

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

PL(P) 23-10 & Z-23-05-004: An annexation and original zoning from County MXU (Mixed Use) and County RS-40 (Residential Single-family) to City CD-PI (Conditional District - Public and Institutional) for the properties identified as 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive, generally described as east of West Gate City Boulevard, north of Scotland Road, and south of Marion Elsie Drive) (7.3 acres). (RECOMMENDED APPROVAL)

Z-23-05-014: An annexation and original zoning request from County MXU (Mixed Use), County RS-40 (Residential Single-family), and County CZ-HB (Conditional Zoning - Highway Business) to City C-M (Commercial – Medium) for the properties identified as a portion of West Gate City Boulevard and Queen Alice Road rights-of-way, generally described as the West Gate City Boulevard right-of-way from the intersection of Queen Alice Road to the intersection with Scotland Road and the Queen Alice Road right-of-way from the intersection with Marian Elsie Drive to the intersection with West Gate City Boulevard (2.8 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. Mr. Carter stated the GSO2040 Comprehensive Plan designates the properties as Urban General and as being located within an Urban Mixed Use Corridor on the Future Built Form Map. The Western Area Plan's Future Land Use Map designates this property as Commercial and Residential. Staff determined the proposed original zoning request supports the GSO2040 Comprehensive Plan's Growing Filling In Our Framework goal to ensure every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities. The proposed CD-PI zoning district, as conditioned, would permit all uses allowed in the PI zoning district except: Fraternities and Sororities, Correctional Institutions, Passenger Terminals, and Funeral Homes and Crematoriums. The uses permitted in the proposed CD-PI zoning district are compatible with existing commercial, civic, and residential uses located on adjacent tracts. 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. Jason Goins, 3723 Apple Orchard Cove, High Point, stated he is the senior pastor at Renaissance Church and that their congregation does significant community work involving hunger and housing assistance. The church uses real estate conversions to enrich areas it operates, and the proposal is to construct two buildings: a dedicated church to replace the current conversion space, and a 12,000 square foot office building as a co-working space for community benefit. He stated that the proposal would free up the existing church building for more community outreach efforts. Mr. Goins stated that they heard interest from the neighborhood in their proposal after sending letters to the neighborhood and holding a neighborhood meeting at their facilities. Neighbors expressed concerns about traffic on Scotland Road. He stated that their engineer asked for access along the West Gate City Boulevard frontage that the North Carolina Department of Transportation (NCDOT) denied. The project engineers are instead investigating access along Queen Alice Road, and they seek to make as many entrances and exits available as possible to maintain sound flow of traffic in the area. Mr. Goins stated that neighbors also have concerns about the land uses available. The requested CD-PI zoning district narrows these potential uses, but they held another virtual neighborhood meeting and have agreed to restrict permitted uses further. The new condition would read as follows:

2. The following list of uses is permitted:

Agricultural Uses: Forestry and Crops

Residential Uses: All except Rooming Houses

Religious Assembly: Religious Assembly

Public and Civic Uses: Libraries, Museums and Art Galleries

Educational Facilities: All except Truck Driving Schools

Medical Facilities: Medical, Dental and related offices

Day Care: day Care centers

Recreational Uses: sporting and Recreational Camps

Office, Retail and Commercial Uses: Business Incubators, and All office uses except listed below

Temporary Uses & Structures: Arts & Crafts Shows, Carnivals and Fairs, Christmas Tree Sales, and Outdoor Religious Events

Indoor Recreation Uses: Indoor Recreation – Clubs and Lodges

Eating and Drinking Establishments

Mr. Goins stated that the church needs some flexibility to do its work and to grow, but he understands the concerns of neighbors given the situation of the subject property. The church seeks to be good neighbors, and is working with the engineering team to build in sufficient buffering and stormwater management.

Ms. Skenes asked if this list was uses the applicant sought to exclude, and Mr. Goins stated that the church wished to retain these uses. Ms. Skenes asked if the applicant anticipated residential uses on the subject property, and Mr. Goins stated he did not. Mr. Kirkman stated that the PI zoning district only permits upper-story residential and some uses in the group living category such as private dormitories and life care facilities, not typical single- or multi-family residential uses. Ms. Skenes asked if a homeless shelter was a permissible use in the requested district, and Mr. Kirkman stated that was a temporary use under the social service facilities group, and the presented condition does not list social service facilities as permitted. Mr. Goins stated that they developed the conditions through discussion with neighbors.

