

**PARTIAL MINUTES OF THE
ZONING COMMISSION
January 20, 2021**

Z-21-01-002: A rezoning from R-3 (Residential Single-family-3) to R-5 (Residential Single-Family-5) for the property identified as 1300 Covered Wagon Road, generally described as west of Covered Wagon Road, and north of Chandler Oaks Lane, (9.79 acres).

(Recommended Approved)

Mr. Kirkman reviewed the zoning map and other summary information for the subject property and surrounding properties, and advised there were no conditions related to this request. Chair Holston inquired if there were any questions from the Commissioners for Mr. Kirkman. Hearing none, Chair Holston requested the applicant to come forward, state their name, address and their case for the record.

Ian Phillips, Crown Companies, 121 North Crutchfield Street, Dobson, NC, stated Crown Companies submitted the application for 1300 Covered Wagon Road to take the property from its current R-3 residential to R-5 zoning. Mr. Phillips referred to the Future Lane Use Map and the Future Built Form Map. The Future Land Use map for this area indicates the area is already residential, to include both single-family and multi-family dwellings. The request for the R-5 is a single-family residential zoning with no multifamily and is in line with what the Future Land Use Map calls for there. The Future Built Form Map designates this area as Urban General with more detail and outlines some characteristics of that area. In general, the area is described and envisioned as areas conducive to single-family home ownership and a more traditional neighborhood setting. There are three characteristics of the Urban General Guidelines that stood out to Crown Companies in making this case for the rezoning. That urban general area envisions residential styled buildings consistent with the neighborhoods surrounding it. The neighborhoods surrounding this property are R-5. Crown Companies believes they can match the scale and density of the adjoining subdivision. The second consideration was the desire for urban general areas to have new housing to help increase the range of choice and supply of housing in the immediate area. The greater Greensboro area scores behind in housing inventory, especially on the eastern side of the county. This project would provide much needed housing inventory at prices consistent with the surrounding neighborhood. The third consideration was the urban general designation area and the desire to have transitions between neighborhoods and provide connectivity to existing city roads and sidewalks. By developing the property, the interconnectivity can be accomplished and is the safe thing to do for EMS and fire trucks. Once the property is developed there would not be a need for fire trucks or EMS vehicles to make an abrupt turn around at the end of Roshni Terrace and would be a better option. The density would match with the density of the adjacent neighborhood and meet the desire of the urban general area to have new housing in a form consistent with the surrounding neighborhoods and connectivity of safe streets and sidewalks. City staff sent out letters to everyone within 600 feet of the site. In addition, Mr. Phillips walked the neighborhood and talked with some land owners. He noted that he did not speak to everyone within the 600-foot radius but he did make efforts to talk to each land owner willing to speak. In looking at the Roshni Terrace side of the development, the feedback was those residents have to drive through just about the entire subdivision to reach their home on the western portion of Roshni Terrace. Several of those residents stated they would be glad at the end of the construction to have a connection to Covered Wagon Road.

Mr. Phillips noted there were concerns expressed regarding traffic concerns and possible trespassing at the end of Covered Wagon Road. Robert Bynum, resident at 1315 Covered Wagon Road, took it upon himself to run people off when they were parked and trespassing. Toni Brown, with the Chandler Oaks Homeowners Association called to express her concern that the

Chandler Oak subdivision would not have amenities like a club house or playgrounds or a pool. Crown Companies is an adjacent development and are required to have their own ownership association for several reasons. Crown Companies development will have their own storm water pond and mail box units. For that reason, it will be a separate ownership association which will not be shared with the Chandler Oaks subdivision. Mr. Phillips stated in discussions with Councilwoman Sharon Hightower, it was brought to his attention there are people in the Chandler Oaks subdivision that have voiced concern regarding storm water runoff. Mr. Phillips stated Crown Companies are required to build their own storm water management device which will control all storm water runoff from their site so that it will not contribute to any of the problems in the Chandler Oak subdivision. Mr. Phillips stated they are looking to replicate the R-5 subdivision next door which was set up to envision that connectivity. The need for new housing is envisioned in the Urban General Designation on the Future Built Form Map. Those things stick out to Crown Companies as reasons to match that zoning designation.

