

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

Z-25-03-003: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-8 (Conditional District - Residential Multi-family – 8) for the property identified as 4401 Rehobeth Church Road, generally described as east of Rehobeth Church Road and south of Glendale Drive (14.74 acres). (APPROVED)

Mr. Nelson reviewed the summary information for the subject property and surrounding properties.

Mr. Nelson advised that the applicant proposed the following conditions:

1. Permitted uses shall be limited to: Single-family Detached Dwellings; Single-family Detached Dwellings, Zero Lot Line; Duplexes; Traditional Houses; Townhouses; and Twin Homes
2. Building height shall be limited to 35 feet.
3. There shall be no vehicular access to Banner Oak Court or Valley Oaks Drive.

Mr. Nelson stated that the GSO 2040 Comprehensive Plan designates this site 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 Comprehensive Plan's Filling in Our Framework goal to arrange land uses for 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-RM-12 zoning district, as conditioned, would allow uses that are compatible with the surrounding area. The proposed CD-RM-8 zoning district, as conditioned, would limit uses to Single-family Detached Dwellings, Zero-Lot Lines, Duplexes, Traditional Houses, Townhouses, and Twin Homes. The proposed uses are compatible with the existing uses in 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.

Chair Magid inquired if anyone signed up in opposition to the request.

Mr. Kirkman advised there should be at least one resident who signed up to speak and another resident was online.

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

Nick Blackwood, 804 Green Valley Road, shared handout material with the Commissioners and stated he was present on behalf of the applicant, Toufic Simaan Brothers Holdings. He said 99 townhomes would be built on the subject properties. Mr. Blackwood mentioned that the first condition was designed to offer various types of housing and to exclude vertical apartment

buildings. The second condition would limit the building to 35 feet to accommodate 2 story buildings. He noted that under the current R-5 zoning district the maximum building height is up to 50ft. Mr. Blackwood pointed out the stream buffer along the eastern property boundary. He said there would be extensive landscaping along the eastside of the property and there would likely be no stream crossing. He also said there would not be any vehicular access along the eastern property boundary as an assurance to the single-family subdivision in that area.

Mr. Blackwood displayed an aerial map of the area highlighting Rehobeth Church Road west and Glendale Drive north of the site. He noted the proximity of I – 85 south, Highway 220 further west, and Randleman Road east of the site. He also pointed out several multi-family developments in the area, concentrated west and south of the request. Mr. Blackwood then stated that the request would not be introducing multi-family development in the area. He noted there was already a mix of single-family residential and multi-family developments in the area. Mr. Blackwood showed an illustrative site plan, which was reviewed by TRC (Technical Review Committee). He said he did not receive any negative feedback regarding impacts on the buffer stream or the proposed access along Glendale Drive. He noted however, the residents expressed concerns about storm water management and the proposed access along Glendale Drive. Mr. Blackwood said that such concerns were related to technical issues which would be addressed during the technical review process. He emphasized that extensive landscape buffer would be maintained along the stream buffer. He noted that only one access would be provided for the development; a second access would be needed if more than 99 units were built.

Mr. Blackwood said the townhomes would be 2 – story and include garages. He displayed sketches of the building elevations. Mr. Blackwood stated the garage would be counted towards the required parking for the development. He said the building design with mix of building materials and colors would lessen bulkiness and the buildings would not appear as cookie-cutter”.

Mr. Blackwood stated notification letters were mailed to residents within the city’s 750ft notification radius. He said ten residents attended the community meeting. Concerns raised by residents were traffic issues along Glendale Drive and the location of the proposed access. He said they were also concerned about stormwater management. Mr. Blackwood emphasized that the existing stormwater pipes on the property would not be incorporated into the development of the site. And water runoff would be addressed during technical review process. Mr. Blackwood noted that the development did not meet the threshold for a traffic impact assessment. He pointed out that under the current R-5 zoning district 73 dwellings could be built on the site. He said the proposed 99 dwelling units was not a substantial increase to what was currently allowed.

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

Mr. Peterson said the site inclined from Glendale Drive therefore having access along Glendale would have traffic sight issues. He asked the applicant if there were plans to excavate the site to street level.

Mr. Blackwood said the matter of excavation would need to be determined by engineers. However, he stated there might be grading for the access to meet city’s requirements.

Mr. Peterson asked the applicant whether there would be only one access along Glendale Drive. He asked if there was any consideration for having access along Rehobeth Church Road.

