

**MINUTES OF THE
PLANNING AND ZONING COMMISSION
MARCH 20, 2023**

Z-23-03-004: A rezoning request from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) the properties identified as 3307, 3309, and 3401-YY Yanceyville Street, generally described west of Yanceyville Street and west of Spry Street (10.7 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject property and surrounding properties and advised of the condition associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this property as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the rezoning request supports the Comprehensive Plan's Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The request also supports the Filling in Our Framework Big Idea regarding how we arrange our land uses for where we live, work, attend school, shop and enjoy our free time can create a more vibrant and livable Greensboro. The proposed CD-RM-26 zoning district, as conditioned, would permit uses that are complimentary to those existing in the surrounding area. Yanceyville Street is a major thoroughfare and higher density residential development is best suited to be located along a major thoroughfare. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the low density residential on adjacent properties. Staff recommended approval of the request.

Chair O'Connor asked for any questions or comments from the Commissioners. Vice Chair Bryson asked to review photography to the west of the subject property. Mr. Kirkman displayed those and noted the industrial uses shown in the presentation were across railroad tracks, fronting on Electra Drive behind a wooded area on the subject property. Mr. Engle asked if staff was recommending approval or denial, and Mr. Kirkman confirmed staff recommended approval.

Chair O'Connor then asked if the applicant or anyone else wished to speak in favor of the request.

Judy Stalder, 115 South Westgate Drive, on behalf of Carson Construction, stated that the applicant rezoned the property directly to the south in 2019 and in the intervening time saw an opportunity to improve their development plan by adding the subject property to the development. She displayed conceptual architectural elevations and stated that the design calls for buffering the large buildings away from single-family homes. Displaying an illustrative sketch plan, Ms. Stalder stated TRC had reviewed the plan and the closest adjacent single-family residential use will be near a single-level clubhouse building, well away from the main buildings. Mr. Engle asked to confirm that the sketch plan was illustrative and the applicant was not offering conditions based on this design. Ms. Stalder stated that was correct, and that there will be adjustments after TRC review. The applicant intends to use the adjacent property to the south to ensure internal circulation of traffic, and that with the topology of the site and grading, the main dwelling buildings will be 8 to 10 feet lower than adjacent properties.

She stated that the applicant conducted a neighborhood meeting, and neighbors expressed concerns about traffic, density, and building height. Ms. Stalder stated that Yanceyville is a major thoroughfare and the applicant conducted a Transportation Impact Analysis (TIA) even though it was not required, and included its recommendations as conditions of the zoning. She stated that the applicant is limiting density to roughly similar to the RM-18 district, and the current plan calls for buildings only one foot higher than the 50-foot limit in single-family residential districts. Mr. Engle asked to confirm the rezoning request did not include a condition regarding height, and Ms. Stalder stated that was correct. Mr. Kirkman confirmed the only

current condition limited density. Ms. Stalder stated the applicant would be willing to offer the elevation specifications and height limit as conditions.

Ms. Stalder stated that the applicant was committed to the siding and characteristics in the proposed elevation entered into the record at the hearing and submitted to the Planning Department last week, and that building height shall be limited to a maximum of 51 feet. Ms. Skenes asked about the site plan's placement of buildings and amenities, and Ms. Stalder stated she could not commit to such a condition due to a lack of final TRC approval. Mr. Kirkman stated that the maximum building height is a reasonable condition, but design considerations are difficult to consider as part of the public hearing.

Mr. Engle then made a motion to accept the new condition limiting maximum building height to 51 feet, seconded by Mr. Alford. The Commission voted 8-1, (Ayes: Glass, Alford, Engle, Magid, Skenes, Egbert, Peterson, Chair O'Connor; Nays: Vice Chair Bryson).

Ms. Stalder stated that there was a significant setback from the railroad for proposed buildings to limit potential noise and environmental considerations. She believes the request supports the goals of the GSO2040 Comprehensive Plan, and the size of the property allows the applicant to effectively transition from adjacent single-family residential uses to this multi-family dwelling use, and Yanceyville Street is a major thoroughfare and can support the proposal.