Chair Holston inquired if there were additional questions for Mr. Phillips. Chair Holston asked Mr. Phillips if Roshni Terrace was going to run through to Covered Wagon. Mr. Phillips responded that was correct. Chair Holston asked if Covered Wagon would still have a dead end or would it be looped around. Mr. Phillips responded Crown Companies will be required to create a DOT standard turn around at the end of Covered Wagon Road. The connection will go to the end of Covered Wagon Road and connect over to Roshni Terrace. The thought was with houses in that area and neighbors with watchful eyes, some of the concerns regarding loitering would be minimized. It is the plan to connect Roshni Terrace to Covered Wagon. Chair Holston asked as far as the illustrative plans if the neighborhoods looked similar. Mr. Phillips responded they would. Chair Holston stated it was mentioned that one of the neighbors asked about a club house. Mr. Phillips responded Ms. Brown did ask about a club house. Chair Holston asked if Mr. Phillips was saying that there was a plan for a club house or there was no plan for a club house. Mr. Phillips responded this development would not have a clubhouse. Chair Holston asked if they will have an HOA. Mr. Phillips responded that was correct, to manage the storm water pond, maintenance, and varied common areas and that sort of thing. Chair Holston asked as far as access or egress and ingress to McConnell, would it be through Covered Wagon. Mr. Phillips responded that was correct. Mr. Phillips asked if Chair Holston meant Mt. Hope Church Road. Chair Holston apologized and stated it was Mount Hope Church Road. Mr. Phillips stated they do not control land that connects to Mount Hope Church Road, there is no frontage there. Chair Holston asked if Mr. Phillips communicated with the community via the mail and then walked to meet neighbors. Mr. Phillips responded that was correct. Chair Holston asked approximately how many of the neighbors were Mr. Phillips able to address. Mr. Phillips responded it was approximately 15 to 20 range. Chair Holston asked how the conversations went with those neighbors. Mr. Phillips responded on Roshni Terrace concerns were expressed regarding construction traffic and the dust of construction, typical things of construction. At the end of the day it was more palatable because they would have easier access to their home. On Covered Wagon, concerns were additional traffic coming out of their development and were coupled with the understanding that this is a dead-end.

Chair Holston welcomed Mr. Trapp to the meeting in progress. Mr. Carter noted for the record Mr. Trapp joined the meeting at 7:53 p.m. Chair Holston inquired if other Commissioners had questions for Mr. Phillips. Seeing and hearing none, Chair Holston inquired if there was anyone else to speak in favor of the request. Seeing none, Chair Holston inquired if there was anyone in opposition to this request.

Toni Brown, 5208 Woodhollow Terrace, McLeansville, Vice President of Chandler Oaks Association. Ms. Brown was opposed to the development because several of the homes in Chandler Oaks have experienced low water pressure. The water quality is not good. The hydrants on Roshni Terrace have been flushed out more than normal. The roads in the area coming into

the neighborhood are narrow and did not accommodate the current residents. There would be increased traffic with 40 to 50 additional homes. Ms. Brown was concerned about property values going down because who was to say that management companies would not purchase those homes and make them rental homes and driving property values down. Ms. Brown advised she became aware of the meeting a few days before the Zoning meeting, but did obtain 64 signatures on her petition out of 157 home owners. The biggest concern is the impact of traffic. There are enough children in the neighborhood and more than enough going on in their small community. With an additional 40 to 50 houses, it would not be a benefit to Chandler Oaks. Ms. Brown asked if the Builder was Eastwood Homes because Eastwood built Chandler Oaks. Roads were not paved as was told to Chandler Oaks they would be and they also failed to complete the sidewalks. Sidewalks were completed by an outside company who also failed to clean up the four retention ponds in the neighborhood. Ms. Brown did not see how Chandler Oaks would be able to accommodate an additional 40 to 50 homes as there is already low water pressure in the neighborhood. Chair Holston inquired if there were any questions for Ms. Brown from the Commissioners. Hearing none, Chair Holston requested Mr. Panter to provide his name, address, and state his case.

