

**PARTIAL MINUTES OF THE
PLANNING AND ZONING COMMISSION
August 15, 2022**

Z-22-08-001: A rezoning request from R-3 (Residential Single Family – 3) to CD-RM-8 (Conditional District Residential Multifamily – 8) the property identified as 2608 Pleasant Ridge Road, generally described as east of Pleasant Ridge Road and north of Long Valley Road (16.52 acres). (APPROVED)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties, and advised of the conditions associated with the request. Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates the property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports both the Comprehensive Plan's 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 and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed CD-RM-8 zoning district limits the maximum number of dwelling units and building height and allows uses compatible with existing residential uses and densities in the surrounding area. Staff recommended approval of the request.

Chair O'Connor inquired if there were questions from the Commissioners. Hearing none, Chair O'Connor inquired if the applicant was present to speak.

David Michaels, 1007 Battleground Ave speaking on behalf of Windsor Companies, reviewed the conditions offered for the request, and stated that they believe the CD-RM-8 zoning district is compatible with the existing conditions in the area. He displayed a conceptual plan and stated that it was presented to neighbors at a virtual meeting. The current plan calls for 85 townhomes with the previous owner's home on a larger lot in the center of the subject property, which may be redeveloped in the future. He stated that the perimeter of the parcel would require landscape buffering, either preserving existing vegetation or with new planting. Mr. Michaels stated that access would be provided on Pleasant Ridge Road and Long Valley Road, both of which he anticipates upgrading to GDOT standards, but noted they had no planned connection into Highland Grove. He stated that the plan calls for 2-story Townhomes with garages, and displayed typical housing units from a similar project.

Chair O'Connor inquired if there were questions or comments from the Commissioners. Mr. Engle asked staff to clarify how the 40 foot height limit offered in the conditions related to the height limits in the current R-3 single family zoning district. Mr. Kirkman stated that the R-3 district permits up to 50 feet or three stories in height. Mr. Engle then asked to clarify the relationship between feet and stories under the Land Development Ordinance. Mr. Kirkman stated that staff has made an effort to move beyond stories in conditional district zoning due to the potential for confusion, and confirmed the height restriction is from the base of the structure to the highest point of the roof. Mr. Engle asked if there would be no buffer requirements were the subject property to remain zoned R-3 or if the applicant requested R-5 zoning. Mr. Kirkman confirmed that was correct. Ms. Skenes asked what the maximum height permitted in the R-3 district was and Mr. Kirkman replied 50 feet. Ms. Skenes asked if the proposal was less than what would be available in R-3. Mr. Kirkman stated yes, as conditioned. Ms. Skenes asked to confirm that single family districts require no buffering in the LDO, which Mr. Kirkman confirmed. Ms. Skenes asked if this request could be considered less intensive than existing development in the area. Mr. Kirkman stated that the request, as conditioned, has more restrictions on building height and landscape buffering than neighboring single family properties.

Chair O'Connor asked if there was anyone else to speak in favor of the request. Hearing none, Chair O'Connor inquired if there was anyone wishing to speak in opposition of the request.

Kim McCaskill, 2504 Pleasant Ridge Road, Summerfield, stated she lives one lot away in Summerfield and did not receive notification about the request. The nature of the area has changed significantly with new development, creating issues with noise, light, and traffic, and that she hoped to preserve the remaining rural space. She stated she does not believe the proposed density is appropriate even with the required buffering and that other areas of the City are more appropriate for this development.

Kermit W. Robinson Jr., 4703 Long Valley Road, Summerfield, presented a petition signed by neighbors opposing this request, and read the petition which stated that the neighbors in the area do not oppose development of single family homes, only the density proposed by this request. He stated that this is a highly rural area and that there are two working farms in view of the subject property. He then displayed a photograph of the subject property and Long Valley Road, and stated that increasing density would overtax the area. He stated that the neighborhood knew the property was going to be developed and they supported building places for people to live, but that this level of density was inappropriate for the area. Mr. Robinson then asked about setback changes in this City district versus county single family districts. Mr. Kirkman confirmed there was a reduced setback in multi-family zoning districts. Mr. Robinson displayed photographs of Long Valley Road and stated the road conditions were unsafe for the proposed development.

Roy Moore, 5411 Willow Ridge Drive, Summerfield, stated he would not be speaking at the hearing tonight if he had gotten a notification about the request. He stated that the RM-8 zoning district in this area is out of control development.

With opposition speaking time expired, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Mr. Michaels stated he has heard from neighbors that they are comfortable with the density, but not the attached nature of the proposal. He stated that single family zoning would result in potentially taller smaller houses with more lots and no buffering, and he stated that their goal was to provide a different type of housing in the area with less maintenance obligation to meet varied market needs. He understands the concern about the change of the area. Mr. Michaels then stated that their development will require them to improve Long Valley Road and that they had been in contact with GDOT about the City's concerns.

