allows single-family detached residential development that is compatible with existing uses located on adjacent tracts. Staff recommended approval of the request.

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

Ms. Skenes then made a motion to annex the property, seconded by Mr. Bryson. The Commission voted 8-0, (Ayes: Magid, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Alford then stated regarding agenda item Z-22-08-002, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 4513 McKnight Mill Road and a portion of Whiterock Road right of way from County AG (Agricultural) and County RS-30 (Residential Single-family) to City CD-R-7 (Conditional District Residential Single-Family – 7) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City CD-R-7 zoning district, as conditioned, permits uses which fit the context of the surrounding area and limits negative impacts on adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Seconded by Ms. Skenes. The Commission voted 8-0, (Ayes: Magid, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

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

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban Central on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework goal to arrange land uses for a more vibrant and livable Greensboro and the Building Community Connections goal where everyone does their part to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-8 zoning district allows a variety of medium intensity residential uses and low intensity nonresidential uses (i.e. daycare center) consistent with other land uses in the larger area. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to lower density residential uses on adjacent properties. Staff recommended approval of the request.

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

Ms. Skenes then stated regarding agenda item Z-22-08-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 325 Erwin Street from R-5 (Residential Single-Family - 5) to CD-RM-8 (Conditional District – Residential Multi-Family - 8), as conditioned, to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-8 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

economy that creates equitable opportunities to succeed. The proposed CD-LI zoning district allows a variety of warehouse, industrial, distribution and office uses; that are generally consistent with surrounding uses on adjacent or nearby properties. Staff recommended approval of the request.

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

Mr. Peterson then stated regarding agenda item Z-22-08-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 619 and 623 Millwood School Road from CD-C-M (Conditional District – Commercial - Medium) to CD-LI (Conditional District – Light Industrial) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-LI zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Ms. Magid seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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

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

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Ms. Skenes then stated regarding agenda item Z-22-08-008, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 01 Green Valley Road from PI (Public and Institutional), O (Office), and C-M (Commercial – Medium) to PUD (Planned Unit Development) with the required Unified Development Plan to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Bryson seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Engle then made a motion to approve the associated UDP, seconded by Mr. Bryson. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

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

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Exurban on the Future Built Form Map. If approved, the Exurban designation is considered to be re-designated to Urban General. The Comprehensive Plan's Future Land Use Map designates this property as Residential. Staff determined the proposed original zoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed City CD-RM-18 zoning district, as conditioned, promotes multi-family residential development that is compatible with existing uses located on adjacent tracts. The requested zoning is also located along a major thoroughfare appropriately sized to handle increased residential densities. Staff recommended approval of the request.

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

Ms. Magid then made a motion to annex the property. Seconded by Ms. Skenes. The Commission voted 9-0. (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0).

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Ms. Magid then stated regarding agenda item Z-22-08-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property described as 6001 Burlington Road from County AG (Agricultural) and County RS-40 (Residential Single-Family) to City CD-RM-18 with conditions to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City CD-RM-18 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

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

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

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General within a Neighborhood Scaled Activity Center and an Urban Mixed Use Corridor on the Future Built Form Map. The Future Land Use Map designates the properties as Commercial and Residential. Staff determined the proposed original zoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Filling In Our Framework Big Idea to attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings. The proposed CD-LI zoning district will allow a variety of warehouse, distribution and limited manufacturing and assembly uses which in their normal operations have little or no adverse effect upon adjoining properties. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to nearby lower density residential uses. Staff recommended approval of the request.

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Mr. Bryson then made a motion to annex the property, seconded by Mr. Alford. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Mr. Bryson then stated regarding agenda item Z-22-08-012, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 203-229 Willowlake Road and 4329-4399 Burlington Road and a portion of the Willow Lake right of way from County AG (Agricultural) and County RS-30 (Residential Single-Family) to City CD-LI (Conditional District – Light Industrial) with conditions to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City CD-LI zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford Seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

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

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-8 zoning district limits the maximum number of dwelling units and building height and allows uses compatible with existing residential uses and densities in the surrounding area. Staff recommended approval of the request.

