



## Legislation Text

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**File #:** ID 20-0669, **Version:** 1

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### **...Title**

Public Hearing for Ordinance for Original Zoning Located at a Portion of 107 Marshall Smith Road and All of 120 Marshall Smith Road - Tom Terrell, for Marshall-Smith Partners, LLC on Behalf of Ashley Bradford Atkins, Glenn T. Atkins, and Alan Scott Atkins

Department: Planning

Council District: Proximate to District 5

Public Hearing: Yes

Advertising Date/By: N/A/City Clerk

*Note: This item was continued to the October 20, 2020 City Council meeting without further advertising*

Contact 1 and Phone: Sue Schwartz 373-2149

Contact 2 and Phone: Mike Kirkman 373-4649

### **PURPOSE:**

Tom Terrell, for Marshall-Smith Partners, LLC on behalf of Ashley Bradford Atkins, Glenn T. Atkins, and Alan Scott Atkins, is requesting original zoning from County AG (Agricultural) to City CD-RM-18 (Conditional District Residential Multifamily - 18) for a portion of 107 Marshall Smith Road and all of 120 Marshall Smith Road, generally described as east of Marshall Smith Road and north of West Market Street.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its September 15, 2020 meeting.

### **BACKGROUND:**

Following a public hearing on August 18, 2020, the Zoning Commission voted 9-0 to recommend approval of this request. There was one speaker in favor and three in opposition. (See minutes of the August 18, 2020 Zoning Commission meeting). This request is associated with a voluntary annexation petition to access City services to construct new residential dwellings.

This rezoning request includes the following conditions:

1. Uses shall be limited to a maximum 395 residential dwelling units.
2. A minimum 6 ft. tall opaque fence consisting of wood or materials that simulate the appearance of wood shall be installed adjacent to the eastern property boundaries of parcels 170482 (also known as 142 Marshall Smith Road), 170470 (also known as 150 Marshall Smith Road) and 170480 (also known as 152 Marshall Smith Road) and from the northeastern corner of parcel 170480 eastward 100 feet from along the southern boundary of parcel 170458, as illustrated by the thick line drawn on Exhibit A attached.

3. Evergreens planted no greater than 10 feet apart and which shall be no less than 12 feet in height at maturity shall be planted behind parcels 170482 (also known as 142 Marshall Smith Road), 170470 (also known as 150 Marshall Smith Road) and 170480 (also known as 152 Marshall Smith Road). The evergreens shall be planted on the eastern side of the fence described in condition #2.
4. Buildings shall not exceed 50 feet in height north of the line illustrated on Exhibit B attached, and which line is described as where parcel 170483 adjoins Marshall-Smith Road, running eastward along the southern boundary of parcel 170483, and from the southeastern most corner of parcel 170483 eastward to the common corner of parcels 227118 and 100197. The maximum height of any multifamily residential building located less than 40 feet of the eastern property boundaries of parcels 170482 (also known as 142 Marshall Smith Road), 170470 (also known as 150 Marshall Smith Road) and 170480 (also known as 152 Marshall Smith Road) shall be 40 feet.

*Note: All conditions listed above were either added or amended at the beginning of the Zoning Commission public hearing on August 18, 2020. The applicant intends to further amend these conditions at the October 20, 2020 Council hearing.*

**BUDGET IMPACT:**

This item will have no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission recommended approval of this request 9-0

Planning recommends approval of the CD-RM-18 zoning request based on:

- Request is consistent with the Filling in Our Framework Big Idea to arrange our land uses to create a more vibrant and livable Greensboro.
- Request is consistent with Strategy 2 of the Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.