Ms. Magid asked if medical facilities were permissible in the PI district. Ms. Skenes stated the applicant added medical facilities back to the request, and stated that the request is very broad. Ms. Skenes asked what kind of medical uses the applicant anticipated. Mr. Goins stated that doctors have asked to lease office space in other church properties and they seek to leave that option open. Ms. Magid asked if that would require a different zoning district than PI, and Mr. Kirkman stated that the PI zoning district permits the medical office uses, and the applicant's condition does not include any uses that the PI zoning district prohibits. Mr. Goins stated they were not attempting to add any peculiar uses, but were limiting to these specific uses in the district.

Ms. Skenes asked if this would be a second condition. Mr. Kirkman stated this would effectively replace the existing advertised condition due to the complexity of it. Ms. Skenes stated that conditions are usually restricting uses and not specifically listing allowed uses. Ms. Magid asked to confirm that this list of uses came from neighborhood discussion and Mr. Goins stated that was correct. Ms. Skenes asked to clarify that the PI zoning district permits these uses by right, and Mr. Goins stated that they were listing the maximum extent of the uses they could have in the PI district to demonstrate goodwill to their neighbors. Ms. Skenes asked if it made sense for clarity to change the wording of the proposed condition. Mr. Kirkman stated that staff sees

conflict between the terms of the proposed condition and the item as advertised and it may require work with the applicant and staff. Ms. Magid asked if the applicant could add to these exceptions. Mr. Kirkman stated that it was difficult to confirm the conditions on the fly, and the Commission may want to consider the item as advertised and continue the discussion as it advances to council.

Mr. Goins stated that he wished to withdraw the new condition as presented, and that he intends to keep working with the neighborhood as the request proceeds.

Ms. Magid asked if the church had a fire, and Mr. Goins stated they had a fire two years ago at their food bank.

Ms. Skenes stated that the subject property extends far into this neighborhood, and asked about the Type B planting yard requirement. Mr. Kirkman stated that Type B has an average 25-foot width. Ms. Skenes stated that the lack of a sketch plan makes it difficult to understand how the subject property will interact with the existing neighborhood. She stated that there have been issues around the City between neighborhoods and church construction that did not use sufficient buffering and setbacks. Mr. Goins stated that they intended for the back end of the property at the intersection of Marion Elsie Drive and Scotland Road to be a buffer, tree preservation, and stormwater management area. Ms. Skenes asked about the adjacent residential uses. Mr. Goins stated that those neighbors have been informed but they have not had any contact with them. He stated that there would be parking around those 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.

Glenn Carihfield, 3324 North Rockingham Road, stated that traffic in the area has had growing pains with the expansion of West Gate City Boulevard. He displayed a map of the subject property and stated that the general view of the property by neighbors is that it is destined to be commercial. He stated his concern is the extended part of the property that classified as residential in the GSO2040 Future Land Use Map, and its extension into the Sedgefield neighborhood makes it an incompatible use. The neighborhood is requesting a transition between the intensive use on West Gate City Boulevard and the low-density residential uses adjacent. Mr. Carihfield stated that he does not oppose the church's goals or development on the western portion of the subject property, but the potential of adding office buildings directly adjacent to the low-density residential uses in the area is unreasonable.

Johann Betschart, 5602 Scotland Road, stated that the request should be denied because there have been no similar requests approved inside neighborhoods like this. He displayed aerial photography of the subject property and stated that the request would intrude too far into the neighborhood. Infill development should strengthen and add value to a community and not detract from it. The uses the church proposes do not align with the purpose of the PI zoning district. Mr. Betschart stated that the church use would contribute to severe traffic issues in the area, and stated that the request should require a Transportation Impact Analysis (TIA) to account for this. Scotland Road is very narrow yet considered a main collector street in Sedgefield, and is already difficult to navigate. He stated that these conditions are incompatible with the requested PI zoning.

