

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

PL(P) 25-04 & Z-25-02-001: An annexation and original zoning request from County RS-40 (Residential Single-family) to City PUD (Planned Unit Development) with the associated Unified Development Plan for the properties identified as 5136 Carlson Dairy Road and 4305 and 4307 Hamburg Mill Road, generally described as south of Hamburg Mill Road and north of Carlson Dairy Road (78.512 acres). (RECOMMENDED APPROVAL)

Mr. Carter reviewed the summary information for the subject properties and surrounding properties. He noted that a Unified Development Plan (UDP) was associated with the request.

Mr. Carter advised the applicant changed the condition to eliminate “Nightclubs” from the list of permitted uses. He read the proposed condition with the change as follows:

1. Permitted uses shall include all uses allowed in the TN district and:
 - Assisted Living Facility
 - Life Care Community
 - Rooming and Boarding Houses, up to 9 tenant residents.
 - Overnight Accommodations
 - Retreat Center
 - Short Term Rentals
 - Mobile Food Vendors, Motorized
 - Mobile Food Vendors, pushcart
 - Pet Grooming Services, without boarding
 - Artisan Manufacturing
 - Craft Distillery
 - Microbrewery
 - Bars, ~~Nightclubs~~ and Brewpubs
 - Special Events Facilities

Vice Chair Skenes made a motion to accept the deletion of nightclubs from the list of permitted uses under the proposed condition. Mr. Gilmer, 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. Carter stated that the GSO2040 Comprehensive Plan currently designates the subject property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed original zoning request supports 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 and the Creating Great Places goal to expand Greensboro’s citywide network of unique neighborhoods offering residents all walks of life a variety of quality housing choices. The PUD zoning district encourages innovation by allowing flexibility in permitted uses, design, and layout requirements in accordance with a Unified Development Plan. The proposed PUD, as conditioned, accommodates a mix of residential housing types and complementary nonresidential uses that are compatible to the exiting uses in the surrounding area. The request

also introduces traditional neighborhood design elements while preserving open space. 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 asked for any questions or comments from the Commissioners. Hearing none, Chair Magid asked the applicant and anyone wishing to speak in favor of the request to come to podium. She reminded that they had a total of ten minutes to speak on the request.

Tom Terrell, 230 North Elm Street, immediately introduced the Urban Designer for the project. Mr. Terrell stating the designer's projects were known throughout the world.

Victor Dover, 1571 Sunset Drive, Coral Gables, Florida, introduced himself as a Town Planner and Urban Designer. He referenced presentation maps and gave an overview of the subject properties in relation to the Greensboro city limits. He noted the site is just under 80 acres. Mr. Dover explained the project's vision and said the existing pasture like view along Carlson Dairy Road would be preserved. Meanwhile, there would be long views from Hamburg Mill Road. He mentioned the buildings would be constructed behind the existing tree canopies and away from the roads. His presentation noted the key idea: "Preserving Open Space and Long Views".

Mr. Dover noted that the proposed communities would be interconnected with network of walkable streets. He pointed out there would be multiple entrances, including emergency access, which would disperse traffic trips. He talked about the walkable streets and said they met city standards. He said the street designs were further customized to create slow, safe, sane and beautiful streets. He stated Traffic Impact Study was carried out by licensed engineers from Kittelson Associates. Lead engineer, Wade Walker, was present to address traffic questions or concerns. Mr. Dover stated the traffic study indicated the proposed development would have no significant traffic impacts on the neighborhood.

Mr. Dover noted that it was paramount to protect the watershed. He said the best way to protect the watershed would be to build on higher ground and away from Lake Higgins. Also to maximize undisturbed areas and to minimize the built area and impervious surfaces. Mr. Dover gave an overview of the project in relation to the Greensboro LDO including watershed protection measures. He stated that the proposal promised to exceed the required minimum amount of undisturbed land, and to include additional open space. He noted that the stream buffers and wetlands would be carefully examined prior to the issuance of any building permit for the proposal. He said the development would comply with all applicable watershed and stream protection regulations, meeting or exceeding all city, county, state and federal requirements.