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

David Michaels, 1007 Battleground Ave speaking on behalf of Windsor Companies, reviewed the conditions offered for the request, and stated that they believe the CD-RM-8 zoning district is compatible with the existing conditions in the area. He displayed a conceptual plan and stated that it was presented to neighbors at a virtual meeting. The current plan calls for 85 townhomes with the previous owner's home on a larger lot in the center of the subject property, which may be redeveloped in the future. He stated that the perimeter of the parcel would require landscape buffering, either preserving existing vegetation or with new planting. Mr. Michaels stated that access would be provided

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

on Pleasant Ridge Road and Long Valley Road, both of which he anticipates upgrading to GDOT standards, but noted they had no planned connection into Highland Grove. He stated that the plan calls for 2-story Townhomes with garages, and displayed typical housing units from a similar project.

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

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

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

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

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

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

Mr. Michaels stated he has heard from neighbors that they are comfortable with the density, but not the attached nature of the proposal. He stated that single family zoning would result in potentially taller smaller houses with more lots and no buffering, and he stated that their goal was to provide a different type of housing in the area with less maintenance obligation to meet varied market needs. He understands the concern about the change of the area. Mr. Michaels then stated that their development will require them to improve Long Valley Road and that they had been in contact with GDOT about the City's concerns.

Tom Hall, 1007 Battleground Ave on behalf of Windsor Homes, stated that he understood the concerns of the neighbors and heard similar concerns in 1995 with previous development in the area but ultimately that development was productive for the area and they intend the same to happen with this request.

Ms. Skenes asked to confirm the proposed number of units with this request is 85 along with Mr. Spangler's house, versus under R-5 district the maximum allowed units would be 82 units. Chair O'Connor stated she believed the density sought in the request was to plan for the future if Mr. Spangler leaves. Ms. Skenes asked if the conditions limit the height to less than what would be possible in the R-5 district, which Mr. Hall confirmed.

Mr. Egbert stated he did not hear any concessions being made to the neighbors. Mr. Hall stated that he believes his group has a very reasonable request, and that given the different land use requirements in R-5 zoning, he did not know how much give and take was necessary. Mr. Michaels stated that they intended for their meetings to inform neighbors of their plans, and that they believe the proposal is reasonable. He stated that some changes to the project are possible based on feedback from neighbors or if site conditions require it, but he does not believe the density would be much lower. Mr. Engle stated that as a local to the area he was aware of the higher density development, but is uncomfortable with the level of engagement with the community.

Ms. Magid stated that she reviewed the neighborhood communications summary and felt the applicant's presentation had addressed many of the neighbors' concerns.

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

Mr. Moore stated that the applicant's presentation is not accurate to the conditions of Long Valley Road, which would have a 40 to 50 percent increase in traffic due to this development. He stated that multiple times in recent years, ice storms have made the road unpassable. He then stated his research into the developer does not give him confidence in the nature and quality of the project.

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Jodi Knox, 4681 Long Valley Road, stated that Long Valley Road has consistent maintenance and sanitary issues already and adding more driveways onto the road would make conditions unacceptable. She stated she also has concerns about schools in the area, which are already overcrowded.

Stephanie Hutchens, 5924 Highland Grove Drive, Summerfield, asked about the requirement for a retention pond in the area. Mr. Kirkman stated that the subdivision plan will require addressing stormwater generated by the development. Ms. Hutchens asked if this would take away from the land available for housing units on the property, and Mr. Kirkman stated that was correct.

William Marshburn 4693 Long Valley Road, stated that this development would require removing most or all of the wooded area surrounding his house and increasing the street right of way. He stated his property was forcibly annexed by the City and feels he and the neighborhood will not benefit from this development. Mr. Marshburn then stated he has been a resident of the area since 1954 and feels the changes happening are not in the character of the community.

Chair O'Connor inquired if there were questions from the Commissioners. Mr. Alford asked about forcible annexation, and Mr. Kirkman stated that in the past the City was able to initiate annexations, but State law no longer permits this and annexation can now only happen by petition of property owners.

Chair O'Connor closed the public hearing. Alan Buansi restated the guidelines of what the Commission was allowed to consider. Chair O'Connor asked for any comment on transportation and school impact. Mr. Buansi stated those issues were reviewed by TRC and not within the purview of the Commission.

Mr. Engle asked about frontage requirements in the R-3 and R-5 single-family zoning districts. Mr. Kirkman stated that the R-3 district has a minimum lot size of 12,000 square feet and a frontage requirement of 75 feet for an interior lot and 80 feet on a corner lot. The R-5 district reduces the minimum lot size to 7,000 square feet and reduces the frontage requirement to 50 feet for interior lots and 58 feet on corner lots. Mr. Engle asked if the same number of driveways could happen on Long Valley Road with the R-5 district, which Mr. Kirkman confirmed was correct. Mr. Engle stated that he is comfortable with the proposed density lower than the maximum of the RM-8 district, thinks the nature of townhomes benefits the area, and that he cannot consider things not germane to land use.