James Panter, 5251 Chandler Oaks Lane, stated his first concern are the amount of homes being built and asked going from R-3 to R-5, was it 5 homes per acre that was allowed. Chair Holston responded in general that was correct. Mr. Panter was concerned that 5 homes on one acre would crush the value of homes in his neighborhood. Chair Holston advised the information he received indicated the homes on Roshni, Chandler Oak, Sedona, and Covered Wagon are already in the R-5 category. Mr. Kirkman stated that was correct. Mr. Panter stated it may be classified that way but the lots are basically 3 homes to an acre lot. It was mentioned that a storm pond would be maintained by this new development. Chandler Oaks already manages the storm pond and there was no need for anyone else to take care of that. The width of Covered Wagon is very narrow with more traffic. There has been no discussion regarding widening that road. Mr. Phillips stated he talked to 15 to 20 people on Roshni Road. There are 157 homes in this neighborhood and the site was not a large portion. Those on Roshni do not have to drive all the way through his neighborhood to get to their road. Mr. Panter stated he is the President of the HOA and no one has ever brought that topic up at any of the meetings and never heard of it being a complaint until this meeting. Mr. Panter stated this is a good neighborhood with nice homes and decent lots. Putting in another neighborhood with 40 to 50 homes and half or less of the size homes currently would affect home values and what people have worked and built for. Mr. Panter stated he never received anything regarding the building of homes. Mr. Panter requested to have Mr. Phillips address the question of the size of the average homes and prices the homes would start at. Mr. Kirkman reminded the Commission that the minimum size and price of a house is not a consideration for the Commission. Chair Holston advised Mr. Panter the Zoning Commission deals with land use and does not go into those other details.

Chair Holston inquired if there were questions for Mr. Panter or Ms. Brown regarding their comments or statements. Chair Holston stated going back to Ms. Brown regarding the water pressure, water quality, and the adequacy of the roadways, asked city staff if that was something to be addressed in TRC or outside of this decision by the Zoning Commission. Mr. Kirkman responded the discussion regarding the capacity for serving the new development both in terms of roads and water and sewer would be addressed a part of the technical review from the city departments. New roadways have to meet city standards. Mr. Tipton could speak further on that. Mr. Tipton stated Roshni Terrace is currently at city standard. It would have to be widened along the frontage of Chandler Oaks to city standard. Chair Holston asked if it would only be the portion. Mr. Tipton stated only the portion along their frontage. Chair Holston asked if that was the same for Covered Wagon. Mr. Tipton apologized as it was not Chandler Oaks, it was Covered Wagon. Chair Holston, it was alluded to short notices and asked if the notices went out

in a timely manner. Mr. Kirkman stated all the notices go out for all cases in their normal timeframe for meetings and met the requirements in place for zoning. Chair Holston asked if the lack of sidewalks, the need of or storm water retention drainage, and traffic would be addressed by TRC. Mr. Kirkman responded they were site design issues that would be addressed as part of the subdivision process.

Toni Brown stated when the sign was placed, it was placed so far back on Covered Wagon where no one would have seen the sign. Ms. Brown saw the sign because one of the neighbors that received a letter, contacted Ms. Brown and she drove to where the sign was placed. No one would have seen that sign except those that live in the last two homes on Covered Wagon. Chair Holston stated the signage was one method of communication, the other was by mail and confined to the 600-foot buffer area. Chair Holston asked if Ms. Brown knew if those she had spoken with lived within the 600 feet buffer. Ms. Brown responded they did. Ms. Brown spoke with home owners on Chandler Oaks and some of their signatures are on the petition provided to staff. Ms. Brown spoke with a couple of home owners that were on Roshni Terrace and their signatures are on the petition also. Chair Holston asked if it was mentioned that they had received the letter notifying them. Ms. Brown responded a couple of people stated they had not received a letter and some said that Mr. Phillips came by but they were not receptive to what was being said and were not in favor of it. Chair Holston inquired if there was anyone else to speak in opposition to this request.