Mr. Dover talked about the building layout and orientations. He stated having the buildings closely together would allow for more land space connecting the trails and greenways across the site. He said the buildings would be small, placed closely together, parking and driveways located to the rear with the front of the cottages facing the trails. He displayed images showing the core ideas of the project. He mentioned there would be modest amount of civic life and shop front uses such as coffee shops or yoga studio. He explained the inclusion of the nightclub in the original condition and confirmed that nightclubs was not intended for the development and would not be part of the development. He noted there would be a variety of housing types. There would be large houses

and smaller cottage houses resembling the dwellings in Fisher Park, Greensboro. Also, attached dwellings with courtyards and row units, and one garden style apartment building which would contain a maximum of twenty-four units. He mentioned the housing variety would allow for accessory dwellings units, an affordable and secure housing mechanism.

Mr. Dover noted the proposed development would be consistent with the GSO 2040 Comprehensive Plan in Creating Great Places, Building Community Connections, Becoming Car-Optional, Prioritizing Sustainable Communities, Infill, Growing Economic Competitiveness and incorporating the “Missing Middle Housing”. He also said that the development would fulfill the city’s goal “Road to 10,000 (housing) Plan”.

Chair Magid thanked the applicant for the presentation. She asked for any questions or comments from the Commissioners. Hearing none, Chair Magid asked for persons speaking in opposition to the request to come to the podium. She reminded that as a group they had a total of ten minutes to speak.

Cheryl McIvor, 404 W. Montcastle Drive, said the project was beautiful, however it missed the mark on offering residents of all walks of life affordable housing. She stated that the idea of the plan “Road to 10,000” was to provide affordable housing. She noted the development would provide 164 single-family homes; 48 townhomes; and 54 apartments. She suggested that the proposed housing should be 164 multi-family homes: 48 single-family homes and the remaining in townhomes. She mentioned that 15-20% of the housing should be allocated to affordable housing, which is critically needed. She felt that affordable housing should spread across the city. She said the proposal did not meet the GSO 2040 Comprehensive Plan as it relates to offering residents of all walks of life affordable housing.

Priscilla Olinick, 3100 Pleasant Ridge Road, Summerfield, mentioned that the process of the request was long and contentious for the neighborhood. She hoped the commission would take into consideration the compatibility of the development with the surrounding neighborhoods. Ms. Olinick said that removing the subject properties from Summerfield jurisdiction did not eliminate the impacts on the Summerfield residents. She said the surrounding zoning districts were either RS-40 (County Residential 40) or AG (Agricultural). She mentioned that Summerfield is considered low-density. She agreed with removing nightclub use from the list of permitted uses saying it would be incongruous with the area. She felt that with such small percentage of commercial uses the brewery pub and the craft distillery were the focus of the development. She emphasized that Summerfield is a family oriented town, and the development was incongruent with the single-family residential neighborhoods.

Ms. Olinick pointed out that another concern for the residents was the tier 3 watershed. She stated with 30% of the land used for built area there would still be a lot of impervious surfaces (driveways, rooftops). She referenced the city’s LDO and stated that in the tier 3 watershed area the built area should be 12%. She said the neighborhood had insignificant built areas containing only single-family residences and agricultural lands. Ms. Olinick stated the proposal appeared as spot zoning, with higher intense use amid single-family uses. She mentioned the PUD request had no agriculture designation, yet the project was named “Villages of Summerfield Farms”. Also, the development was not located in Summerfield. She emphasized the proposal was incompatible

with the community. It did not offer continuity in scale, density and intensity with the adjacent uses. She asked the commissioners to support Summerfield residents.