Mr. Bryson then stated regarding agenda item Z-22-08-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 2608 Pleasant Ridge Road from R-3 (Residential Single-Family-3) to CD-RM-8 (Conditional District – Residential Multi-Family-8) to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-RM-8 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Glass,

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Bryson, O'Connor; Nays: Egbert, Peterson). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Chair O'Connor advised there would be a 10-minute break at 7:16 p.m., and the meeting resumed at 7:28 p.m.

PL(P) 22-28 & Z-22-08-003: An annexation and original zoning from County AG (Agricultural) to City CD-RM-8 (Conditional District - Residential Multi-family – 8) for the properties identified as 222 and 226 Clapp Farms Road, generally described as northwest of Clapp Farms Road and west of Mount Hope Church Road (31.52 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He then advised there were changes to the conditions after the item was advertised. The change was to the type of dwellings permitted in the district and a new condition on buffering requirements, and the updated conditions would read as follows:

1. Permitted uses shall be limited to a maximum of 120 single-family dwelling units.
2. Applicant will incorporate a Type "C" landscaped buffer yard the eastern property line of the subject property extending from Clapp Farms Road north for the length of the western property line of Guilford County Parcel Number 119220 (218 Clapp Farms Road). The buffer yard will be delineated as common area within the proposed development and will be HOA-maintained. The buffer yard shall remain free of any vehicular and/or pedestrian improvements.

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

Mr. Kirkman then stated the GSO 2040 Comprehensive Plan designates this site as Planned Industrial on the Future Built Form Map and Industrial on the Future Land Use Map. Staff determined the proposed original zoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise proposed City CD-RM-8 zoning district, as conditioned, is limited to single-family residential development that is compatible with existing residential uses located on adjacent tracts. Additionally, the subject properties have some site challenges that limit opportunities for larger scale industrial development proposed for the larger area. Staff recommended approval of the request.

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Ryan Moffitt, 522 South Lexington Avenue, Burlington, on behalf of Eastwood Homes, thanked neighbors and staff for their collaboration and work with this request. He stated that they worked with TRC and staff to tailor this application to the property's unique conditions. He then stated that they sent letters to neighbors and were subsequently contacted by several persons. They worked with those persons to address their concerns, which led to the modified conditions presented tonight. Mr. Moffitt then displayed the current preliminary working sketch plan, and stated that they pursued a conditional district request because of the complicated features of the subject property. Their use of the RM-8 zoning district allows for design flexibility but not the increased density of the district, as their projected maximum density is 3.6 units per acre. He stated that there is significant growth in the county and the city is moving east, and this housing capacity is needed and compatible with the area given the goals and expectations outlined in the Comprehensive Plan and the Future Land Use Map.

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

Hendal Price, 241 Clapp Farms Road, stated that he appreciated the work of staff and that he does not oppose the concept but is uncomfortable with the density, and that neighbors had not been shown the sketch plan before tonight. He stated that daily farm traffic is present in the area which can regularly use the entire width of the road, and that he believes this development will change the character of this rural area too significantly. Mr. Price stated that this level of density seems more like an apartment complex than single family homes. He then stated that this area is already considered a food desert, and stated that this would only make the situation worse. He stated that a light industrial land use would likely be more compatible with the community, given traffic and disruption concerns. The road conditions are already unsafe and he anticipates it getting worse with an increased residential density. Mr. Price questioned if police and sanitation service in the area would be acceptable, and that the area is already dealing with issues in that regard. He also stated that he is concerned about poor quality construction happening in the area.

Edgar Clark, 300 Debanne Road, McLeansville, asked if the City would improve the roads in the area to support the proposed density.

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

Mr. Moffitt stated that this site is in the Growth Tier 1 area, and that residential expansion in this area is on pace to increase and that they intend for this development to help set high standards.

Ms. Skenes asked to confirm that the applicant's request as conditioned limits density to half of the maximum possible units normally allowed in the RM-8 district. Mr. Moffitt stated that was correct and they were using the RM-8 district for site design needs and not for density. Mr. Bryson asked if they had any illustrative material for how the project will look when completed, Mr. Moffitt stated they did not at this time.