Denise Ruff, 5341 Chandler Oaks Lane, stated she was a member of the Chandler Oaks Board. Ms. Ruff's concern was to ensure that the Planning and Zoning Department considered the safety of the residents, specifically children. There was a speed limit installed in 2019 due to concerns with speeding down Chandler Oaks Lane. In late 2019, a family member's car was parked in front of her home and was totaled by an individual driving down the road and hit the car. No one was hurt. Ms. Ruff challenged the group to consider the safety of the residents but mainly the children. The road cannot accommodate the additional traffic. Chair Holston inquired if there were any questions for Ms. Ruff from the Commissioners. Hearing none, Chair Holston inquired if there was anyone else wishing to speak in opposition to this request.

Tanya Beatty, 5305 Chandler Oaks Lane, stated one of the biggest concerns she had as a homeowner in the area was the safety. Ms. Beatty felt there was no consideration regarding how slow mail has been since Covid. She received the letter a week ago but it was dated and stamped 12/31. Ms. Beatty was one of the ones who signed the petition regarding consideration of the water pressure and the safety aspects. Ms. Beatty stated she did not know the value of the homes that will be built. The safety component is specifically for the children. Chair Holston asked when saying safety, did she mean traffic safety or safety mentioned earlier regarding the loitering on Covered Wagon or something else. Ms. Beatty responded her concerns were more of the safety of the children, specifically as already stated about traffic coming into the area. Covered Wagon is a narrow road and it may not be something for the Board to be concerned about. Safety in general, but specifically the safety of the children and people who are walking. Chair Holston inquired if there were any questions for Ms. Beatty from the other Commissioners. Hearing none, Chair Holston inquired if there was anyone else to speak in opposition to the request.

Pamela Galbreth, 5343 Chandler Oaks Lane, stated her biggest concern is safety. During rush hour times, the corner of Covered Wagon and Chandler Oaks becomes bottlenecked. A third parking pad was added to her driveway due to safety concerns on the corner. Covered Wagon currently cannot support 40 to 50 additional homes for traffic purposes. Ms. Galbreth asked if there would there be a traffic study or procedure to ensure that Covered Wagon can support the ongoing traffic from the additional homes. Chair Holston stated if the Zoning Commission approves this request, it will go through City Council. It would be a consideration; the question is how much of a consideration. Mr. Kirkman stated this did not trigger a traffic impact study but requested Mr. Tipton to speak further to that. Mr. Tipton stated this did not require a traffic

impact study with only 40 to 50 units. Currently Covered Wagon can take two-way traffic which is the only thing being looked at right now. Chair Holston asked if this project is approved, would the intersection of Covered Wagon and Chandler Oaks have any further consideration. Mr. Tipton responded it would not, but adding a connection at Roshni would alleviate some of the traffic coming out of Chandler Oaks by providing an additional outlet out of the neighborhood on to Covered Wagon. Chair Holston advised Ms. Galbreth it may not be the answer she was looking for but hopefully answered her question. Ms. Galbreth responded it confirmed her original concern. Covered Wagon is narrow and dark due to restrictions what was wanted when first coming into the area. Since then, another 100 plus homes are there and adding another 40-50 homes will have the situation deteriorate on Covered Wagon.

Nadia Suddreth, 5338 Chandler Oaks Lane, stated her concern is safety of the residents regarding traffic. The road is narrow and dark with a lot of traffic. Ms. Suddreth stated she has never seen "riff raff" on Covered Wagon. Ms. Suddreth expressed her concern regarding the value of homes going down with so many homes being added at the end of Covered Wagon. Ms. Suddreth was interested in knowing what the neighbors have to say that live further down on Covered Wagon and have less traffic. Chair Holston asked if there were questions for Ms. Suddreth. Hearing none, Chair Holston requested the next speaker to come forward.