Heath Clay, 1100 Stallion Court, Summerfield, said he represented the Summerfield Town Council. He read a letter on behalf of the Summerfield residents and the Town Council. The letter asked the commission to consider the existing and proposed land uses. The deannexation of the subject properties caused burden to the town because they were an integral part of the town's corporate limits and identity. As such, any proposed development could have potential negative impacts on surrounding properties as the residents had no say in the legislative decision of the deannexation of the subject properties. Additionally, any incompatible uses to the existing neighborhood could have dire consequences for the town from a comprehensive planning perspective. Currently, the surrounding use are primarily low density single-family residential or low intensity neighborhood oriented commercial, and office uses. The need for city water and sewer should not neglect planning compatibility with the surrounding land uses. The town of Summerfield would be happy to meet with the city, perhaps at a workshop, to discuss concerns and derive amicable conclusion regarding the use of the subject properties. If a meeting was not possible, they requested there be restrictions on outdoor lighting as per the town's dark sky lighting ordinance. Also, there should be restrictions on the density being no more than 2 units per acre. There should be traffic and transportation improvements for any commercial development, buffering and landscaping to protect the investment and interest of surrounding residential and agricultural property owners. The residents felt these requests were reasonable and in the interest of the surrounding properties; and would be more compatible with the Guilford adopted land use plan and the future land use plan. Both plans limited commercial activity and intensity, as well as requesting residential compatibility with existing rural residential uses.

Mr. Clay asked the commission to delay making recommendation on the request until full consideration given to the town council's concerns. He said they only recently found out about the development. They would like to work with the city of Greensboro to come up with the best use of the subject properties, which would benefit the developer, the city of Greensboro and the town of Summerfield.

Chair Magid thanked Mr. Clay for the presentation. Chair Magid asked if anyone else online or in person wished to speak in opposition to the request. Hearing none, she asked the applicant to come to the podium to address the residents' concerns. She reminded the applicant that he had five minutes of rebuttal time.

Tom Terrell stated the applicant tried for eight years to work with the Town of Summerfield. He talked about the issues the applicant faced with land use restrictions under the Summerfield development ordinance. He stated the proposal could never happen. He said residents of Summerfield had the opportunity to work with the applicant. He noted the residents wanted to meet with the commission, however, they already had the chance to meet with the applicant.

Victor Dover, addressed concerns regarding dark sky compliance. He said they planned on implementing downcast fixtures and adhere to the standards of the international dark sky association.

Chair Magid inquired if there was anyone else wishing to speak in favor of the request.

Gail Dunham, 5805 Snow Hill Drive, Summerfield, commended the commissioners saying they were thorough, and they would not consider approving the development if water and sewer were not available. She said it was unnecessary for the commissioners to work with the town of Summerfield because the Town Council was not representing the citizens.

Chair Magid asked if there was anyone else to speak in favor of the request. Hearing none, she asked for anyone wishing to speak in opposition to the request to come to the podium. She reminded they had a total of five minutes for rebuttal.

Jonathan Hamilton, 6204 Reata Drive, Summerfield, agreed with Mr. Clay in that the residents of Summerfield should be given the opportunity to review the proposal with the applicant. He stated he is a member of the Summerfield Town Council. He asked the commissioners not to rush into recommending the request. He said the proposal, even over the eight years, was not in harmony with the surrounding neighborhoods. He mentioned that the deannexation of the property was not well accepted. However, there were attractive provisions in the deannexation bill, and the people wanted what was offered in the bill hence it passed. He said the residents of Summerfield would greatly appreciate the commissioners not rushing into recommending the request. He stated the commission should consider the residents' concerns and ensure the development would be in harmony with the neighborhood.

Chair Magid inquired if there was anyone else wishing to speak in opposition to the request.

