

**MINUTES OF THE  
PLANNING AND ZONING COMMISSION  
AUGUST 19, 2024**

**Z24-07-004: A rezoning request from C-M (Commercial – Medium) and PUD (Planned Unit Development) to PUD (Planned Unit Development) for the properties identified as 1741, 1763, and 1765 Mt. Hope Church Road, 558 Old Birch Creek Road, and 900 and 930 Knox Road, generally described as east of Mount Hope Church Road and north of Knox Road (55.123 acres). (APPROVED)**

Mr. Carter reviewed the summary information for the subject properties and surrounding properties. He then advised that the applicant had proposed the following conditions:

- 1) The permitted uses in Site Area #1 as labeled on the UDP shall be limited to: Residential uses; not to exceed 375 dwelling units.
- 2) The permitted uses in Site Area #2 as labeled on the UDP shall be limited to: Residential uses; not to exceed 110 dwelling units.
- 3) The permitted uses in Site Area #3 as labeled on the UDP shall be limited to: Office, Retail and Commercial Use Groups; The total square footage of all uses shall not exceed 90,000.
- 4) The permitted uses in Site Area #4 as labeled on the UDP shall be limited to: Office, Retail and Commercial Use Groups: The total square footage of all uses shall not exceed 30,000.
- 5) The permitted uses in Site Area #5 as labeled on the UDP shall be limited to: Office, Retail and Commercial Use Groups; The total square footage of all uses shall not exceed 38,800.

Mr. Carter stated that the GSO 2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Commercial on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework strategy to ensure mixed-use projects both strengthen and add value to the community and the Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices. The proposed PUD zoning district, as conditioned, would allow residential and other supportive uses that are generally compatible with the surrounding area. 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.

Mr. Engle asked staff to clarify the proposed PUD. He noted that there were no industrial uses proposed for the request.

Mr. Carter agreed with Mr. Engle that the industrial uses were eliminated. He stated that the proposed PUD has additional residential zones and noted the distinction is adding a new property and the realignment of Knox Road.

Vice-Chair Magid invited the applicant to the podium.

**Amanda Hoderne, 804 Green Valley Road** noted she was present on behalf of the subject properties' owners. She said the properties were annexed into the City in 2008 and assigned the City PUD designation. She mentioned the applicant hoped to use the properties to the highest and best use. She summarized the request and stated that the total area is approximately 55 acres, and a PUD revision. She noted the land has been zoned as PUD for decades in the county and was brought into the City as City PUD. She stated that the current PUD allowed for commercial and industrial uses and a small amount of residential uses. She pointed out that the proposed PUD removed all industrial uses, increased residential uses and relocated the commercial zones to more appropriate locations given the Knox Road realignment. Ms. Hoderne noted that the Knox Road realignment was NCDOT project, which created opportunities for growth since the early 2000's. She presented the land use summary and zoning pattern for the subject properties and surrounding areas.

Ms. Hoderne also presented the proposed Unified Development Plan (UDP) which displayed the transportation network, accesses and placements of the different land uses. She specifically pointed out the interstate adjacent to the southern property boundaries, the realignment of Knox Road and the internal road network for the PUD. Ms. Hoderne demonstrated that traffic leaving the interstate could easily access the site and internally distributed. She noted there are two residential locations comprised of multiple-family development with maximum of 375 units close to Mt Hope Church Road. She noted that east of the new spine road would be single-family development with maximum of 110 units. She stated that the south-eastern section of the site remained commercial zone, and the area surrounding the Knox Road realignment created space for retail and office uses such as grocery stores, medical office to name a few uses which would benefit the residents of East Greensboro. Ms. Hoderne noted that the request is not just a PUD revision but downzoning as the proposal eliminated the industrial areas. She said that the current PUD did not focus on goods and services which is much needed for the surrounding residential communities. She noted that the current PUD focus was envisioned as an employment center and business park type of environment.

Ms. Hoderne stated they had extensive community outreach to inform residents on the proposed and existing PUD. She said letters were mailed to property owners within the city's 750 ft. notification radius; Zoom meeting held; and emails and phone calls made outside of the meeting. She also noted that the main concerns raised during the neighborhood outreach were trespassing and stormwater runoff. She said they discussed how the concerns would be address during the Technical Review process. She noted that the applicants were open to continued dialogue.

Vice-Chair Magid asked for any questions or comments from the Commissioners.

**Ms. Skenes** asked the applicant to talk about the changes in the land uses. She highlighted that there were no proposed industrial uses and stated that proposal was more conducive to the area.

**Ms. Hoderne** agreed with Ms. Skenes and said that the request allowed for better distribution of uses using the realigned road network; better representation of the current LDO; and incorporated much needed residential and commercial uses.

Vice-Chair Magid then called the persons speaking in opposition to the podium. She reminded the group they had total 10 minutes to speak.