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

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

Hendal Price, 241 Clapp Farm Road, stated that the sketch plan displayed would have helped neighbors to understand this project earlier in the process. He stated that the stated number of units per acre is not accurate given the roads, landscaping, and other supporting elements required. The development may be good, but the density is too high for this area, and he believes this could set a bad precedent for other parts of the city. Mr. Price then stated that the attractiveness of this area has been due to controlled growth, and he does not think this is productive to that end.

Chair O'Connor inquired if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting. Mr. Engle stated that he does not see an issue with the density proposed in this request, and that city services are high quality and service delivery is suitable for this area.

Mr. Engle then made a motion to annex the property. Seconded by Ms. Skenes. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, O'Connor; Nays: Bryson). Mr. Engle then stated regarding agenda item Z-22-08-003, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 222 and 226 Clapp Farms Road from County AG (Agricultural) to City CD-RM-8 (Conditional District - Residential Multi-Family – 8) with conditions to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City CD-RM-8 zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Seconded by Ms. Magid. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Glass, O'Connor; Nays: Peterson, Bryson). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

Z-22-08-006: A rezoning request from RM-26 (Residential Multi-family - 26) to City CD-CB (Conditional District – Central Business) for the properties identified as 409 Guilford Avenue, 201, 211-A, 217, 217-YY, 229, 233, and 235 North Cedar Street, generally described as north of West Friendly Avenue, west of North Cedar Street and south of Guilford Avenue (4.04 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Downtown on the Future Built Form Map and Downtown on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places strategy to protect and enhance the unique character of every neighborhood and the Building Community goal to maintain stable, attractive, and healthy places

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

to live and raise families. The proposed rezoning also supports the Becoming Car Optional Big Idea with the site being in close proximity to the future greenway and downtown networks encouraging new development that is compatible with the intended use of adjacent roadways. The proposed CD-CB zoning district will allow a variety of residential and nonresidential uses that are compatible with existing uses and densities in the surrounding area. Staff recommended approval of the request.

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

Marc Isaacson, 804 Green Valley Road speaking on behalf of Lomax Investments, stated that this request is to facilitate redevelopment of the area and believes this is a good infill project. The CB zoning district requested permits creativity by reducing setback requirements and thus allowing parking and lighting to be incorporated in an interior courtyard away from the street. He stated that the City's policy is to permit CB rezoning adjoining to existing CB, which this property is. Mr. Isaacson displayed aerial photography of the subject property and stated that the parcel has good access to main thoroughfares and the Downtown corridor. He then displayed a sketch plan, and stated that the design makes use of the reduced setback requirements permitted by the CB district versus those required by the RM-26 district, and then displayed illustrative renderings of a similar project by the developer. He stated that letters were sent to neighbors and a neighborhood meeting was held, and that they are conducting multiple follow-up meetings with neighbors and representatives of the Westerwood neighborhood. In those contacts, concerns about traffic were expressed, and he stated that they then contacted GDOT to work on improvements to mitigate any concerns.

Hart Crane, 109 North Cedar Street, stated that he supported this request. The subject property has been vacant for years and in need of redevelopment, the proposal makes sense given the proximity to downtown, and that the style of development proposed is good for the area and the City overall.

Tracy Furman, 412 North Cedar Street, stated she also welcomes this development and has had positive communication with the developer, but traffic remains a concern for the neighborhood given the increasing scale of development in the neighborhood.

With support speaking time expired, Chair O'Connor inquired if there were questions or comments from the Commissioners. Chair O'Connor then inquired if there was anyone wishing to speak in opposition of the application.

Deana Coble, 600 Guilford Avenue, stated that traffic was her primary concern, as it is already very difficult to navigate the area without adding density. She stated that she believes separating traffic from land use is unreasonable, and does not permit a comprehensive consideration of the situation. She asked for a condition that traffic would be considered, as well as conservation in the area given the proximity to the Greenway. Chair O'Connor stated that the Commission cannot initiate conditions. Ms. Coble asked what neighbors can do about conditions, and Mr. Kirkman stated that conversation with the applicant is how conditions can be tailored. Ms. Coble asked what their neighborhood can do to provide input on this. Mr. Kirkman stated that GDOT would be involved with site development review.

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Jamey Lowdermilk, 413 Hillside Drive, stated that she was not fully in opposition but is concerned with the displacement of affordable housing near downtown. She stated that she was not aware of the meetings, and asked for conditions making some units available for affordable housing.

