

**MINUTES OF THE
PLANNING AND ZONING COMMISSION
FEBRUARY 17, 2025**

PL(P) 25-07 & Z-25-02-007: An annexation and original zoning request from County AG (Agricultural) to City R-5 (Residential Single-family – 5) for the properties identified as a portion of Leabourne Road right-of-way, generally described as northeast of Ballard Road and southwest of Brynwood Drive (2.22 acres). (RECOMMENDED APPROVAL)

Mr. Carter explained that there were three components to the annexation request. There was an annexation request for a portion of the right-of-way and privately owned properties. The private properties was attached to item Z-25-02-006 and the right-of-way assigned to item Z-25-02-007.

Mr. Carter reviewed the summary information for the subject properties and surrounding properties. He advised that the applicant for item Z-25-02-006 proposed the following condition:

1. Uses shall be limited to a maximum of 90 single-family dwellings.

Mr. Carter stated that the GSO 2040 Comprehensive Plan designates this site as Exurban on the Future Built Form Map. Upon annexation, this designation is changed to Urban General. The Future Land Use Map references the Western Area Plan. The Western Area Plan designates the subject properties as Agricultural. Many of the assumptions about land use made in the Western Area Plan have not been realized. Staff determined the proposed original zoning request supports both the Comprehensive Plan's Filling in Our Framework Big Idea to arrange our land uses for where we live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro 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 CD-R-5 zoning district, as conditioned, and the R-5 for the area within the R-O-W permit uses that are similar to existing uses in the surrounding area. The proposed request also reflects changes in land use patterns and the addition of public infrastructure to this area since the adoption of the Western Area Plan. Staff recommended approval of the request.

Chair Magid asked for any questions or comments from the Commissioners. Hearing none, she asked if the applicant to come forward to the podium. She reminded the applicant had a total of ten minutes to speak on the request.

Tom Terrell, 230 North Elm Street, said he represented Pulte Home Company. He introduced his colleagues from Pulte Home Company; Mr. George Price; Engineer from Davenport Engineering, Ms. Dionne Brown; and Civil Engineer, Mr. Brent Nesom. He said his colleagues were present to answer questions. He showed a slide presentation, the project consisted of 70 single-family homes on 28 acres of land, with density of 2.49 units per acre. Mr. Terrell gave a summary of the surrounding development in the area and said the proposal would be half mile away from the Greensboro Airport. Other developments in the area are the GTCC Cameron Campus, residential subdivisions and light industrial uses. He highlighted the city was implementing a 24 inches sewer line west of the request.

Mr. Terrel displayed a site plan and stated the development showed connectivity. He pointed out that adjacent to the request was another residential subdivision with the exact zoning district CD-

R-5. Mr. Terrell said the request was consistent with the trend in the area. He talked about the Western Area Plan designating the area as agriculture and noted that the Plan was prior to the completion of Interstate 73; completion of GSO Urban Loop; \$200 million upgrade of PTIA; Boom Supersonic; Marshall Aerospace; Toyota; and the housing crisis. He noted housing was required to match the growth of jobs coming into the area. He stated housing shortage was throughout North Carolina and specific to Greensboro the City Manager has launched “Road to 10,000”. The launch is to have an additional 10,000 housing units in the next 5 years. Mr. Terrell mentioned that achieving the city’s housing need would be a process of “one project at a time”.

Chair Magid asked for any questions or comments from the Commissioners. Hearing none, she asked for the persons wishing to speak in opposition to the request to come forward to the podium.

Katharine Julich, 4105 Ballard Farm Road, Colfax, pointed out she lived in the residential subdivision adjacent to the request. She said she represented her neighbors; they were objecting to the request. Ms. Julich stated the applicant rightfully noted the area is a rural preservation district, which was important to the neighborhood. She mentioned the proposal was premature; violated the Guilford County and GSO 2024 Land Use Codes; and inconsistent with the future land use map. She said the area is designated as “an area to preserve” in the County Comprehensive Plan 2023. She emphasized rural communities, and green spaces were being constantly lost to apartments and industrial sites in recent years.