**Valerie Dolgos, 5328 Shoffner Road** said that she and her family owned land adjacent to the northern boundary of the subject properties. She stated her concerns were not fully answered during the neighborhood outreach and listed concerns as follows: access to farmlands; separation buffers around the proposed site; protection of water flow and quality of surrounding springs and streams; traffic generation, noise and congestion; and neighborhood security and safety. She noted some better suited uses for the proposed site such as parks, school or senior living community.

**Wallace Andrews, 510 Old Birch Creek Road** expressed concerns for his tenant's access to farmland. He also noted the need for separation buffers. He asked if the widening of Knox Road included sidewalks and bicycle lanes. He wanted to know about the stormwater control measures and if a retention pond would be in place.

**Paula Andrews Murphy, 3416 Owls Roost Road**, noted that the proposed UDP only showed access from Knox Road which already is negatively impacting the farms and residential neighborhood. She questioned whether the request would exacerbate the negative impacts. She noted the land use changes around the farmlands and said that they wanted to protect the farms. She needed to know the measures that would be in place to protect the farmlands ensuring the safe access to the farms and for the surrounding single-family neighborhoods. Ms. Andrews Murphy suggested separation buffers such as higher fences and natural barriers. She listed other concerns: impacts on public infrastructures; traffic and safety; protection of existing trees and water bodies in the area and noted the replanting trees would not suffice for the loss of native and established trees.

Mr. Nelson informed that Dale Kanterman signed up to speak online and requested that one of the neighbors in the Chambers speak on his behalf.

Vice-Chair Magid then asked the next resident to come forward to the podium.

**Sheila Newman, 5205 Shoffner Road** stated she would prefer the natural habitat to stay intact and the area remain as existing. She expressed concerns about stormwater runoff and the protection of the ponds. She stated if the request should be approved she would prefer single family dwellings and town homes instead of apartments. She also talked about controlling traffic for safety reason preventing them from entering the surrounding single family neighborhood.

**Justin Webb, 5310 Land Castle Lane** said that his property abuts the proposed site. He said he opposed the request and had concerns: the traffic is currently heavy and would worsen; and traffic safety. He noted that too much is happening in the area and felt that soon the City limits would expand into the surrounding neighborhood. He expressed concerns about paying city taxes and the economic impacts of being in the city. He said he lived on a private road and feared for his children's safety.

**Faye Robinson, 3915 Chilton Drive, Winston-Salem** said she and her brother owned properties adjacent to the proposed site. She pointed out that the area has family and historical significance.

Vice-Chair then called on the applicant for rebuttal to the opponents' concerns.

**Amanda Hodierno, 804 Green Valley Road** noted that North Carolina does not allow involuntary annexation therefore the request would not lead to the further annexation of the area or the expansion of the city limits. She talked about the existing traffic situation, and said with Knox Road proximity to the interstate and the surrounding industrial uses heavy trucking would be in the area. She pointed out the Traffic Study addressed trip generation for the request. She noted that the Study outlined traffic improvements such as having proposed traffic signal synchronized with the existing signals at Knox Road and Mt Hope Church Road; and adding turning and deceleration lanes. Ms. Hodierno said there would be no access from Birch Creek Road aiming to contain traffic within the proposed site. She stated tree conservation areas, landscaping separation buffer and wetland protection would be provided as part of the LDO requirements. She addressed pedestrian connectivity and said that sidewalks would be provided, and the plan is to create walkable communities where people could walk to the grocery stores and other services. She noted that the existing easement granting access to the farmlands would remain.

**Mr. Gilmer, Sr** asked Ms. Hodierno about the number of persons attending the community outreach Zoom meeting.

**Ms. Hodierno** said there were about eight to nine people at the meeting.

**Mr. Gilmer, Sr** asked if the same concerns were raised at the Zoom meeting.

**Ms. Hodierno** state she was aware of the concerns and that at the meeting they talked about access to the farmland; the buffer and tree conservation areas; and stormwater runoff. She noted that these concerns would be addressed during the technical review process. She stated she would continue talking with the residents.

**Vice-Chair Magid** asked the applicant to speak on the concerns raised of having single family dwellings instead of apartments.

**Ms. Hodierno** said that the proposal provided residential options which is in accordance with the GSO2040. She stated multi-family residential is not currently in the area and she stated it was most needed.

**Vice-Chair Magid** asked Ms. Hodierno to talk on the widening of the roads.

**Ms. Hodierno** pointed to the proposed UDP and said that at the intersection of Mt Hope Church Road and Knox Road the roads would be widened to accommodate the turning and deceleration lanes.

**Ms. Skenes** asked if the subject properties are located within the city limits.

**Ms. Hodierno** confirmed the subject properties are in the city limits and was annexed in 2008.

**Ms. Skenes** asked if the existing UDP was in effect since 2008.

**Ms. Hodierno** confirmed that the existing UDP was done in conjunction with the 2008 rezoning.

**Ms. Skenes** noted that the concerns with taxes and other impacts from the annexation would have been in place since 2008.