Spencer Conover, 1005 Fairmont Street, stated that the applicant engaged very earnestly with the Westewood neighborhood, and he hoped that this engagement will continue. He stated he was not strictly opposed to the request, but he wished for a traffic impact analysis for the area. He stated the project seemed to have overall positive impact in the area, but this will be increasing density which neighbors have reservations about. He asked the Commission to consider conditions requiring a traffic impact analysis given the neighborhood's historic nature and older infrastructure, and for possible sidewalk expansions and street improvements for walkability and bike use. He stated that the neighborhood was largely in favor of the request, but the conditions would be appreciated.

Sam Bridges, 510 Prescott Street, thanked Mr. Lomax for his investment in the neighborhood and stated that the area is in need of this kind of development activity.

Ms. Coble asked why the CB district was necessary, and asked if a PUD zoning district would require a traffic study. Mr. Kirkman stated that PUD district does not have a maximum density, but that the number of units in a request would dictate whether or not a traffic impact study was required. Ms. Coble asked what it would take for a TIS to be conducted. Mr. Kirkman stated that conditions have to be enforceable by the City on the private property associated with the request. The city would not be in a position, in the zoning process, to require the traffic work suggested by neighbors. Ms. Coble asked what the Commission could do to acknowledge their concerns with this request. Mr. Engle stated that the Commission is not the City Council, and that their only area of authority is land use. The development standards do not require a TIS, so reaching out to Councilmembers is the next step for neighbors to address traffic concerns. Chair O'Connor reiterated that the Commission can only address land use considerations, and that the purpose of the hearing is for the sides to speak for and against the request, and that this format is not necessarily suitable for fact-finding. Ms. Magid stated that this the subject property is in District 3, and suggested concerned neighbors to speak with their representative. Mr. Buansi stated that the scope of the Commission is limited in part because it is an appointed board and not an elected body, and recommended neighbors to engage with elected officials. Ms. Coble stated that the next request is also nearby and contributes to their concerns.

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

Mr. Isaacson stated that they intend to engage with neighbors on their concerns, including studies involving traffic and any land use considerations as appropriate. Mr. Bryson asked when the traffic study would be conducted. Mr. Isaacson stated that these studies take time and they have just begun the process, so it may be a bit.

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Ms. Lowdermilk asked again for a minimum affordable housing condition.

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

Mr. Peterson then stated regarding agenda item Z-22-08-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties described as 409 Guilford Avenue, 201, 211-A, 217, 217-YY, 229, 233, and 235 North Cedar Street from RM-26 (Residential Multi-Family - 26) to City CD-CB (Conditional District – Central Business) with conditions to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-CB zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Ms. Magid seconded the motion. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson, O'Connor; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.

Z-22-08-007: A rezoning request from LI (Light Industrial) to PUD (Planned Unit Development) for the property identified as 800 West Smith Street, generally described as north of West Smith Street, west of Prescott Street and south of Battleground Avenue (1.39 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Downtown on the Future Built Form Map and Downtown on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Creating Great Places strategy to protect and enhance the proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework goal to arrange our land uses for to create a more vibrant and livable Greensboro and the Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The proposed PUD zoning district would permit new office and residential uses in close proximity to similar uses and increase the intensity of activities in this area to the northwest of the main core of downtown. This zoning request supports a mixture of uses consistent with the continued intensification of areas in and around downtown Greensboro. Staff recommended approval of these requests.

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

Amanda Hodierne, 804 Green Valley Road, displayed aerial photography and stated that the subject property is located on the Downtown corridor, in an area which is redeveloping quickly coinciding with

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

both private investment and the completion of the Downtown Greenway. This parcel is part of an area which is changing from its older industrial zoning to a modern vision of downtown, and that this is a collaborative infill project to make good use of the property. She then displayed a large-scale zoning map of the near-west downtown area, and stated that this request was reasonable given the rapidly changing character of the area. Displaying illustrative elevations, Ms. Hodierne stated that because the subject property is in the Downtown Overlay District, there are strong requirements for construction materials automatically applied to the property. She stated that the maximum units requested is likely to be lower given site requirements. They conducted a virtual neighborhood meeting, where they heard concerns about the growth in the area contributing to traffic issues, and that they intend to work with TRC in the site plan review process to address any problems that arise, and that they welcome a greater discussion about traffic in the area overall. Ms. Hodierne then stated that given the previous intensity of use in the parcel and adjacent area, they expect minimal if any additional impact on traffic in the area.