Mr. Blackwood noted there was not sufficient road frontage along Rehobeth Church Road for an access. He anticipated that the access would align with the road. He mentioned that the driveway permit would be determined by the technical staff. And this would resolve traffic sight concerns.

Chair Magid asked for further questions or comments from the Commissioners.

Mr. Downing asked the applicant to elaborate more on the stormwater pipes existing on the site.

Mr. Blackwood showed photographs of the locations of the pipes on the site. He said the pipes were not functional and that stormwater concerns would be addressed during the technical review process. He also noted that the residents had concerns with the pipes, and they intended to address the concerns.

Chair Magid asked if residents raised concerns about the stream buffer, flooding and the broken pipes at the community meeting.

Mr. Blackwood said these concerns were raised by the residents.

Chair Magid asked if the concerns were addressed and explained to the residents.

Mr. Blackwood stated it was explained that stormwater control would be addressed during the site plan review process. He noted the concerns regarding the flooding and the broken pipes were raised at the community meeting. He said the photographs displayed were not available at the community meeting. He explained that the engineers conducted site investigations in response to the concerns raised at the meeting. He mentioned his team wanted to have a better understanding of the residents' concerns. As such the engineers recommended that the existing pipes be replaced with another stormwater control system for the proposed development.

Chair Magid asked staff for clarification whether the review of the stormwater control system would be the next step after the land use decision.

Mr. Kirkman advised the stormwater control review would be the next step. He explained that site plan would be submitted. He noted the technical staff would review the stormwater control mechanism among other public safety and site considerations.

Chair Magid also asked the Assistant City Attorney if the commission should be concerned with technical aspect such as the stormwater control.

Mr. Ducharme added that the stormwater control concerns would be addressed subsequently through the technical review process.

Mr. Nichols asked what the square footage of the dwelling units would be.

Mr. Blackwood said the size of the units were not yet determined. However, the dwellings should be similar size to the single-family dwellings in the area only that the proposed units would be attached.

Mr. Nichols pointed out that the site sketch plan showed about 14 parking spaces for the entire development. He asked if that number of parking spaces would be sufficient for the 99 dwelling units.

Mr. Blackwood explained the parking spaces provided on site was in addition to the garage spaces and driveway parking. He believed parking requirements were met since the issue was not raised at the preliminary TRC review. He was of the understanding that the parking requirements as shown on the plan met the city's requirements.

Mr. Kirkman added that in order to approve the plan staff would verify that the parking requirements were met.

Chair Magid asked Mr. Blackwood to talk about the community outreach, specifically to anyone from Banner Oaks community attending the community meeting.

Mr. Blackwood stated letters were mailed to the residents. He noted that Banner Oaks community is the single-family residential community east of the request. He said about ten residents attended the meeting. He explained that not all the residents spoke during the meeting and there could be residents from Banner Oaks. He noted that it could be possible that the Banner Oak residents did not have concerns. This could be because there were no connectivity to Banner Oaks. Also, there would be significant landscape buffer between the development and their community.

Chair Magid asked for further questions or comments from the Commissioners. Hearing none, she asked if anyone else wished to speak in favor of the request. Hearing none, Chair Magid called on persons speaking in opposition to the request. She reminded that they had a total of ten minutes to speak. Hearing no one in the chamber, Chair Magid inquired if anyone online wished to speak in opposition to the request.

Robin Cheeley, 2 Loney Circle stated she was an adjoining property owner. She acknowledged the applicant chose to use the 750 feet notification radius. While in a previous presentation that applicant notified residents within 900 feet radius to get more property owners involved. She noted her main concern was the access at Glendale Drive. She said at the community meeting the applicant explained the access would be aligned with Arta Lane. She said it would not be possible to be even with Glendale because that location would be at the creek. She noted Arta Lane is not a state maintained road and was more like a driveway.

Ms. Cheeley pointed out that should the access align with Arta Lane, it would be at a blind spot. She said vehicle along Glendale Drive coming from Rehobeth Church Road would not be able to see vehicles leaving the site and vice versa. She said the blind spot was because the site sits on top of a hill. She said she was located at the bottom of the hill. She mentioned that sometimes after heavy rain, water gathered at the bottom of the hill making it difficult for vehicular movements. As such the police would close the road where the water settled. Therefore, it was

not logical to have the access along Glendale Drive. She stated the residents made the applicant aware of the water on the road after heavy rain.