Candi Price, 1426 Sedona Lane, secretary of the Board for Chandler Oaks. Ms. Price stated she has never seen any type of "riff raff" at the end of Covered Wagon. Her and her spouse walk their dog almost every night and have never seen cars, trash, or loitering in that area. Not once and she has lived in this area for 3 years. Ms. Price expressed her concern regarding no lights on Covered Wagon and the safety of all of the residents and children regarding cars speeding down that road. There are no sidewalks on Covered Wagon. Covered Wagon cannot contain more homes, traffic, and congestion in the area. Chair Holston inquired if there were questions for Mr. Price. Chair Holston advised time had run out for those speaking in opposition but there would be a 5-minute rebuttal period beginning with the applicant, Mr. Phillips.

Ian Phillips, advised Crown Companies will have their own pond handled by a different HOA. The pond would be responsible for handling all of the runoff contained on their site. The Chandler Oaks pond will not be used. Crown Companies will do what is required by traffic engineers for the City of Greensboro. Road dimensions, turn arounds, lighting, widening will be determined by the traffic engineers. The same with connectivity and safety. It was mentioned Roshni Lane was envisioned to connect with Covered Wagon and is what is planned. That should alleviate some of the traffic and allow access for first responders. Chair Holston asked Mr. Tipton related to the end of Covered Wagon, the tail end that will probably join Roshni Terrace, was it a situation where lighting would be considered. Mr. Tipton advised it would be looked at the site plan stage, but did think if there was widening along Covered Wagon, it would be an opportunity to install street lights. Chair Holston asked Mr. Phillips if when speaking with the neighbors or met with them, where any illustrative drawings depicting how this may look shown to them. Mr. Phillips responded they did not.

Mr. Phillips stated Diane Durham and Robert Bynum, 1315 and directly across from 1315, were the two individuals who voiced concerns and had several issues with people parking there and trespassing. Chair Holston inquired if there were any questions for Mr. Phillips from the Commissioners. Seeing none, Chair Holston advised those in opposition had a combined 5-minute rebuttal period.

Toni Brown, stated Mr. Phillips keeps saying that it will alleviate the traffic. It will not alleviate the traffic coming into Chandler Oaks. It will increase the traffic on Covered Wagon. Regarding Crown Companies developing their own pond, she asked how on 9.79 acres that would be addressed for 40 to 50 homes. Chair Holston advised if there is approval or not and goes through the process, it would be worked out. There would be additional opportunities through the TRC

process to determine how that was being done and the effects. TRC has an interest with all the parties, not only with those that are building anew. Chair Holston inquired if there were any additional opposition rebuttal.

James Panter, stated there are 157 homes in Chandler Oaks, adding 40 to 50 homes that could have approximately 100 to 150 cars coming down that road. It did not make sense to him and another reason why he was opposed.

Denise Ruff, challenged Mr. Phillips to do his due diligence and work with the traffic engineer. The traffic engineers identified a speed issue within their neighborhoods, specifically on Chandler Oaks and turning from Covered Wagon onto Chandler Oaks.

Nadia Suddreth, asked if the home owners at the entrance of Covered Wagon were spoken to regarding the potential disturbance of their property to put in sidewalks. Chair Holston did not have an answer but presumed it would be handled through TRC and whatever the standard processes are for sidewalks. Mr. Tipton stated sidewalks on Covered Wagon would only be required along the frontage of the project and would not be in front of existing homes. Seeing no one else to speak, Chair Holston closed the public hearing and requested to hear from city staff.

Mr. Kirkman stated the GSO 2040 Comprehensive Plan designates this site as Urban General within a district scaled activity center on the Future Built Form Map and Commercial and Residential on the Future Land Use Map. The request is consistent with the Comprehensive Plan to expand Greensboro's city-wide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and also meeting the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The proposed R-5 zoning district is intended to accommodate lower density single-family detached residential development up to the 5 dwelling units per acre. The uses in the proposed zoning are consistent with surrounding uses, noting the zoning both of the CD-R-5 and R-3 nearby. Staff recommended approval of the request.