Ms. Julich said the residents did not receive sufficient information on the proposal, such as environmental impacts studies, impacts on the watershed or the community well. She noted the development would be located adjacent to the community well. Also, cutting down the trees on the subject properties would disturb the ecosystem. Ms. Julich displayed an aerial map showing a sewer line traversing the subdivision she lived in. She mentioned that a 20 foot easement was shown and that it would require the cutting down of mature trees over 80ft tall. She said the trees made the neighborhood special, and they wanted the trees to be preserved. She pointed out that the creeks in the area flow directly into Reedy Creek.

Ms. Julich highlighted the proposal was unreasonable for the size and physical conditions of the rural community. She said already the neighborhood is grossly overdeveloped, there are hundreds of apartments under construction within quarter mile of the request. Ms. Julich stated the request would not benefit the neighborhood nor the city since there were already several housing developments under construction in the area. She said the request would not be in the public interest nor in the interest of the neighborhood. The residents asked the commissioners to decline the proposal.

Ms. O’Connor referenced the aerial map shown by Ms. Julich earlier. She pointed to the Ballard Community Well and Ms. Julich confirmed the location. Ms. O’Connor asked Ms. Julich if she said earlier that the neighborhood relied on the trees and other green space on the subject properties for their well.

Ms. Julich displayed a photograph of the community well house with wooded area in the background. She stated that most of the trees in the background were on the subject properties and would likely be removed. Ms. Julich mentioned that the trees was part of the neighborhood vegetation barrier aiding in filtering sediments and chemicals.

Mr. Nichols asked Ms. Julich to explain what she meant that the project was “premature”. He asked if it was her position that someday the project would be appropriate but today it was not; or the project would never be appropriate.

Ms. Julich said currently the project was premature given the information available to the neighborhood. Also, with other developments happening in the neighborhood and the lack of supporting infrastructure. She said things may change later, however, now the supporting infrastructure was not in place.

Jeremiah Schultz, 8236 Ballard Road, Colfax, said he lived in the residential subdivision adjacent to the request. He agreed with Ms. Julich and stated that the request needed to be considered in broader context of what was happening in the area. He referred to the aerial map and pointed to the sewer line traversing the neighborhood. He noted that the location of the sewer line was the residents’ main concern. He mentioned that the expansion of the sewer line would go through the neighborhood common area, the nature trail and close to Reedy Creek. He stated the neighborhood was not given any information on the sewer line. Mr. Schultz commented on a previously approved request in the area. He said the community received notice of the construction of the sewer line after the rezoning approval. He explained that given what happened with the previous rezoning approval the neighborhood wanted to ensure they were not surprised with something like sewer line construction through their common area again. He said the infrastructure needed to be defined so that the residents could understand what was happening.

Mr. Schultz stated the neighborhood was designed with septic and wells as noted in the Western Area Plan. However, the request was like putting the “carriage before the horse” by first obtaining the rezoning and the units, then plan for infrastructure like the sewer line afterwards. He stated the residents were not “antigrowth”. He noted that they wanted growth that was consistent with the area, which included septic and well and low density development. He emphasized the sewer line was a ‘big problem’ for the nature trail. He pointed out the Plan showed the area as growth tier 3 Exurban. He read the requirement for growth tier 3 and said the required infrastructure was not in place to support the request hence it was “leapfrogging”. He mentioned that Water Resources staff stated water and sewer were available, yet the sewer line was not in place.

Vice Chair Skenes said the report provided by staff indicated there was 24 inch sewer line 1100 feet from the subject properties. She explained the commission could not consider an annexation unless the city staff advised that city services were available.

Mr. Schultz asked if the report indicated the sewer line was in place or was planned.

Vice Chair Skenes confirmed the sewer line was available.

Mr. Schultz referred to the aerial map again and said the sewer lines shown were not in place.

Chair Magid asked the applicant to come to the podium to respond to the residents’ concerns. She reminded the applicant had five minutes of rebuttal time.

Tom Terrell, stated that at the neighborhood meeting the residents pointed out the subject properties were preserved as “rural preservation district”. Seeming to be special designation. He

said after investigating he found out the “rural preservation district” was a county zoning designation. There was no environmental significance, however community well and sewer provided encouraging cluster development. Mr. Terrell said he asked residents who wanted to follow up on the city utilities to email him. He stated he received five emails, and he shared information regarding the sewer lines. He said the sketch showed the sewer line 900 feet north of the community well and buried. While the existing community septic system is 140 feet north of the community well. Mr. Terrell pointed out should there be any environmental concerns for the community well it would be because of the community septic system.