Ms. Cheeley stated that in addition to the water on the road there were no sidewalks in the area. She said pedestrians would often walk on private properties including hers, particularly in the summer when the young people are out and about. Ms. Cheeley expressed that the development would not provide the diverse housing that the area needed. She stated the proposed attached dwelling units appeared as apartment complexes. She said there were more than enough apartment developments in the area. She mentioned it would be nice to have detached single-family dwellings as the community worked towards improving average economic income of the area. She said this could attract additional restaurants, grocery stores and such businesses that applied economic index to determine their location.

Ms. Cheeley said the request was not an appropriate use for the site. She stated the location of the driveway was not appropriate. Also, there was no suitable location along Glendale Drive for the access. She pointed out that the state dumped soil at the site during construction of the I-40 bypass. She said the site would flood and she could not imagine the site being habitable.

Chair Magid explained to Ms. Cheeley that the Land Development Ordinance required notification to residents within 750 feet radius. She noted that 900ft radius was not required for the notification.

Mr. Kirkman concurred with Chair Magid. He restated that the minimum requirement for notification was 750 feet radius from the subject property.

Chair Magid asked Ms. Cheeley to state her address again.

Robin Cheeley stated her address as 2 Loney Circle, located at the corner of Loney Circle and Glendale Drive. She explained the need for the 900 feet notification radius. She mentioned there were two renters living on Arta Lane who did not receive notice of the meeting. She stated property owners were not passing on the notice to the renters. She felt property owners were not as concerned since they were not living in the area.

Chair Magid addressed Ms. Cheeley concerns regarding sidewalks, she noted sidewalks would be required.

Chair Magid inquired if anyone else wished to speak in opposition to the request.

Mr. Kirkman advised that no one else was online.

Chair Magid asked the applicant to come to the podium to address the resident's concerns. She noted the applicant had five minutes of rebuttal time.

Nick Blackwood, acknowledged Ms. Cheeley's concerns and stated it was beyond his expertise to determine the location of the access. He said the access would be determined by the engineers and the city technical staff. He noted that Glendale Drive is a state road. Therefore, in addition to city staff, state staff would also be reviewing the proposed access prior to the issuance of any

driveway permit. He stated that stormwater management concerns would also be examined during the technical review process. Pertaining to the notification radius, he emphasized that the 750 feet notification radius as required by the city was used. He acknowledged there were stakeholders outside of the radius. He mentioned the Southeast Greensboro Coalition, stating that notification letter was also mailed to the Coalition. He said regarding the property owners and renters, the property owners would be more impacted.

Chair Magid asked Mr. Blackwood to talk about the neighborhood meeting specifically to how many attendees. And what was discussed at the meeting.

Mr. Blackwood stated about ten residents attended the meeting. He said the primary concerns were technical and site plan issues. The residents asked questions pertaining to access on Glendale Drive; stormwater management including the stream and the existing stormwater pipes. He said the existing traffic along Glendale Drive was also a concern raised at the meeting. However, he noted there was no distinction or impact between the proposed 99 townhomes and 73 single-family dwellings that was currently allowed on the site.

Chair Magid asked if there was any follow up with the residents regarding the concerns raised at the meeting. And whether the residents felt comfortable that their concerns were addressed.

Mr. Blackwood said there were several follow up emails with the Southeast Coalition. He also emailed Ms. Cheeley after the engineers conducted site investigations. Mr. Blackwood stated Ms. Cheeley did not respond to the email.

Chair Magid asked for questions or comments from the Commissioners.

Mr. Peterson referred to the sketch plan. He acknowledged that the location of the entrance was outside Mr. Blackwood's purview and would be reviewed at the technical review. However, he explained that the east side of Glendale Drive was not visible from the subject property. He then pointed out that the sketch plan showed seven units facing Rehobeth Church Road. And suggested removing one of the units to face Glendale Drive thus creating space for an entrance along Rehobeth Church Road. He felt that relocating the entrance would alleviate concerns of flooding and traffic issues on Glendale Drive. He said the proposed entrance would be located on a steep hill.

Mr. Ducharme reminded the Commissioners that the sketch was illustrative.

Mr. Tipton advised that TRC would review sight distances and the location of the proposed driveway. He added that having the driveway at Rehobeth Church Road would raise the concern of its proximity to the traffic signal.

Chair Magid reminded the Commissioners to focus on land use concerns. She then asked for further comments or question from the Commissioners. Hearing none, Chair Magid inquired if the applicant or anyone else would like to continue to speak in favor of the request.

