

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

Z-23-05-005: A rezoning request from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) for the properties identified as 4000, 4002, and 4010 Walker Avenue, generally described as north of Walker Avenue and west of South Holden Road (1.93 acres). (RECOMMENDED APPROVAL)

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

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

At this point Mr. Carter noted that Mr. Egbert had to leave the meeting at 7:51 p.m. Ms. Magid made a motion to accept the amended conditions, seconded by Ms. Skenes. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle; Nays: 0).

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

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

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

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

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

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

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

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

Ms. Skenes commended the applicant for working with the neighborhood to develop the request. Vice Chair Bryson then stated regarding agenda item Z-23-05-005, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 4000, 4002, and 4010 Walker Avenue from R-5 (Residential Single-family – 5) to CD-O (Conditional District - Office) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan's Future Built Form Map and Future Land Use Map; (2.) The proposed CD-O zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Ms. Magid seconded the motion. The Commission voted 6-0, (Ayes: Magid, Skenes, Glass, Bryson, O'Connor, Engle; Nays: 0). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.