Mr. Terrell explained that the request proposed city R-5 zoning district. However, the proposed density was limited to maximum of 3.2 units per acre. He mentioned growth tier 3 could become growth tier 1 when water and sewer is available. He alluded that staff could explain further if needed. Mr. Terrell said the 24 inch sewer line has been engineered and the location identified.

Chair Magid advised that the commission focus would be on the land use. However, there were discussions about sewer pipeline, she called on staff for guidance.

Mr. Ducharme, said it was allowed for Mr. Terrell to respond to the residents’ concerns. He confirmed that the commission should focus on the reasonable use of the property.

Chair Magid asked staff whether the issue regarding the sewer line would be addressed subsequently by TRC.

Mr. Kirkman advised that the provisions of services and utilities would be addressed during site plan review. He noted the technical review would ensure availability of city services not just water and sewer, but fire, solid waste, and all the relevant city services. He said services and utilities had to meet city standards.

Chair Magid again asked whether the review would be after the rezoning decision.

Mr. Kirkman mentioned the preliminary review showed that services could be provided.

Chair Magid asked for persons speaking in opposition to come forward to the podium, and noted they had five minutes for rebuttal.

Jeremiah Schultz, confirmed that staff report showed water and sewer would be available. He said the neighborhood would be affected by the sewer easement therefore they wanted more information. He emphasized the main concern with the process was lack of information.

Mr. Kirkman recommended that the residents contact Water Resources, the staff could explain and address their specific concerns.

Chair Magid informed the residents there was handout, with departments contact information available at the information desk.

Commissioner Peterson handed a copy of the information handout to Mr. Schultz.

Katharine Julich, said there seems to be contention with the land use, whether the subject properties are rural. She said currently the properties were within the confines of the county. She referenced the county's land guiding principles. She showed that the subject properties are within areas to be preserved. She said the neighborhood cared about the environment and rural nature of the land. She said what the residents were asking for was for the subject properties to be preserved. She said the area was growing and housing needs were already met in the area. She listed apartment developments in the area. She stated that if the commission wanted to the preserve area for future growth, now would be the opportunity to do so. She emphasized that that the residents would not benefit from the development, but only the developers and the professionals involved. She said if the request is approved, the development should also use septic and wells. She noted there were no septic near the community well. She asked the commission to deny the request.

Hearing no comments and without further opposition to the request Chair Magid closed the public hearing. Chair Magid asked for comments from the Commissioners.

Mr. Downing stated that the subject properties were in proximity to GTCC Cameron Campus. He noted there were significant economic developments in the area, therefore housing would be very big need. He said the commission had confidence in the city, should the request be approved the proper infrastructure would be in place.

Mr. Downing made a motion to annex the properties, seconded by Mr. Gilmer, Sr. The Commission voted 9 - 0 (Ayes: Chair Magid, Vice Chair Skenes, Ms. O'Connor, Mr. Gilmer Sr., Ms. Glass, Ms. Turner, Mr. Downing, Mr. Peterson and Mr. Nichols). Nays: (None).

Mr. Downing then stated regarding item **Z-25-02-006**, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 8218 Ballard Road, and 8102, 8106, and 8106 ZZ Leabourne Road from County AG (Agricultural) to City CD-R-5 (Conditional District - Residential Single-family – 5) 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 City CD-R-5 zoning district, as conditioned, permits uses that fit the context of the 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. Peterson seconded the motion.

The Commission voted 9 - 0 (Ayes: Chair Magid, Vice Chair Skenes, Ms. O'Connor, Mr. Gilmer Sr., Ms. Glass, Ms. Turner, Mr. Downing, Mr. Peterson and Mr. Nichols). Nays: (None).

Mr. Nichols then stated regarding item Z-25-02-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the property at a portion of Leabourne Road Right-of-way from County AG (Agricultural) to City R-5 (Residential Single-family – 5) 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 City R-5 zoning district permits uses that fit the context of the 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. Peterson seconded the motion.

The Commission voted 9 - 0 (Ayes: Chair Magid, Vice Chair Skenes, Ms. O'Connor, Mr. Gilmer Sr., Ms. Glass, Ms. Turner, Mr. Downing, Mr. Peterson and Mr. Nichols). Nays: (None).

Chair Magid advised the votes constituted a favorable recommendation and were subject to a public hearing at the Tuesday, March 18, 2025 City Council Meeting.