

**PARTIAL MINUTES OF THE
ZONING COMMISSION
June 15, 2020**

Z-20-06-009: A rezoning request from LI (Light Industrial) to CD-R-7 (Conditional District – Residential Single-family-7) for the property located at 321 Murraylane Road, generally described as east of Murraylane Road and south of Maybrook Drive, (13.3 acres) (Denied)

Mr. Kirkman reviewed the zoning map for Z-19-06-009 and other summary information for the subject property and surrounding properties. Mr. Kirkman advised of the condition related to the request. Chair Marshall inquired if there were any questions for staff. Seeing none, Chair Marshall requested the applicant to present their case and state their name and address for the record.

Cranford Jones, 210 Irving Place, stated he is the manager of DOTAC, LLC making the request. Mr. Jones stated this is a 13 acre tract zoned light industrial and they would like to move it to CD-R-7 to allow 5 units per acre. It would be 60 units or less overall and match the adjoining residential currently under construction on the west side of Murraylane Road. Letters were sent out to the neighborhood resulting in conversational topics but no specific opinions. DOTAC has owned the property for more than 20 years and there has been zero interest over that time while being marketed for Light Industrial uses. The access roads going to it are limited. There was interest in joining with the car salvage lot who had the adjacent HI zoning and 19 acres but adding DOTAC's 13 acres created too large of a use for a car salvage lot for somebody to pull a part and then walk back to the entrance. DOTAC is hoping to go with residential use. A real estate agent within the neighborhood advised there were 28 sales in the last 12 months, with 85% first time home buyers. There are two schools in the immediate area to benefit the residential uses. DOTAC hopes to have that opportunity should the request be granted.

Chair Marshall advised he had a conflict with this application and recused himself from this item. Vice Chair Holston assumed the Chair seat. Vice Chair Holston asked if Mr. Jones was familiar with the comments from the Planning Board addressing concerns that were expressed regarding the environmental safety of placing a residential development adjacent to this salvage yard. The Planning Board concluded that this proposed use does not appear to be appropriate for this location. Mr. Jones responded the environmental side of it is possibly an aesthetic side affecting the residential values. Anyone that would go in that space would be aware of that existing use as a neighbor. Mr. Jones was not sure that there was a specific environmental health aspect to their concerns. Vice Chair Holston asked if there were any mitigating steps that DAFCO has taken. Vice Chair Holston thought there was an environmental runoff from the salvage yard vehicles. Oil or gas permeating the ground. It could be the site lines and tree lines and buffers. There have been several comments and emails sent to the Commissioners from a lot of residents who are concerned that by developing this property that that entire lot, which is currently serving as a buffer to the salvage yard, would be remove. Mr. Jones responded they would intend to maintain that buffer around the residential area, specifically at the spots are affected by the HI use. Vice Chair Holston asked if that had been conditioned. Mr. Jones responded they have not gotten that far into their designs. There is no grading plan and they do not know if it would be a berm with the plantings or just an undisturbed buffer that would be left as a remainder against that property line. There is an existing buffer from the property line inside to the car lot. Vice Chair Holston stated he was on the property but could not get a good feel for whether that lay of the land, the topography, goes from Murraylane Road up or Murraylane down or if it was flat. Mr. Jones stated the property rises slightly. Vice Chair Holston suggest it was not a consistent rise but a roll here and there. Mr. Jones responded that was correct. Vice Chair Holston inquired if other Commissioners had questions of Mr. Jones. Ms. O'Connor stated she shared Vice Chair Holston's concerns about the neighboring property and the danger it might

present to the residents there. Ms. O'Connor stated she was also sympathetic to Mr. Jones trying to market the property for a variety of uses and being unsuccessful. Mr. Jones appreciated having the opportunity for the homes in the up to a price range of \$150,000.

Vice Chair Holston inquired if there were any further questions for Mr. Jones from the Commissioners. Ms. O'Connor asked if there had been any kind of environmental studies of the property to know if the land is contaminated or anything like that. Mr. Jones responded LKQ has been at the site for 10 years. As their operations were started, there was a clean bill of health going forward or cleared up whatever was needed to at that time. They are not in the process with their national business plan to create contaminants and environmental issues. It is a national provider. Vice Chair Holston inquired if there were any additional questions for Mr. Jones. Seeing none, Vice Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Vice Chair Holston inquired if there was anyone to speak in opposition. Mr. Carter advised there was one person in the meeting who has indicated they are opposed and verified that person did not want to speak. Vice Chair Holston closed the public hearing and requested to hear from staff.

Mr. Kirkman stated the Comprehensive Plan's Generalized Future Land Use Map designates this property as Mixed Use Corporate Park. As part of this request, the applicant has requested a change to the Low Residential classification. That designation includes the City's predominantly single family neighborhoods, as well as other compatible housing types that can be accommodated within a general density range of 3-5 dwelling units per acre. The proposed request supports the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing in stable, livable neighborhoods offering security, quality of life, and the necessary array of services and facilities. It is also consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. The proposed CD-R-7 zoning request does impose conditions limiting uses to those consistent with the pattern of development in the area. Mr. Kirkman advised that while staff is generally supportive of trying to keep industrial zoning throughout the city, in this case staff agrees with the applicant that there are significant challenges to this property remaining with industrial zoning and with those comments, staff recommended approval of the request.

DISCUSSION:

Chair Marshall inquired if there was any discussion from the Commission or a motion. Mr. Trapp stated one of the Zoning Commissioners duties is to look at health and safety and is a big part of what Zoning does. Mr. Trapp advised he wasn't necessarily comfortable with putting a residential neighborhood backing up to a salvage yard. There have been past neighborhoods built near landfills that developed into health disparities, health impacts, and the higher cancer rates for those living around landfills and is another thing with salvage yards. Mr. Trapp stated for him, he would not be able to support the request. Mr. Trapp thanked the developer for his patience in trying to find something that worked. In this particular case Mr. Trapp was looking at health and safety. Vice Chair Holston inquired if there were other comments from the Commissioners. Vice Chair Holston requested a motion. Mr. Kirkman stated before Mr. Trapp made the motion, Mr. Engle had left the meeting and would not be counted in the vote.

Mr. Trapp moved that in case Z-20-06-009 the Greensboro Zoning Commission believes that its action to recommend denial of the rezoning request for the property identified as 321 Murraylane Road from LI to CD-R-7 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 inconsistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. The request is inconsistent with the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future

Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary of services and facilities. The proposed CD-R-7 rezoning request is not consistent with the pattern of development in this area. Seconded by Ms. O'Connor. The Commission voted 4-1. (Ayes: Vice Chair Holston, Trapp, O'Connor, and Rosa, Nays: Alford). Vice Chair Holston advised zoning denials constitute final action unless appealed in writing to the Planning Department within 10 days. All zoning appeals will be subject to a public hearing at the July 21, 2020, City Council meeting. All adjoining property owners will be notified of any such appeal.