Chair Holston asked Mr. Trapp if he intended to vote on this item and if had reviewed the record before hand and felt that he had enough information to participate in the vote. Mr. Trapp responded he felt he had more than enough information to vote on the issue.

Chair Holston inquired if the Commissions had questions for staff. Seeing none, Chair Holston asked if the Commissioners had any comments, questions, thoughts, discussion or a motion. Mr. Bryson stated he would be voting against the request and felt Mr. Phillips needed to reach out to the community, become more involved with the community and let the community know what was happening in that neighborhood. Mr. Bryson quoted "it would benefit the property owner and surrounding community and approval is in the public interest." Ms. Brown made it well known with 64 people out of 157 stating they did not want this in their neighborhood indicating Mr. Phillips did not explain or show ideas properly regarding the vision his company has for that area. Chair Holston inquired if other Commissioners had comments. Mr. Collins stated the notification process was addressed at their last meeting. Commission and staff are operating under state statute to handle that. Mail and sequencing are what has to be done. A mention was made of signage and thought that occurred because the signage has to go on the property that is being rezoned. There are no directional signs and also by statute. Signs are put out by the Zoning staff. Letters are sent within a 600-foot radius to contact neighbors. Mr. Collins understood what Mr. Bryson and the Chandler Oaks people were saying, but had a hard time denying this application as it is exactly the same zoning beside Chandler Oaks, which was anticipated both would connect. Mr. Collins understood the safety issues and traffic but this is land use and the rest will be sorted at the TRC level. Mr. Collins asked how do you turn down an adjacent zoning asking for the exact same thing and advised he would vote in favor of the request.

Mr. Trapp stated he was in the same mindset as Mr. Collins. Mr. Trapp understood the community and everyone who attended the meeting. Mr. Trapp stated he had voted against

previous rezonings because of the applicant not doing their due diligence, but this is one where some of the things brought up will be addressed through this development. Traffic will be taken care of by this addition and made better. Water issues addressed will also be made better by the development. Mr. Trapp stated once this is all worked out, it will work in their favor. The process and notification could be better, but staff and the Commission are dealing with state statutes. Mr. Trapp stated he will be voting in favor. Ms. O'Connor agreed with Mr. Trapp and Mr. Collins. She was sympathetic to the neighbors and took seriously the concerns expressed. Ms. O'Connor believed this project will be a success of the land and was appropriate for what is there. Chair Holston agreed with what Mr. Collins, Mr. Trapp, and Ms. O'Connor have stated. Chair Holston was not discounting comments regarding safety, water, traffic, the notice, lighting and all the like. Those are usually and normally worked out during the TRC process after approval from Zoning and City Council. It would go through more vetting and helps to protect the concerns and objections expressed. Not everyone will be satisfied or agreeable but most times it works out well. Chair Holston stated it was exciting to see neighbors engaged and involved and know there is a process that the community can contribute to and helping to make things better. Chair Holston was voting in favor of the application.

Ms. O'Connor stated in regard to agenda item Z-21-01-002, the Greensboro Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as 1300 Covered Wagon Road from R-3 (Residential Single-Family-3) to R-5 (Residential Single-Family-5) to be consistent with the adopted Greensboro 2040 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 Future Built Form Map and Future Land Use Map. The proposed R-5 zoning district fits the context of the surrounding residential areas. 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. Approval is in the public interest. Seconded by Mr. Alford. The Commission voted 5-2. (Ayes: Chair Holston, Collins, Trapp, Alford and O'Connor. Nays: Bryson and Jones). Chair Holston stated this approval constitutes a favorable recommendation and is subject to a public hearing at the February 16, 2021 City Council meeting. Chair Holston again thanked everyone for their participation and encouraged those in opposition to attend the City Council meeting.