**Ms. Hoderne** concurred with Ms. Skenes.

Vice-Chair Magid inquired if there was anyone wishing to speak in opposition to the request and noted they had total five minutes for rebuttal.

**Faye Robinson, 3915 Chilton Drive, Winston-Salem** restated that her family owned land adjacent to the subject properties. She wanted to know whether studies were done to determine how the request would affect the adjacent property values.

**Mr. Engle** responded that the Commission could not consider not property values zoning matters. He noted that the focus would be on land use.

**Faye Robinson** said her question is for the developers and again asked the question if they considered how the proposal would affect the adjacent properties. She noted that the area has historic significance since the early 18<sup>th</sup> century. She stated that the residents who spoke have roots running from generations and so they wanted to protect their farmlands.

**Paula Andrews Murphy, 3416 Owls Roost Road** asked about the measures that would be in place to separate the county and city limits. She wanted to know the conditions that would be added to protect the agricultural lands and the existing residential neighborhood. She said the UDP did not show how close the proposed development would be to the existing trees and to the water sources. She mentioned that there would be safety concerns.

**Mr. Engle** explained that prior to year 2010 properties could be annexed without the consent of property owners. He said that the Legislation has changed, and properties are only annexed if the property owners make this choice. He made it clear that the City cannot require properties in the county to be annexed.

Vice-Chair Magid explained to the resident that the request is only for the subject properties. Vice-Chair Magid assured the residents that the Commissioners recognized their concerns. She then asked staff to talk more on the annexation concerns.

**Mr. Kirkman** agreed with the Commissioners and said that annexation is not city initiated and is voluntary. He stated that usually annexation would be requested to gain access to city services. Mr. Kirkman explained that stormwater concerns and tree conservation would be addressed during the TRC process. He noted that the Transportation Department would review the traffic safety and accesses to the proposed site.

Vice-Chair Magid asked for any questions or comments from the Commissioners. Hearing none she inquired if there was anyone wishing to speak further in opposition to the request. Hearing none she closed the public hearing.

Vice-Chair Magid again asked the Commissioners if they had comments.

Mr. Gilmer Sr. noted that the City needed affordable housing. He said apartments and multi-family developments are part of this solution. He pointed out that apartment is affordable and not everyone could afford single-family housing. He said that multi-family is home option for some people.

Mr. Ducharme advised that there could not be differentiation between owner occupied or rental, townhomes versus apartments considered by the Commission. He noted land use does not include what or who.

Chair O'Connor said she was pleased with the request and noted that the request is considered downzoning. She noted that the industrial uses were eliminated and increased much needed housing. She mentioned the retail and office facilities were much needed to support the surrounding neighborhoods. She pointed out that the subject properties are already part of the city, and the new plan was excellent. She supported the request and said she was sensitive to the residents' concerns. She said there are mechanisms in place to protect the residents and the proposal was appropriate.

Mr. Engle said that removing the industrial use would protect the agricultural lands. He stated that the applicant should continue working with the residents on defining the landscape buffers. He assured the residents that the easement allowing access to the farms would remain.

Mr. Gilmer Sr. supported the request as presented.

Ms. Skenes agreed with Chair O'Connor and said the request is downzoning. She stated that the intense use was removed and the residential and office uses allowed for less intense zone. She supported the request and said the uses would be beneficial.

Mr. Downing acknowledged the residents' concerns: access to the farms; noise; and water flow to name a few. He felt all the concerns were addressed but the applicant should continue working with the residents. He noted the request is "forward thinking". He mentioned that there would be more housing in the area and agreed that buffers should be implemented. Mr. Downing stated the request is consistent with the GSO2040 Plan and that it supported economic competitiveness.

Vice-Chair Magid asked if there were further comments from the Commissioners.

Ms. Skenes made a motion to approve the UDP as submitted, seconded by Mr. Gilmer, Sr. The Commission voted 8-0, (Ayes: Chair Sandra O'Connor, Vice-Chair Catherine Magid, Skenes, Engle, Downing, Gilmer Sr., Turner and Glass). Nays: (None).

Mr. Downing then stated regarding agenda item Z-24-07-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties at 1741, 1763 and 1765 Mt. Hope Church Road, 558 Old Birch Creek Road, and 928 Near and 930 Knox Road from C-M (Commercial – Medium) and PUD (Planned Unit Development) to PUD (Planned Unit Development) 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 PUD zoning district, as conditioned,

permits uses that 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. Mr. Gilmer, Sr seconded the motion.

The Commission voted 8-0, (Ayes: Chair Sandra O'Connor, Vice-Chair Catherine Magid, Skenes, Engle, Downing, Gilmer Sr., Turner and Glass). Nays: (None).

Vice-Chair Magid 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, September 17, 2024 City Council Meeting. All adjoining property owners will be notified of any such appeal.