Maria Adams, 5999 Morganshire Drive, Summerfield, noted she has been a resident of the area for fifteen years. She agreed with Councilmen Heath Clay and Jonathan Hamilton wanting the developer to work with the residents of Summerfield. She stated the proposal was presented at previous town council meetings and majority of the residents opposed to the development. She said the concerns were high density and having apartments in the area. She stated the residents were tried to accommodate the development, but the developer wanted "bigger and more". She noted the residents elected the council members and not a developer. She pointed out that the members of the town council are professionals, an educator, an attorney, a businessman, a business owner and a farmer. She said it was appalling for one of the residents who spoke earlier to say the council was unprofessional.

Carrie Spencer, 8305 North Scamper Grey Court, Summerfield, said the development did not meet Summerfield identity nor was it a true open space preservation. She described Summerfield identity as manicured berm along road and not open pastures. She said cluster homes on large lots would have limited walk of life, noting that the median house price in Summerfield was \$640,000 in last December.

Mr. Ducharme provided guidance for the commission. He noted that prior discussions involved persons and entities in the broader history of the proposal. He reminded the commissioners that the history of the deannexation predated the request. He also stated that due to the deannexation the subject properties were available to be annexed to the city of Greensboro. He emphasized that the deliberation should be focused on land use. The question before the commission should be "does the application open the door to land uses that are appropriate in this place at this time."

Chair Magid asked whether the prior deannexation had no bearing on the commission's deliberations. And the focus should be on the land use and annexation of the subject properties.

Mr. Ducharme said the focus should be on the appropriateness of the proposed land use. The deannexation was contextual germane in that it created the opportunity for the subject properties to be annexed into the city.

Vice Chair Skenes mentioned there were a lot of references to Summerfield. She restated, before the commission there was an annexation petition for the subject properties to be annexed into the city. Also, the Greensboro Land Development Ordinance (LDO) standards needed to be applied.

Mr. Ducharme agreed with Vice Chair Skenes.

Mr. Nichols asked what obligations the commissioners had to cooperate with the residents and councils of Summerfield.

Mr. Ducharme noted that the residents of Summerfield were requesting a meeting which could be considered by staff and not for the commissioners. He emphasized the focus should be whether the commissioners were comfortable making a recommendation on the request. He advised that since the request would go before the City Council, a meeting could be held with the residents prior to the City Council meeting.

Mr. Downing restated the deliberations should be centered on the GSO 2040 Comprehensive Plan.

Mr. Ducharme agreed with Mr. Downing and added that the "reasonableness statement" should also be considered.

Mr. Downing thanked Mr. Ducharme for the clarification.

Chair Magid inquired whether staff had advice for the commissioners.

Mr. Kirkman added that should the subject properties be annexed, the Greensboro LDO standards would be applied. He pointed out that the concerns of lighting was raised. He referenced the LDO and said there are standards for lighting. He said should lighting be above a certain amount of lumen it would have a screen pointing the light downward. Also, there should not be any ambient lighting over 1 foot-candle lighting at the end of the street or adjacent residential property lines. Therefore, the lighting concerns did not have to be addressed in the request.

Mr. Peterson directed question to the applicant's attorney. He stated that the developer was working with the residents of Summerfield for eight years. He wanted to know if issue of residential density was raised by the residents at any time during the process.

Mr. Terrell stated the main concern, as mentioned earlier, was having apartments as part of the development. He mentioned he had audio recordings of previous public meetings which could confirm what the real objective was.

Chair Magid hearing no further comments closed the public hearing. She asked for any comments from the Commissioners.

Vice Chair Skenes said the commissioners received emails from conservation groups the afternoon of the meeting. She stated the emails were pertinent to the request. She read some of the emails and stated that the groups praised the development as “unlike traditional housing development the proposal utilized clustering “that would protect the open spaces and rural vistas”. She felt that the proposal considered all relevant aspects of water and land conservation. She said a lot of time, thoughts and efforts were given to the proposal. And the proposal protected the lakes and allowed for big open vistas. She said the proposal was a great plan.