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. Patricia Wagner, 3713 Yanceyville Street, stated that there are two railroad tracks in the vicinity, and this regularly blocks traffic on Yanceyville Street. The street is unsafe in this area, and the added density will make it worse. She requested traffic control signals to prevent automobile traffic in the subject property from exiting onto Yanceyville Street unsafely.

Leo Hodson, 3410 Yanceyville, stated that traffic on Yanceyville Street is very dangerous, and he regularly hears ambulances responding to accidents in the area, and the Cone and Yanceyville intersection is particularly bad. He requested infrastructure on Church Street or another nearby street to reduce traffic on Yanceyville Street.

Chair O'Connor asked if there was anyone else wishing to speak in opposition. Hearing none, Chair O'Connor advised the applicant had 5 minutes for rebuttal.

Ms. Stalder stated that the applicant conducted a TIA including the other properties zoned for multi-family residential use, and it calls for suggestions on driveway arrangement but no improvements to Yanceyville Street.

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

Ms. Wagner stated that the TIA does not take into account the number of serious accidents caused by speeding on Yanceyville Street. Vehicles leaving the subject property will have to cross multiple travel lanes of traffic and it will be hazardous.

Chair O'Connor asked if there was anyone else in opposition wishing to speak in rebuttal. Hearing none, Chair O'Connor closed the public meeting.

Ms. Magid suggested that the speakers in opposition meet with their City Council representative to continue the discussion of their concerns. Mr. Engle asked if a TIA was required for this application, and Noland Tipton stated that the maximum number of units available by right in the

RM-26 zoning district required a TIA. Mr. Engle asked to confirm the City's standards for TIAs, and Mr. Tipton stated that the TIA considers traffic one year beyond the estimated buildout date based on historical patterns with anticipated growth rates and development in the area. The applicant's TIA followed all City guidelines and traffic engineering standards and found that Yanceyville Street could support this request. Mr. Engle asked if neighbors could request the full TIA, and Mr. Tipton stated that citizens could request a meeting with the Greensboro Department of Transportation (GDOT) to review details and explain technical considerations with the TIA. Mr. Engle asked about an entrance off Church Street. Mr. Tipton stated that he does not believe the applicant owns property along Church Street and the railroad is unlikely to allow a new crossing.

Vice Chair Bryson stated that he supported adding housing to Greensboro, but as a resident of this neighborhood, he cannot support the requested density. He stated that this site is on a blind curve, and Rankin Elementary School is on Spry Street is directly in front of the subject property. He asked for clarification on how TRC will ensure appropriate safety mechanisms to account for the chronic speeding problems on Yanceyville Street.

Mr. Engle stated that he had concerns about the request before the hearing tonight, but the applicant had largely addressed them. He felt the requested density was reasonable, particularly with the newly added height condition, and that he could support the request.

Ms. Skenes stated that she could not support the requested density. The character of the neighborhood does not support the RM-26 zoning district, and given the traffic issues brought up by neighbors, she could possibly support RM-18 but not this request.

Mr. Egbert stated that it does not make sense to set standards based on pre-existing zoning. He visited the area and did not notice any transportation issues, and he believes the area needs multi-family residential uses. The subject property needs to be developed, and the applicant is presenting a good proposal. Mr. Egbert stated that this kind of development can attract other quality development to the area, and he can support the request.

Mr. Egbert then stated regarding agenda item Z-23-03-004, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as 3307, 3309, and 3401-YY Yanceyville Street from R-5 (Residential Single-family – 5) to CD-RM-26 (Conditional District - Residential Multi-family – 26) 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 CD-RM-26 zoning district 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. Ms. Magid seconded the motion. She asked if members voting online needed to have their camera enabled. Mr. Ducharme stated that is correct, and Chair O'Connor requested that Ms. Glass turn on her camera. The Commission voted 5-4, (Ayes: Engle, Magid, Egbert, Chair O'Connor, Glass; Nays: Alford, Skenes, Peterson, Vice Chair Bryson). Chair O'Connor advised the vote constituted a favorable recommendation and was subject to a public hearing at the Monday, April 17, 2023 City Council Meeting.