

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

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

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

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

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

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

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

Mr. Engle stated that this request is an example of spot zoning and he will not support it. Ms. Skenes stated that the requested use is incompatible with a neighborhood and she cannot support it.

Vice Chair Bryson then stated regarding agenda item Z-23-05-003, the Greensboro Planning and Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 3623 Irwin Street from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is inconsistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-O zoning district even as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area; (3.) The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detriment to the neighbors and surrounding community, and denial is in the public interest. Ms. Magid seconded the motion. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0). Chair O'Connor advised the vote constituted a final action, unless appealed in writing and the

appeal fee paid within 10 days. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting. All adjoining property owners will be notified of any such appeal.