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

Ms. Coble stated that she is confused about the separation of zoning with traffic concerns and is concerned about the ability for the neighborhood to provide input later when the process is further along. She stated that given the other project happening in the neighborhood as well, there needs to be a consideration on traffic and pedestrian safety. She reiterated that she felt traffic concerns are a part of land use.

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

Mr. Bridges thanked Planning staff for their efforts to help him understand the process and communicate information to appropriate parties. He stated that in talking with GDOT, he expects the traffic concerns to be addressed, and that new development like this is needed in the area.

Chair O'Connor advised anyone speaking in opposition had 5 minutes for rebuttal. Hearing none, Chair O'Connor closed the public hearing.

Mr. Bryson then stated regarding agenda item Z-22-08-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 800 West Smith Street from LI (Light Industrial) to PUD (Planned Unit Development) with the associated Unified Development Plan to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Ms. Skenes

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

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

PL(P) 22-31 & Z-22-08-011: An annexation and original zoning from County AG (Agricultural) and County RS-30 (Residential Single-family) to City PUD (Planned Unit Development) for the properties identified 3911, 4007, 4007-ZZ, 4009, 4011, and 4013 South Elm-Eugene Street, 4209 and 4300, 4315, 4318, 4324 Cahill Drive, generally described as east South Elm-Eugene Street and south and east of Lambert Drive (29.54 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the conditions associated with the request. He then advised there were changes to the conditions after the item was advertised. The Unified Development Plan references three tracts, and new conditions were added to each tract relating to phasing and access, and the new conditions would read as follows:

Tract 1

4. Tract 1 shall not be developed until all required access is established per the final, approved Traffic Impact Analysis, as amended.

Tract 2

3. Tract 2 shall not be developed until required access to a public street is established per the final, approved Traffic Impact Analysis as amended.

Tract 3

4. Tract 3 shall not be developed until required access to a public street is established per the final, approved Traffic Impact Analysis as amended.

Mr. Engle moved to accept the amended and new conditions, seconded by Ms. Magid. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Glass, Bryson, O'Connor, Nays: Peterson).

Mr. Kirkman then stated the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential and Industrial on the Future Land Use Map. Staff determined the proposed original zoning request supports both the Comprehensive Plan's Creating Great Places Big Idea to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections Big Idea to maintain stable, attractive, and healthy places to live and raise families. The proposal also supports the Filling in Our Framework Big Idea through the strategy of ensuring mixed use projects both strengthen and add value to the Community. The proposed PUD zoning designation,

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

as conditioned, would allow a mixture of residential, commercial and service uses similar to those uses found in the surrounding area and expanding housing choices in close proximity to a major thoroughfare. With the planned improvements discussed in the Traffic Impact Study, the proposed development is compatible with the scale and design of the adjacent road and nearby uses. Staff recommended approval of these requests

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

Marc Isaacson, 804 Green Valley Road on behalf of Kyle DiPreto, displayed aerial photography of the subject property and immediate area and stated that this property is the last remaining undeveloped corner at the interchange of I-85 and South Elm Eugene Street and is well suited for the mixed use developed proposed. He then displayed the UDP as submitted, and stated that the second tract may be used for either commercial or residential use depending on market needs or the conditions of the property. Mr. Isaacson stated that they will need to submit further zoning requests with regards to this project for additional properties as this process requires a two-phase development schedule. The new conditions mean that no development can occur on the subject property until access is secured with the second phase. He then displayed illustrative photographs of the type of projects the applicant has been involved with. He stated that they sent a letter to immediate neighbors and offered to hold a meeting, which received no responses. Mr. Isaacson then stated they initiated contact with local neighborhood groups and offered to continue communicating with them as the process moves forward to address any concerns they may have.

O'Connor asked for any questions or comments from Commissioners. Hearing none, Chair O'Connor requested those speaking in opposition to identify themselves and provide their address.

Cheryl McIvor, 404 West Montcastle Drive, stated she felt her neighborhood organization's conversations with the applicant did not sufficiently explain what the development will be. She stated that she believes this PUD district request does not limit impact on adjacent communities given the increase in development of condominiums and townhomes in this area. She stated that she is concerned about the possibility of undesirable five-story apartment buildings being permitted, and displayed photographs depicting a newly developed multi-family development in another part of Greensboro with construction deficiencies.

