

**MINUTES OF THE
PLANNING AND ZONING COMMISSION
May 15, 2023**

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. 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 Hodierne, 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. Hodierne 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. 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.