

**PARTIAL MINUTES OF THE
ZONING COMMISSION
December 16, 2019**

Z-19-12-004: An original rezoning request from County CU-PD-M (Conditional Use-Planned Development-Mixed) to City CD-LI (Conditional District -Light Industrial) for the property located at 5594 and 5598 Garden Village Way, generally described as northwest of Garden Village Way and northeast of Old Oak Ridge Road (1.73 acres). (Recommended Approval)

Z-19-12-005: An original rezoning request from County CU-PD-M (Conditional Use-Planned Development-Mixed) to City CD-LI (Conditional District -Light Industrial) for the a portion of Garden Village Way, east of Old Oak Road, generally described as Garden Village Way from the eastern right of way line of Old Oak Ridge Road, extending eastward approximately 500 feet or 0.625 acres. (Recommended Approval)

Mr. Carter stated both cases will be in the same presentation but noted once he got the pictures that also show the subject property for case 05, he will point them out. Mr. Carter provided the zoning maps for Z-19-12-004 and Z-19-12-005 and other summary information for both subject properties and surrounding properties. Mr. Carter advised of the proposed condition tied to case Z-19-12-004.

Vice Chair Holston inquired if there were any questions for staff. Hearing none, Vice Chair Holston requested the applicant to come forward and state their name and address.

Thomas E. Terrell, Jr., Fox Rothchild, 300 N. Green Street, stated he is representing Leoterra Development, a local developer. Also representing Leoterra was Todd Bunker, Vice President for Development. Mr. Terrell provided images of the properties. The request was for a very similar zoning within the City as it currently is in the county with a different name but essentially the same types of uses are allowed. Mr. Terrell stated uses that were excluded with this request were uses that had an external effect not conducive to this location or consistent with the character of the location. Mr. Terrell stated examples to the Commission. The only use that has been approved by the HOA and the only use that has gone through TRC is for an internal self-storage unit. Mr. Terrell stated the proposed architectural design received approval from the HOA. Mr. Terrell provided the terrain of the area indicating the mixed use development where all uses coexist and how the architecture is made of tile and stone. Internal self-storage is a perfect use for this site as it is on the highway, very attractive, and consistent with adjacent uses. A photograph depicting industrial uses was shown to the Commission. Trucks come in and out of that area but it is hard to discern because of the architecture. Got You Floored is a design group next to the proposed site specializing in tile and stone use. Internal Self Storage is a perfect use for this site as it is on the highway, very attractive, and consistent with adjacent uses. Due to the height of the building, it would buffer the residential from the sounds of the highways. It was approved by the architectural committee and has a nice mixture of stone and glass making it very attractive.

Two letters were sent to neighbors. One advising that there will be a meeting and a second one the next day providing the renderings approved by their HOA. Everyone on the City's list received two letters but no one came to the meeting. No phone calls or emails were received from anyone. Mr. Terrell felt the residents realized that this was a great use.

Mr. Trapp stated he received notification from the airport authority that they did not receive notification of this request until today. Mr. Terrell stated that was not correct and stated the letters are always sent out to the exact address as that on the county notification. That protects his client when he uses the official list. Mr. Terrell stated in addition to his letters, the airport authority also received the letter from the City that was sent and letters were placed online to indicate the address on the GIS data base which matched up with where the City sent it to. Mr. Terrell stated it is not his problem if whoever picks up the mail does not send it to the top person

at the airport and did not feel they can make it a developer's problem. It is sitting somewhere at the airport on someone's desk. Mr. Rosa asked when was the letter sent out. Mr. Terrell responded the meeting was December 2 and they were sent out two weeks prior to that time and was included in the Commissioner's packet. Mr. Terrell reiterated he has not received any requests for information from anyone.

Chair Holston inquired if there was anyone else to speak.

Morris Newlin, New Garden Landscaping Nursery, 5577 Garden Village Way. They have been located at the extreme other end of the complex since 2003 and have seen a lot of development during that time. The intent for the development was for mixed-use and has gone beyond some of the uses they thought such as businesses for the home and has been very successful. Mr. Newlin stated the challenge was the noise from the highway and that type of thing. The other challenge is at the front not being easily accessible. Mr. Newlin stated what he very much likes about this use is that there will be very low impact on the internal road system in place and felt it was a great use. The height and size of the building can act as a buffer. Mr. Newlin is on the Architectural Control Committee for New Garden Village and everyone has been very diligent responding to any request or anything to help blend the project into the rest of the community. They have done a great job and had his full support.