Crystal Black, 1120 Highstone Drive, stated she met with Mr. Isaacson and felt the possible tenants in the commercial tract could be detrimental to the community, that the pictures displayed in the applicant's presentation were not provided at their meeting, and that she did not receive information she had requested from the applicant before the hearing tonight. She stated her neighborhood cannot say if they are for or against the request because they have not been given enough information on what the development could be. She stated that this proposal would let almost anything be built, and that makes them uncomfortable given the lack of communication.

Ms. McIvor stated that multiple potentially objectionable uses are permitted in the PUD district and she feels approval is inappropriate at this stage. Mr. Engle asked Mr. Kirkman to confirm that sexually

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

oriented businesses are not permitted in close proximity to residential zoning. Mr. Kirkman stated that was correct, and that while the C-M district permits some sexually oriented businesses, they have separation requirements which would not permit any such uses to be within 1,000 feet of the property line and depending on the site configuration in this case it may or may not be permissible at all. Ms. McIvor asked what the tract configuration would mean in this situation. Mr. Kirkman stated that there is residential zoning across the street of the property which would preclude that use.

Ms. Black stated that there are already sexually oriented businesses in the proximity of Randleman Road they find objectionable. She stated that their neighborhood has significant traffic and crime concerns which are not addressed in this proposal. Mr. Engle asked if she was referring about a lack of activity by zoning compliance officers. Ms. Black stated that she was referring to not having the appropriate public safety considerations in staff recommendations about service quality levels, and asked what the process was for making determinations about what an area needs. Mr. Engle stated he wanted to make sure she was not speaking to any issues with zoning compliance enforcement. Ms. Black reiterated that she has concerns about how recommendations are made, and asked for Commissioners to help ascertain if the data provided by various departments to planning staff accurately reflect situations across the City.

Ms. Magid asked Mr. Isaacson how many neighbors in the notification area attended the neighborhood meeting. Mr. Isaacson stated that their meeting was advertised and sent to the property owners' list used by the City for official notice of the hearing, and they received no responses. Ms. Magid asked to confirm that no one responded, and Mr. Isaacson stated that was correct. He stated that he has been in contact with Ms. McIvor and Ms. Black and intends to continue this conversation, specifically on conditions the neighborhood may want considered, but this had so far been unsuccessful. He stated they will continue to communicate on this project.

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

Kyle DiPretoro, 1314 Mockingbird Lane, Charlotte, stated that he has no issue eliminating any specific uses the neighborhood finds objectionable when they are communicated to him. He stated that they were explicit that tract 1 and 2 could be any uses in commercial or office districts, but their focus is on the multi-family aspect of this mixed use development and they intend to be a good steward of this area for their own long-term management of the community. He stated that the option of a fifth story on the residential tracts is only if it becomes necessary based on site conditions to maintain financial viability. Mr. DiPretoro stated that they intend to pay for GDOT connectivity and provide road improvements to the area. He stated that they are conducting negotiations with owners of neighboring parcels and are in the process of completing their plan as part of their commitment to the development. Some details were not immediately available because they have been doing a lot of work in preparation for this hearing and specifics were not available until they were distributed. He stated that they are willing to offer exterior materials conditions and multiple commercial uses have been in discussion, but they have not come to an agreement with any potential tenants.

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Ms. Black stated that the improvements Mr. DiPretoro is talking about are not benefits for their community. She stated that when they asked about convenience stores, they were not given specifics about it, and that they could not ask for conditions without more information about what the applicant intends to develop. Ms. Black stated that the timing of the applicant's communications were inconvenient and they were unable to respond effectively.

Ms. McIvor stated that the neighborhood does not have enough information to decide how they feel about it, and seeks more transparency from the applicant. She stated that the applicant should delay this request until all the properties are in place to handle zoning at one time, and asked if she could appeal a rezoning decision. Mr. Kirkman stated that final actions of the Commission can be appealed.

Mr. Bryson asked Mr. Kirkman if the appeal fee is \$155, and Mr. Kirkman stated it was.

Mr. Peterson asked Mr. DiPretoro why a continuance couldn't be sought given what the neighborhood has expressed and his property acquisition process. Mr. DiPretoro stated his development contract would be in peril if he continued this request. He stated he gave as much information as was available to the neighbors when it was requested, and that they sought the PUD district to be flexible to market conditions. It is a challenging parcel which makes development extremely complicated, and they have no ownership or relationship to the properties east of those that are part of this request. Mr. Peterson stated that the Commission has to represent the citizens of Greensboro, and Mr. DiPretoro stated he understood that.

