

**MEETING OF THE  
ZONING COMMISSION  
SEPTEMBER 19, 2016**

**Z-16-09-002** 5100 Hilltop Road (west of Lakeshore Drive and north of Hilltop Road) – A rezoning from R-3 (Residential Single-Family) to CD-RM-12 (Conditional District-Residential Multifamily) with the following conditions: (1) Use is limited to residential uses only. – For property located at 5100 Hilltop Road, generally described as west of Lakeshore Drive and north of Hilltop Road. (0.51 Acres) – Amer Baker. **(DENIED)**

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

Amer Baker, 3603 South Rockingham Road, property owner, indicated that he would like to develop six units on the .51 acre lot. There will be no separate amenities attached to the units.

**In Opposition:**

Chris Ray, 2405 Mowbray Trail, said that the entrance to a large apartment complex, The Lodge, is within 25 yards of this property. Lakeshore Drive is the secondary entrance to the complex and has become its exit point. All of this is located on a curve on a hill. It is already dangerous and adding six apartments would block even more of the view pulling out into traffic. He expressed concern with school bus safety and putting six units on only a half-acre property.

Don Whisnett, 2407 Mowbray Trail, felt there is no need to add apartments in this area. He said the investment he made in the purchase of his home is very important. There is already a large apartment complex across the street from the property and then two blocks away is another apartment complex. There are up to four blocks comprised of single-family dwellings in this community and he was disappointed and opposed to the request in terms of property and community values. He felt there was no need for additional apartments as there are many new apartments up Bridford Road and Guilford College Road. He felt the subject property could just as well be developed into a single-family dwelling and should remain as it is.

Ron Frazier, 2303 Mowbray Trail, has lived in his house for 38 years. He said that school buses pull out onto Hilltop Road every morning and putting a two-story building on the subject property would make turning even more dangerous. He was concerned that this request could start a multifamily trend in the neighborhood.

**Rebuttal in Support:**

Amir Baker said that required setbacks would address concerns of visibility. He said that the proposed six units will not make that much of an impact in the neighborhood and noted that the area is already surrounded by apartments. It will be a two-story building and there will be no other amenities attached to the building.

Mr. Pinto asked if a meeting was held with the neighbors. Mr. Baker said that he met with the next door neighbor who was in support of the request. No meetings were held with other neighbors. Several calls were received questioning the height of the building and they were told the apartment building would be two stories.

Responding to a question from Ms. Mazzurco, Noland Tipton, GDOT, confirmed two separate entrances and exits are planned. The request did not generate a Traffic Impact Study. The last traffic study was more than likely done in 2005 when zoning was approved for the apartments across the street.

### **Rebuttal in Opposition:**

Ron Frazier commented that the proposed six units would fill up the entire lot with solid buildings and would block the view up and down Hilltop Road. He reiterated safety concerns for traffic turning out onto Hilltop Road.

There being no other speakers, Acting-Chair Gilmer closed the public hearing.

### **Staff Recommendation:**

Mr. Kirkman stated that this is designated as **Moderate Residential** on the Comprehensive Plan's Generalized Future Land Use Map (GFLUM). The Moderate Residential category generally accommodates housing types ranging from small lot single family detached and attached single family dwellings such as townhomes to moderate density low-rise apartment dwellings generally within the density range of 5 to 12 units per acre. The proposed request does support the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing in stable, livable neighborhoods. The proposal also meets the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. The CD-RM-12 zoning district as conditioned is limited to residential uses only and staff is recommending approval of the request.

### **Comments:**

Mr. Kirkman provided clarification for Mr. Lester and said that the RM-12 district would allow churches, schools and daycare centers; however, this conditional request would only allow residential uses.

Mr. Tipton confirmed for Acting-Chair Gilmer that Hilltop Road is considered to be a major residential thoroughfare.

Mr. Pinto felt that the lot could just as easily be used as a single-family residence. He would like to have seen additional conditions providing screening from the other single-family dwellings. He stated his opinion that the highest and best use for this property is single-family, not multifamily. He does not plan to support this request.

Mr. Duggins asked staff about conditions for the property located across Lakeshore Drive. Mr. Kirkman said that the conditions were for limited uses and unit count in addition to infrastructure and transportation related conditions. There were no additional conditions in terms of architecture and enhanced screening.

Mr. Lester felt that maintaining the integrity of this neighborhood is consistent with the type of development that is in nearby Adams Farm. This property has been zoned for single-family and he agreed with Mr. Pinto that the highest and best use would be to remain single-family. He might have considered RM-5 or R-7 zoning for multifamily or townhouse uses but not the RM-12 designation as presented. He was inclined to deny the request for rezoning.

Ms. Mazzurco echoed comments made by Mr. Lester. She did not feel the request was conditioned to meet the needs of the community. The request is vague and the density is too high. There are only six proposed units but there will be a parking lot to accommodate the development and a retention pond will be

necessary because of impervious surfaces. All of these things seem unlikely to fit in the given space. She stated her opinion that the highest and best use for this property is to remain residential single-family.

Acting-Chair Gilmer indicated his support for the request. Access is off a major thoroughfare and a lot of apartments have been approved over the years on this street. From his experience in the real estate business, he felt the highest and best use for this property would be for the proposed multifamily units.

Mr. Duggins commented that Hilltop Road is a major thoroughfare that is in close proximity to the Urban Loop. He agreed with Acting-Chair Gilmer and felt that single-family is not the highest and best use for this property. He plans to support the request.

In the matter of **Z-16-09-002**, Mr. Duggins moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 5100 Hilltop Road from R-3 (Residential Single-Family) to CD-RM-12 (Conditional District-Residential Multifamily) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest because it is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; it is consistent with the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing; and the request does provide measures to protect neighborhoods from potential negative impacts. The motion was seconded by Mr. Marshall. The Commission voted 3-5 against the motion and the motion was denied. (Ayes: Gilmer, Duggins, Marshall. Nays: Mazzurco, Lester, Pinto, Blackstock, Griffin.)