Tom Hall, 1007 Battleground Ave on behalf of Windsor Homes, stated that he understood the concerns of the neighbors and heard similar concerns in 1995 with previous development in the area but ultimately that development was productive for the area and they intend the same to happen with this request.

Ms. Skenes asked to confirm the proposed number of units with this request is 85 along with Mr. Spangler's house, versus under R-5 district the maximum allowed units would be 82 units. Chair O'Connor stated she believed the density sought in the request was to plan for the future if Mr. Spangler leaves. Ms. Skenes asked if the conditions limit the height to less than what would be possible in the R-5 district, which Mr. Hall confirmed.

Mr. Egbert stated he did not hear any concessions being made to the neighbors. Mr. Hall stated that he believes his group has a very reasonable request, and that given the different land use

requirements in R-5 zoning, he did not know how much give and take was necessary. Mr. Michaels stated that they intended for their meetings to inform neighbors of their plans, and that they believe the proposal is reasonable. He stated that some changes to the project are possible based on feedback from neighbors or if site conditions require it, but he does not believe the density would be much lower. Mr. Engle stated that as a local to the area he was aware of the higher density development, but is uncomfortable with the level of engagement with the community.

Ms. Magid stated that she reviewed the neighborhood communications summary and felt the applicant's presentation had addressed many of the neighbors' concerns.

Chair O'Connor then advised anyone speaking in opposition had 5 minutes for rebuttal.

Mr. Moore stated that the applicant's presentation is not accurate to the conditions of Long Valley Road, which would have a 40 to 50 percent increase in traffic due to this development. He stated that multiple times in recent years, ice storms have made the road unpassable. He then stated his research into the developer does not give him confidence in the nature and quality of the project.

Jodi Knox, 4681 Long Valley Road, stated that Long Valley Road has consistent maintenance and sanitary issues already and adding more driveways onto the road would make conditions unacceptable. She stated she also has concerns about schools in the area, which are already overcrowded.

Stephanie Hutchens, 5924 Highland Grove Drive, Summerfield, asked about the requirement for a retention pond in the area. Mr. Kirkman stated that the subdivision plan will require addressing stormwater generated by the development. Ms. Hutchens asked if this would take away from the land available for housing units on the property, and Mr. Kirkman stated that was correct.

William Marshburn 4693 Long Valley Road, stated that this development would require removing most or all of the wooded area surrounding his house and increasing the street right of way. He stated his property was forcibly annexed by the City and feels he and the neighborhood will not benefit from this development. Mr. Marshburn then stated he has been a resident of the area since 1954 and feels the changes happening are not in the character of the community.

Chair O'Connor inquired if there were questions from the Commissioners. Mr. Alford asked about forcible annexation, and Mr. Kirkman stated that in the past the City was able to initiate annexations, but State law no longer permits this and annexation can now only happen by petition of property owners.

Chair O'Connor closed the public hearing. Alan Buansi restated the guidelines of what the Commission was allowed to consider. Chair O'Connor asked for any comment on transportation and school impact. Mr. Buansi stated those issues were reviewed by TRC and not within the purview of the Commission.

Mr. Engle asked about frontage requirements in the R-3 and R-5 single-family zoning districts. Mr. Kirkman stated that the R-3 district has a minimum lot size of 12,000 square feet and a frontage requirement of 75 feet for an interior lot and 80 feet on a corner lot. The R-5 district reduces the minimum lot size to 7,000 square feet and reduces the frontage requirement to 50 feet for interior lots and 58 feet on corner lots. Mr. Engle asked if the same number of driveways could happen on Long Valley Road with the R-5 district, which Mr. Kirkman confirmed was

correct. Mr. Engle stated that he is comfortable with the proposed density lower than the maximum of the RM-8 district, thinks the nature of townhomes benefits the area, and that he cannot consider things not germane to land use.

Mr. Bryson then stated regarding agenda item Z-22-08-001, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property described as 2608 Pleasant Ridge Road from R-3 (Residential Single-Family-3) to CD-RM-8 (Conditional District – Residential Multi-Family-8) to be consistent with the adopted GSO 2040 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 which fit the context of 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. Alford seconded the motion. The Commission voted 7-2, (Ayes: Magid, Engle, Alford, Skenes, Glass, Bryson, O'Connor; Nays: Egbert, Peterson). Chair O'Connor advised the vote constituted a final action, unless appealed in writing. Anyone may file such an appeal. All such appeals would be subject to a public hearing at the Tuesday, September 20, 2022 City Council meeting. All adjoining property owners will be notified of any such appeal.