

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

Z-23-05-009: A rezoning request from CD-O (Conditional District - Office) and R-3 (Residential Single-family – 3) to CD-O (Conditional District - Office) for the properties identified as 5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 722 and 724 Muirs Chapel Road, generally described south of West Friendly Avenue and east of Muirs Chapel Road (4.01 acres). (APPROVED)

Mr. Carter 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 as follows:

4. Plantings within the required “Type B” buffer along the southern and eastern property lines shall be of evergreen material.

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. Carter stated the GSO2040 Comprehensive Plan designates the property as Urban General within an Urban Mixed-use Corridor on the Future Built Form Map. The Future Land Use Map designates the site as Residential and Commercial. Staff determined the proposed rezoning request supports the GSO2040 Comprehensive Plan’s Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development. It also balances the Comprehensive Plan’s Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the GSO240 Comprehensive Plan’s Creating Great Places Goal to protect and enhance the unique character of every neighborhood. The proposed CD-O zoning designation, as conditioned, would allow a mix of office and professional service uses in immediate proximity to similar office uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential 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.

Marc Isaacson, 804 Green Valley Road, on behalf of Lomax Properties LLC, stated that the Commission rezoned the subject property for medical office use in September 2021. That use has not changed, but the applicant has acquired more property and will now be capable of preserving an historic structure on West Friendly Avenue. He displayed a zoning map of the area, and stated the additional property allows for site layout flexibility along with preserving the structure. There are significant numbers of Office-zoned properties along West Friendly Avenue abutting residential properties, and these uses have been compatible with the character of the neighborhood. Mr. Isaacson displayed an illustrative sketch plan of the subject property, and stated that the site plan extensively buffers adjacent residential uses to the proposed medical office use and historic house on the subject property. The proposal moves the access cuts on Friendly and Muirs Chapel Road away from the intersection, enhancing the safety of access to the property. He displayed an illustrative elevation rendering of the development, and indicated it would have a covered entrance for patients to enter safely. The applicant conducted neighborhood outreach including a meeting at a church in the neighborhood with 15 attendees,

where neighbors expressed similar concerns from the previous request, and the applicant shared details about the preservation of the home and traffic flow changes. Mr. Isaacson stated that the engineering team updated the TIA and it shows a decrease in traffic on Friendly Avenue from 2019 conditions, indicating that the Greensboro Urban Loop is working to alleviate traffic on thoroughfares such as Friendly Avenue. He stated that this is the same type of zoning and anticipated use as the recently previously approved rezoning, simply expanded with more resources. The neighborhood expressed a desire to have a condition for the preservation of the home, but applicant is uncomfortable with that given the age and condition of the property. John Lomax, 212 South Elm Street, stated that he has listened to neighbors about the importance of the historic home on the subject property, and believes this is a mutually beneficial compromise for all parties. They intend to save the old growth trees as natural vegetative cover with supplemental plantings as needed to meet City standards for the Type B planting yard. 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. Bill McNeil, 1014 D Gretchen Lane, co-clerk of the New Garden-Guilford College Area Alliance, stated that the neighborhood opposed the commercial rezoning of this traditionally residential area in 2021, and stated that the historic structure on the subject property is on the National Register of Historic Places. He asked why the protection of the house could not be a condition of the rezoning, and stated that the neighborhood cannot trust the developer without a firm requirement. The Neighborhood appreciates the intent of the developer to preserve the house, but feels that another office building does not add to the community's distinctiveness. Mr. McNeil stated that his neighborhood is concerned about expansion of office uses east of Muirs Chapel Road. They are concerned about commercial uses encompassing the entire triangle, and asked for a study of the activity center in the area.

Carol Salmon, 105 Leonard Drive, on behalf of her mother at 720 Cannon Road, stated that her family opposes the request because they are unsure what the applicant intends to build. The large number of parking spaces is excessive, double the amount required, and the neighborhood is concerned that the applicant will build a 24-hour medical facility. She stated that there are extensive medical practices in the area already, and she is concerned that this proposal will destroy the existing large, tall oaks that visually buffer the water tower on the intersection. Ms. Salmon stated that the scale of the proposed building is out of scale with the development in the area and could overwhelm streets like Cannon Road. She displayed drone photography of the area and stated that the area has extensive natural tree coverage, and advocated for missing middle housing as an alternative infill development more compatible with the residential character of the neighborhood.

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.

Mr. Lomax stated that he already has the ability to build the proposal some neighbors are concerned about by right, and this rezoning request is to facilitate the preservation of the historic home and the old-growth trees.

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

Mr. McNeill stated that the applicant could add a condition for the preservation of the home and return to modify the conditions in the future if the preservation efforts fail.

Ms. Salmon stated that with the growth of telehealth, this area does not need a large medical facility like that proposed. She reiterated that the scale of the proposal is not compatible with the pattern of uses in the area.

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

Ms. Magid thanked the applicant for their efforts to preserve the historic home. Vice Chair Bryson then stated regarding agenda item Z-23-05-009, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 722 and 724 Muirs Chapel Road from CD-O (Conditional District - Office) and R-3 (Residential Single-family – 3) 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. Skenes 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 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.