Vice Chair Holston inquired if there was anyone else wishing to speak in favor of the request. Seeing none, Vice Chair Holston inquired if there was anyone wishing to speak in opposition to the request. Seeing none, Vice Chair closed the public portion hearing and requested to staff's recommendation.

Mr. Kirkman stated he would go through the recommendation for each of the two cases at the same time. For the first case Z-19-12 004, 5594 and 5598 Garden Village Way, the Comprehensive Plan's Future Land Use Map designates that as Mixed Use Corporate Park which is intended for larger tracts of undeveloped land at the city's fringe, appropriate for walk-in larger scale business and employment parks with supporting uses such as retail, hotels, and residential. The proposed request does meet the Comprehensive Plan's Growth at the Fringe goal to promote development at the fringe that follows sound and sustainable patterns of land use in providing for efficient provision of public services and facilities as the City expands, as well as the Economic Development Goal promoting a healthy and diversified economy with a strong tax base and opportunities for employment, entrepreneurship, in-for profit and non-profit economic development for all segments of the community. The proposed CD-LI zone district as requested allows uses that are consistent with the general pattern of land use in the surrounding area. Staff recommended approval of the request.

Additionally, for case Z-19-005, a portion of Garden Village Way, the road itself and is part of the mixed corporate park designation. Staff does find that the request supports the Growth at the Fringe goal to promote development at the fringe, following a sound and sustainable pattern of land use and the community facilities goal to provide community facilities, services, and infrastructure in a cost effective manner to meet citizen's needs, contribute to quality of life, and support desired land use patterns. The proposed LI zoning district permits supporting uses to both the existing and planned larger scale industrial uses in the area. Staff recommended approval of this request.

Vice Chair Holston asked for purposes of proceeding forward, are they handled both at the same time and one motion or two. Mr. Kirkman responded there should be two separate motion sheets in their packet, to take each one separately.

Chair Holston inquired for case of Z-19-12-004 if there was discussion or a motion.

Mr. Trapp stated in agenda item Z-19-12-004, the Greensboro Zoning Commission believes that its action to recommend approval of the zoning amendment for the property located at 5594 and 5598 Garden Village Way from County CD-PD-M to City CD-LI to be to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be

reasonable and in the public interest for the following reasons. The request is consistent with the Comprehensive Plan's Growth at the Fringe Goal to support development at the fringe that follows a sound, sustainable pattern of land use, provides for efficient provision of public services and facilities as the City expands. The request is also consistent with the Economic Development Goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship, and for-profit and non-profit economy development for all segments of the community. The proposed CD-LI zoning district as requested would allow uses consistent with the general pattern of land uses in the surrounding area.

Motion to recommend approval by Mr. Trapp seconded by Ms. Dansby-Byrd. The Commission voted 8-0-1. (Vice Chair Holston, Dansby-Byrd, Trapp, Blackstock, Alford, Engle, Rosa, and O'Connor. Nays: 0). Vice Chair Holston stated this constituted a favorable recommendation and is subject to a public hearing at the January 21, 2020 City Council meeting.

Vice Chair Holston asked if there was any discussion regarding agenda item Z-19-12-005. Having none, Vice Chair Holston inquired if there was a motion.

Mr. Trapp stated in agenda item Z-19-12-005, the Greensboro Zoning Commission believes that its action to recommend approval of the original zoning amendment for the portion of Garden Village Way, east of Old Oak Ridge Road,, generally described as Garden Village Way from the eastern right of way line of Old Oak Ridge Road extending eastward approximately 500 feet from County CU-PD-M to City LI to be to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons. The request is consistent with the Comprehensive Plan's Growth at the Fringe Goal to promote sound and sustainable patterns of land use at the City's fringe. The request is consistent with the Communities Facilities goal to provide community facilities, services, and infrastructure in a cost effective manner to meet citizen's needs, contribute to quality of life, and support desired land use patterns. The proposed LI zoning district will permit supporting uses to both existing and planned large scale distribution centers in the surrounding area.

Motion to recommend approval by Mr. Trapp, seconded by Mr. Rosa. The Commission voted 8-0-1. (Vice Chair Holston, Dansby-Byrd, Trapp, Blackstock, Alford, Engle, Rosa, and O'Connor. Nays: 0). Vice Chair Holston stated this constituted a favorable recommendation and is subject to a public hearing at the January 21, 2020 City Council meeting.