Nicole Choate, 5817 Marion Elsie Drive, displayed aerial photography of the area and indicated her property's location across Marion Elise Drive in relation to the subject property. She stated that her family is concerned about traffic given the 240 parking spots the applicant seeks to build for worship services. If the applicant needs more parking in the future it will negatively affect the

neighborhood, as there is no overflow parking available anywhere nearby. Scotland Road is very narrow, and has pre-existing issues with speeding. Ms. Choate stated that there was a lack of communication from the applicant about the plans for the subject property.

Jennifer Cannon, 2000 Thayer Circle, stated that she talked with the applicant about maintaining the subject property as residential, and stated the neighborhood has not had time to discuss the request with the applicant.

With opposition speaking time expired, Chair O'Connor advised the applicant or anyone wishing to speak in support had 5 minutes for rebuttal.

Mr. Goins stated that GDOT would require him to conduct improvements on Scotland Road to remedy the issues discussed by the neighbors. They intend to add an entrance on Queen Alice Road, and that they are willing to grow in a way that does not harm the neighborhood. He stated they were willing to have law enforcement on site for traffic control if needed, and they were willing to work to ensure the subject property was a good fit for the neighborhood. Mr. Goins stated the proposed parking would be behind any buildings with sufficient buffering from the rest of the neighborhood.

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

Mr. Crihfield stated that the applicant has communicated well with the neighborhood, but the neighborhood's concern remains the part of the subject property inside the residential land use classification. The zoning for the subject property would remain even if the church sold the property in the future, and without firm zoning conditions the neighborhood is concerned what could happen in the future. He stated he sought more communication with the applicant.

Mr. Betschart stated that the varied activities on the subject property means that it would have significant traffic at all hours on most days, generating a lot of traffic. The traffic flow around Scotland Road would back up to West Gate City Boulevard, and he stated that it does not make sense to use anything except West Gate City Boulevard as a frontage.

Ms. Choate stated that the subject property contains significant old-growth trees, and clearing out the area will be complicated and damage the natural environment of the area. Neighbors are extremely confused about what the applicant intends to do with the property.

Ms. Cannon displayed aerial photography of the subject property and stated that the properties the neighbors are concerned about is the eastern area of the subject property intruding into the neighborhood at the intersection of Marion Elsie Drive and Scotland Road.

Mr. Betschart stated that the zoning of the subject property is confusing.

With all speaking time expired, Chair O'Connor closed the public meeting.

Ms. Skenes stated that this was a difficult request, and she understood the concerns from the neighborhood. The subject property will have access to City services and that will mean development at a higher intensity than it currently is. She stated that the area of the subject property at the intersection of Scotland Road and Marion Elsie Drive is a peculiar island based on the configuration of the property.

Chair O'Connor stated that the Commission and neighbors could usually get a better idea about a complicated development like this when the applicant presents a sketch plan, and that the land

use does go with the property. She stated that development on the property is very likely in the future.

Mr. Engle stated that this area has grown considerably in the last decade and the increase of intensive uses on West Gate City Boulevard means that he does not believe single-family residential is likely. The proposal is likely a lower traffic-generating use than other possibilities, and stated that he hoped the applicant would continue to work with the neighbors and staff in the lead up to the City Council vote.

Mr. Engle then made a motion to annex the property, seconded by Ms. Magid. The Commission voted 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0). Ms. Magid then stated regarding agenda item Z-23-05-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties identified as 5909-5915 West Gate City Boulevard, 5800 and 5900 Scotland Road, and 5810 Marion Elsie Drive from County MXU (Mixed Use) and County RS-40 (Residential Single-family) to City CD-PI (Conditional District - Public and Institutional) 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-PI 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 7-0, (Ayes: Magid, Skenes, Glass, Vice Chair Bryson, Chair O'Connor, Engle, Egbert; Nays: 0).

Ms. Skenes then stated regarding agenda item Z-23-05-014, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as a portion of West Gate City Boulevard and Queen Alice Road rights-of-way from County MXU (Mixed Use), County RS-40 (Residential Single-family), and County CZ-HB (Conditional Zoning - Highway Business) to City C-M (Commercial - Medium) 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 C-M 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. 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 favorable recommendation and was subject to a public hearing at the Tuesday, June 20, 2023 City Council Meeting.