Mr. Downing said the residents of Summerfield were important and are neighbors to the city of Greensboro. He stated the plan was well intentional and strategic as it evolved over the 8 years. He stated he counted 8 key ideas from the presentation. He said each slide was very detailed, talked about the environmental impacts, the neighborhoods and the lighting. He compared the proposal to being a robust and beautiful community such as Fearrington Village on the outskirts of Chapel Hill. He envisioned the proposal to be impactful in the next 40, 50 years. He said the proposal would be good for the city of Greensboro. He noted there were community outreach. He supported the request.

Mr. Nichols concurred with Mr. Downing. He said the proposal had the potential to become a model across the country for “what good looks like”. He noted the development would be walkable and a community that would connect people. He found it interesting that some of the residents thought the development would not be affordable while some felt it was not like Summerfield. He stated for the development to be affordable it had to be dense. He also said that if the development was like Summerfield it would not be dense. He felt the proposal displayed tremendous streetscapes. He said the development was in an area where housing was desperately needed as the airport continue to expand. He stated change was never easy, but the development was an excellent one. He strongly supported the request.

Mr. Gilmer, Sr also strongly supported the request. He said the development was well thought out and the presentation was great. He stated the proposal was consistent with the GSO 2040 Comprehensive Plan. He noted there was housing shortages, and the city manager indicated the need to provide 10,000 houses in the next 5 years. He agreed the project would be a great model for the preservation and conservation of land. He commended the applicant on a great presentation.

Ms. Glass expressed mixed feelings on the proposal. She recognized the residents’ concerns as well as agreed the presentation was good. She stated she had a good understanding of the historical background of the project. She mentioned the residents’ concerns had to be addressed by another body than the commission. She clearly noted that the commission took an oath to address matters relating to only zoning issues. She said they could not decide on legislative issues. She said there were other avenues the residents could pursue. Whatever the commission recommended did not prevent them from expressing their concerns otherwise.

Ms. O’Connor expressed appreciation of the discussions. She stated the development was something longed for. She said in an historic sense, the development encouraged residents to live

closely with neighbors in a community that would allow them to enjoy local businesses as well as each other's company. She noted the proposal was futuristic in the design of preserving vistas. She stated the proposal would protect the water. She felt having the front porch oriented towards the trails, the walkability and neighborliness of the community were striking features. Ms. O'Connor said the proposal allowed for future aspects, not as the time we are in our vehicles, but as a time when community could come back together. She saw the proposal as the past and the future. She said the design allowed for very appropriate and considerate use of the land. She supported the request.

Chair Magid agreed with the commissioners. She likened the development to South Side development with upper residential and commercial on the ground floor. She too supported the request.

Ms. Turner also agreed with the commissioners and added that the design showed very responsible growth. She said responsible and sustainable growth was something needed. She was very pleased with the proposal and agreed it would become a model growth for other areas. She emphasized the proposal was seen as a new development concept with emphasis on community growth.

Chair Magid added that the proposal was an appealing community for the aging and younger population.

Mr. Peterson made a motion to annex the subject properties, seconded by Ms. O'Connor. 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-25-02-001**, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the original zoning request for the properties at 5136 Carlson Dairy Road and 4305 and 4307 Hamburg Mill Road from County RS-40 (Residential Single-family) to City 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 City PUD 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 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. Carter explained that the UPD should be conditionally approved. It should be based on approval of item H11 on City Council agenda to be presented at the meeting the following day. He explained the item H11 was for the Text Amendment (Amending Section 30-7-7.2; PUD of the LDO) recommended by the Planning and Zoning Commission at the last meeting held.

Ms. Skenes made a motion to approve the Unified Development Plan subject to the adoption of the Text Amendment, item H11, on the City Council agenda for the February 18, 2025 meeting. Mr. Gilmer, Sr. 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 was subject to a public hearing at the Tuesday, March 18, 2025 City Council Meeting.

Chair Magid thanked staff for their assistance on the matter. Chair Magid thanked the residents for coming to the meeting.