

**MEETING OF THE
ZONING COMMISSION
SEPTEMBER 8, 2014**

The regular meeting of the Greensboro Zoning Commission was held on September 8, 2014, beginning at 5:30 p.m. in the Council Chamber of the Melvin Municipal Office Building. Members present were: Mary Skenes, Chair; Rick Pinto; Peter Placentino; James Griffin; Russell Parmele; Paul Gilmer; Donald Blackstock; and Anita Bachmann. Also present was Terri Jones, City Attorney's Office; Nicole Smith and Mike Kirkman, Planning; and Carrie Reeves, Greensboro Department of Transportation.

Z-14-09-003 128 Birch Creek Road (south of McLeansville Road and west of Birch Creek Road) – An original zoning from County AG (Agriculture) to City CD-R-5 (Conditional District-Residential Single Family), with the following conditions: (1) Uses shall be limited to 91 single-family detached dwellings; (2) All single-family lots that front Birch Creek Road shall have driveway turn arounds for each lot to facilitate forward vehicular entry into the public right of way – for property located at 128 Birch Creek Road described as south of McLeansville Road and west of Birch Creek Road (24.41 acres) – Lomonaco Investment on behalf of Community Foundation Real Estate Management Fund, Inc. **(FAVORABLE RECOMMENDATION)**

Ms. Smith described the subject property, as well as surrounding properties, and noted issues in the staff report.

Chair Skenes asked if there was anyone wishing to speak in favor of the request.

John Ford is with Lomanaco Investment, P.O. Box 474, in Summerfield, North Carolina. Mr. Ford said that the proposed development offers much needed affordable housing for this specific area within the Greensboro jurisdiction. He felt that this development would help limit sprawl given that there is infrastructure already in place with sewer and water utilities. The road network is also in place and they have worked with staff to identify utility and design requirements including utility upgrade requirements for sewer and water. Mr. Ford stated they are offering conditions that would limit the property to 91 single-family dwellings which is 3.7 units per acre. This is in line with the Future Land Use Map that indicates residential development in this area should be in the 3 to 5 dwelling units per acre range. He also feels that this proposal is very consistent with what is going on in the larger area. In Birch Creek Ridge the properties are all single-family detached dwellings. On the south side where the Greystone neighborhood is located there are some townhomes as well as smaller family detached home sites. Mr. Ford proposed to limit the density to have a nice blend of housing and to be consistent with the character of the neighborhood. Mr. Ford has worked with staff and has reached out to the community. He met with some homeowners personally and also reached out to the Homeowner's Associations for Birch Creek Ridge Phase I, II, and III. He has worked with those management companies and meetings were held with the Homeowner's Association Board where he outlined intentions for the property and answered all their questions. There was no direct opposition to the request but they did have questions concerning density and what was going to be built. He felt this was an area that definitely has a need for affordable housing and it will be consistent with the surrounding area.

Mr. Placentino stated that he has just become aware that he has a conflict of interest in this case and he asked to be recused. He indicated that Mr. Parmele does not have a conflict of interest because he works in a totally separate division of the company.

In the matter of Z-14-09-003, Mr. Pinto moved to recuse Mr. Placentino, seconded by Mr. Gilmer. The Commission voted unanimously in favor of the motion.

Responding to a question from Chair Skenes, Mr. Ford indicated that he met with 10 to 12 individuals and he sent to the Board, homeowners, and management company various emails communicating the information and soliciting questions in addition to offering a community meeting. He also made numerous phone calls to communicate with the neighbors. He was told by the Boards that there was no need for a meeting. He plans to provide information throughout the process until the City Council meeting. Another letter will be mailed out in several weeks.

Mike Fowler, 3502 Reddington Drive, is a broker with Brown Investment Properties. He represents the seller, Community Foundation of Greensboro, who has owned the property for quite a while. The Foundation wants to put those resources to work for the community. The property has been on the market for over five years looking for a good use for the property. Mr. Fowler indicated that Mr. Ford has followed through and has been diligent in the process and has a good plan. He felt the project would be a good use for the property and would be consistent with other uses in the area.

In Opposition:

Lance Coleman, 5510 McLeansville Road, stated that he was not contacted about the project and only learned about it upon seeing the rezoning signs. He is not opposed to houses being built at the site but he expressed concern that the houses should not be cheaply built or crowded. He was supportive of nice, quality housing at the site.

Ms. Smith clarified that staff's record indicated that Melinda H. Coleman was notified at 5510 McLeansville Road. Mr. Coleman did not recall receiving the notification.

Ms. Mazzurco commented that the Zoning Commission's charge is for land use only and they do not get into the aesthetics of what will be built there. The aesthetics and building materials used in the project are addressed by the TRC (Technical Review Committee) process. As a citizen, Mr. Coleman is certainly welcome to participate in that process. Chair Skenes also recommended continued communication with the builder.

Cynthia Waddell, 5315 Stoney Brook Drive, McLeansville, North Carolina, stated that there is one Board meeting per year for her neighborhood which has already occurred. She lives at the end of the block and nobody came to speak with her about the request. In addition, she has spoken with other people in the development who did not receive notification. She was concerned that the developer met with the Board but no information was relayed back to the homeowners. Ms. Waddell did receive notification from the City.

Ms. Bachmann asked Ms. Waddell if she was speaking in opposition of the request or seeking additional information. Ms. Waddell stated that she needed more information regarding details of the project. She was not opposed to something being built on the property.

Rebuttal in Support:

Mr. Ford stated that what is being proposed is consistent with the Comprehensive Plan and how the property is designated. He said that it would be a very difficult task for him to go to every homeowner as there are hundreds of homes in this area. He described his efforts to communicate through emails, live meetings, and phone calls. He stated numerous efforts were made to maintain communication with the Homeowner's Association Boards.

Rebuttal in Opposition:

Jim Bundy, 5062 Harvest Road, expressed concern regarding the development and the impact it would have on already overcrowded schools in the area.

There being no other speakers, Chair Skenes closed the Public Hearing.

Staff Report

Mr. Kirkman stated that this site is currently designated as Low Residential on the Generalized Future Land Use Map (GFLUM). The Low Residential GFLUM designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3 to 5 dwelling units per gross acre. The proposal supports 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 and the Growth at the Fringe Goal to provide sound, sustainable land use patterns that provide for the efficient provision of public services and facilities. The proposed CD-R-5 district request is intended to accommodate low-density single family detached residential development. Staff is recommending approval of this request.

Comments:

Ms. Mazzurco stated that she was familiar with the area and understood concerns of the opposition. She strongly encouraged them to dialogue with the developer. Although she understood the road and school concerns, she reiterated that the Zoning Commission only addresses land use. She felt this was a good use of the land and she was in support of the request.

Ms. Mazzurco moved that in the matter of Case **Z-14-09-003**, the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 128 Birch Creek Road from County AG (Agriculture) to City CD-R-5 (Conditional District-Residential Single Family) is consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest because it is consistent with the Growth at the Fringe Goal to provide sound, sustainable land use patterns, and it is consistent with the Housing and Neighborhoods Goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing, seconded by Mr. Gilmer. The Commission voted 8-0-1 in favor of the motion. (Ayes: Skenes, Pinto, Griffin, Parmele, Gilmer, Bachmann, Mazzurco, Blackstock. Nays: None. Abstain: Placentino.)