Mr. Egbert asked if this automatically went to City Council, and Mr. Kirkman stated that was correct. Mr. Egbert stated that there was a built-in continuance because they lack final approval authority. Mr. Kirkman stated that this is a conditional application so additional conditions could be added between a recommendation by the Commission and the City Council meeting. Ms. Magid asked how long it would be until the next City Council meeting, and Mr. Kirkman stated the next council meeting was approximately 30 days away. Ms. Magid stated she assumed the applicant would not want a tenant in the commercial tracts that detracts from its overall value, and Mr. DiPretoro agreed. Ms. Skenes stated the request was conditioned to a maximum of 360 units and that the Commission makes site visits to understand the conditions. She stated that multiple apartment complexes in the area are already full, and that there is an obvious need for this kind of residential development.

Ms. Black asked about the differences in heights anticipated in different rezoning requests. Ms. Skenes stated that her comments in a previous hearing were to note that the multi-family district requested was limiting height available to the developer versus what would be available in a single-family district. Ms. Black stated that she perceived a difference in concerns about building heights. Mr. Engle stated that he was also asking about height restrictions as it relates to density in multi-family districts versus single family detached districts. Ms. Black stated that her neighborhood is concerned that zoning conditions and development standards are not suiting the needs of their neighborhood.

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

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

Mr. Alford then made a motion to annex the property, seconded by Mr. Peterson. The Commission voted 8-1, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Bryson, O'Connor; Nays: Glass). Ms. Skenes then stated regarding agenda item Z-22-08-011, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties described as 3911, 4007, 4007-ZZ, 4009, 4011, and 4013 South Elm-Eugene Street; and 4209, 4300, 4315, 4318, 4324 Cahill Drive from County AG (Agricultural) and County RS-30 (Residential Single-Family) to City PUD (Planned Unit Development) with the required Unified Development Plan to be consistent with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed City PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Seconded by Mr. Alford. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Bryson, O'Connor; Nays: Peterson, Glass). Mr. Engle then made a motion to approve the associated UDP, seconded by Ms. Skenes. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Bryson, O'Connor; Nays: Peterson, Glass). Chair O'Connor advised the approvals constituted a favorable recommendation and were subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

PL(P) 22-33: Recommendation on a request for a Type 4 Modification to the provisions of 30-12-4.2 (B), Land Disturbance, for properties located within Tier 3 of the Watershed Critical Area for 4485 Old Battleground Road (south of Old Battleground Road and south of White Horse Drive). (RECOMMENDED APPROVAL)

Johnny Hill, Water Resources Engineering Division, provided background information on the property. He stated that the ordinance requires 20% of the land remain undisturbed, and the applicant seeks to reduce the amount from the required 3.38 acres to 2.01 acres but increase the number of stormwater control mechanisms to compensate for this. He stated that Water Resources believes this will improve conditions on and adjacent to the site and that TRC recommended the modification request.

Chair O'Connor inquired if there were questions from the Commissioners. Ms. Skenes asked if there was paving in the application considered permeable. Mr. Hill stated this was correct, and will divert water to an underground pond. Ms. Skenes expressed her support for this technique and asked if this was a new system being used more often. Mr. Hill stated that permeable pavers are increasingly being used in the City to manage stormwater runoff.

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

Mr. Egbert then made a motion to approve the Type 4 Modification, seconded by Mr. Peterson. The Commission voted 9-0, (Ayes: Magid, Engle, Alford, Skenes, Egbert, Peterson, Glass, Bryson,

**MEETING OF THE
GREENSBORO PLANNING & ZONING COMMISSION
AUGUST 15, 2022**

O'Connor; Nays: 0). Chair O'Connor advised the approval constituted a favorable recommendation and was subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting.

ITEMS FROM PLANNING DEPARTMENT:

None.

ITEMS FROM COMMISSIONERS:

Chair O'Connor noted that the public hearing portion of the meeting was complete and asked for any other items of discussion from members. Ms. Skenes asked if staff anticipated as heavy of a workload next month, Mr. Kirkman stated they did not think so.

ADJOURNMENT:

Chair O'Connor adjourned the meeting.

There being no further business for the Commission, the meeting was adjourned at 10:25 p.m.