Cheryl McIvor, 404 W Montcastle Drive, confirmed the Southeast Coalition was present at the community meeting. She thanked Mr. Blackwood and his team for including the Coalition. She

said they worked extensively with the applicant's team. Ms. McIvor noted that the community meeting was long. Mr. McIvor stated that Ms. Cheeley and another resident who lived closer to the site expressed their concerns. She mentioned another resident, Crystal Black, informed the applicant of the "black pipes" on the site, which they believed caused flooding in the area. Ms. McIvor stated that after the meeting the applicant's engineer conducted site investigation and provided feedback to the coalition. The report stated the flooding, and the pipes would be remedied during the construction phase.

Ms. McIvor said the Coalition is generally supportive noting that the development was very dense for the location. However, she stated the townhomes would bring a different type of housing other than the RM-18 and single-family dwellings in the area. She said they welcome the new type of housing for which they have been advocating. Ms. McIvor acknowledged Ms. Cheeley's concerns as very valid. But after working with the applicant's team, she felt the residents' concerns would be mitigated and taken care of appropriately.

Mr. Peterson asked Ms. McIvor if she was satisfied with the interaction with the applicant's team at the community meeting.

Cheryl McIvor said the applicant's team was very attentive and listened to their concerns. She said not many applicants would investigate the residents' concerns. She referenced another request when the residents had to do all the work to present to the Commission. She emphasized that the applicant got engineers to investigate the residents' concerns and followed up with them. She stated that the cause for the flooding would be determined in the detailed plans. She said she was very satisfied. She noted that they still had concerns with the building conditions, however, they would continue talking with the applicant.

Chair Magid thanked Ms. McIvor for the update on the community outreach. Chair Magid then called on persons speaking in opposition to the request for rebuttal. She noted they had five minutes for the rebuttal.

Robin Cheeley, showed regard to the Southeast Greensboro Coalition, however noted they were not adjoining property owners. She felt that if the applicant was concerned, the residents would be more involved in the process. She mentioned she offered to meet with Mr. Blackwood of the community meeting. However, he did not hear back from him. She emphasized she did not receive any email; thus, she could not respond to one.

Ms. Cheeley emphasized that her concerns remained the same. Noting the access would be at a blind spot. She said it would be impossible for potential residents to see over the hill to enter or leave the site from Glendale Drive. She noted it was pointed out there would not be enough property to have an access at Rehobeth Church Road. Ms. Cheeley said while the access was a technical issue to be resolved, she is still concerned about access.

Ms. Cheeley said the building design were not presented at the community meeting. However, she researched the developer's website and saw examples of what the townhomes would look like. She pointed out that the townhomes appeared as apartments and were small. Ms. Cheeley stated that it would be nice to have detached dwellings to add to the housing types in the community. She said there were enough developments that look like "public sliding housing" in the area. As

such the property values or the income in the community would not increase. Ms. Cheeley mentioned the site was not an appropriate location for the development. She said adequate thought was not given to access for the development. As a result, the request would not be beneficial to the community.

Chair Magid inquired if anyone else wished to speak in opposition to the request. Hearing none, Chair Magid closed the public hearing. She asked for any comments from the Commissioners.

Mr. Downing stated he was satisfied with comments from Ms. Cheeley, the Southeast Coalition and the developer. He stated that the concerns would be addressed once the plans were reviewed by TRC. He noted he saw only one email from residents opposing to the request. He said the residents received notification, but it was not evident at the meeting they had concerns. He said based on the GSO 2040 Comprehensive Plan it was consistent to move forward with the request. He said he visited the property. He said the site was an opportunity for development and for the growth of Greensboro. He supported the request.

Mr. Gilmer, Sr. concurred with Mr. Downing and supported the request. He noted there was previous rezoning request for apartment on the site. Therefore, he was glad that the property was back on the market.

Mr. Downing then stated regarding item **Z-25-03-003**, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property at 4401 Rehobeth Church Road from R-5 (Residential Single-family – 5) to CD-RM-8 (Conditional District - Residential Multi-family – 8) 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-RM-8 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. Gilmer, Sr. seconded the motion.

The Commission voted 8-1, (Ayes: Chair Magid, Vice Chair Skenes, Ms. O’Connor, Mr. Gilmer Sr., Ms. Turner, Mr. Downing, Mr. Nichols and Mr. Peterson). Nays: (Ms. Glass).

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 Tuesday, April 15, 2025 City Council Meeting. All adjoining property owners will be notified of any such appeal.