

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
OCTOBER 17, 2016**

**Z-16-10-004** 200 West Cornwallis Drive (north of West Cornwallis Drive and west of North Elm Street) – A rezoning request from R-3 (Residential Single-Family) to CD-RM-8 (Conditional District-Residential Multifamily) with the following conditions: (1) Uses are limited to residential uses only. – For the property located at 200 West Cornwallis Drive, generally described as north of West Cornwallis Drive and west of North Elm Street (1.07 Acres) – Joseph Turk  
**(FAVORABLE RECOMMENDATION)**

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

Dwight Stone, 1909 Lafayette Drive, was present in a dual role representing the Turk Heirs, owners of the property, and himself as the developer of Blakeney which adjoins the subject property. This request is for a proposed addition to the existing neighborhood, Blakeney at Irving Park, which is a mixture of maintenance free twin and single homes located near the corner of Cornwallis Drive and Elm Street. He originally attempted to purchase Mr. Turk's property, located to the west, when Blakeney was being built. At that time, Mr. Turk did not want to sell but he has since passed away and his heirs now desire to sell. Blakeney was originally designed with the hope Mr. Turk's property could be purchased. No new roads have to be built to access the proposed six single home sites; only the water and sewer services that were planned for. The Turk property is located between the Blakeney, zoned RM-12, and the Chiswick development to the west, zoned PUD. They intend to continue with the same product line as Blakeney on the proposed six home sites. Over 100 letters have been sent out and a neighborhood meeting was held at the model unit at Blakeney on October 3, 2016. There have been numerous meetings with HOA officials and representatives of the Chiswick development and with neighbors at the Blakeney development. There will be an approximately 50 foot buffer fronting on Cornwallis Drive along with an approximately 100 foot buffer to the north of the property. Under the proposed zoning, they could have more homes; however, they plan to limit the number to six homes.

Responding to questions, Mr. Stone said that Blakeney has 14 home sites and 11 homes are either occupied or are under construction. The HOA is represented by D. Stone Builders until a threshold is reached to be able to turn it over to the Association. He plans to continue the brick wall currently in place along Cornwallis Drive as far as the Turk property extends. In addition, he was amenable to adding a condition that there will be a maximum of six residential dwelling units on the property. Ms. Mazzurco commented that she would also like to see the proposed buffering added as a condition to this request.

**In Opposition:**

John Donahoe, 2 Blakeney Place, said that although 100 letters might have been sent out, Blakeney homeowners were not invited to the neighborhood meeting at the model unit. He expressed safety concerns and related two separate instances where property damage has occurred from cars driving along Cornwallis and Elm Street turning into Blakeney Place. He cited a large amount of traffic traveling at the intersection of Elm Street and Cornwallis near to where Blakeney is located and felt the proposed plan would make it even more difficult for traffic to get in and out of the development. There is no guest parking at Blakeney except for in the driveway and there is limited space available in between the houses.

It was noted that the percentage of occupancy in the built-out units must be 80% in order to turn control over to the HOA. At this time, ten units have been built-out and seven of those are occupied. Mr. Donahoe felt it would be a very long time before the HOA would be under the jurisdiction of the home owners. The

first house was built at Blakeney in 2011. He felt the density was too high and additional parking space should be available in the proposed expansion.

Bill Ryan, 8 Blakeney Place, stated his opposition to the proposed request. The developer invited 100 people to talk about the proposal but he invited none of the existing homeowners. Most of the homeowners are present at this meeting to learn about the development. He expressed concerns about the traffic issues. There is really no parking available at Blakeney and the proposed homes will make the traffic even worse. He was also concerned that the developer was not talking to the Blakeney homeowners about what he is doing for the community.

Ms. Mazzurco asked if it was possible the management company sent out a notification about the meeting. Mr. Ryan said that homeowners were not invited to the meeting by Lambeth Management Company.

Sylvester Waller, 17 Blakeney Place, described property damage that occurred to his home as a result of a speeding car coming into the development off of Elm Street. He cited a number of cars driving aggressively through the neighborhood. He did not feel it was wise to build additional homes in the development due to the increase in traffic that would occur. The development serves as a cut-through for traffic trying to avoid the traffic signal at the intersection.

Dr. Edward Hollander, 18 Blakeney Place, said that traffic is a major problem trying to get in and out of the development and additional homes would make the matter worse. He expressed concern that the resulting density from the proposed development would negatively affect property values. He was not informed about the neighborhood meeting and was not supportive of rezoning the property.

### **Rebuttal in Support:**

Dwight Stone addressed comments made by residents. All of the neighbors currently live in property zoned RM-12. He has copies of all of the 104 letters that were sent out to the neighborhood. The letter of August 17, 2016 informed every one of their plans for the Turk property, followed by an update on August 29, and a letter was sent out September 15, 2016 advising every one of the October 3, 2016 informational meeting in the Blakeney model in the neighborhood. Recently a letter was sent out saying they would be glad to meet anyone at their office or the Blakeney model. Most all the mailboxes at Blakeney were stuffed with at least two of the letters that were mentioned. The meeting was held at the model unit on October 3, 2016 and residents from Chiswick were in attendance. He was unsure why Blakeney residents did not attend because they were not trying to hide anything from the neighbors. In fact, Mr. Stone met with Mr. and Ms. Donahoe personally along with Mr. Waller regarding the Turk property.

Mr. Stone said that traffic is congested on Elm Street and Cornwallis Avenue. Some people have tried to use Blakeney Place as a cut through at times and it has become problematic. He has had conversations with several homeowners who would like to have a gate installed at one or both of the entrances and he has no problem looking into the cost of installation.

Relative to parking concerns, each home in Blakeney has a two-automobile garage with the required two parking spaces outside of the garage on the driveway. In addition, there is parking on the street in the development for a limited time as long as a driveway is not blocked. Mr. Stone uses Lambeth Management to manage the HOA and there must be an 80% threshold of residents who live in neighborhood to be able to turn over the HOA to residents. The proposed development will be part of the Blakeney Place Homeowner's Association.

Responding to questions, Mr. Stone said that the street is a private street built to City standards. The Blakeney development has six twin homes that are connected along with some detached homes. They are proposing to build six detached homes in the new development.

Ms. Smith confirmed that the individuals who have spoken in opposition to this request are on the City's mailing list and should have received notification.

Counsel Jones said that the site plan is for illustrative purposes only and there is no condition has been presented that would require the proposed layout or number of units. Mr. Stone offered to limit the plan to six housing units.

**Additional/Amended Condition:**

Amended Condition:

**1. Use is limited to a maximum of six (6) residential dwelling units.**

Additional Condition:

**2. No building shall be located closer than 50 feet to West Cornwallis Drive and no closer than 75 feet to the northern property line.**

Ms. Mazzurco moved approval of the amended condition and the added condition as presented, seconded by Mr. Pinto. The Commission voted 8-0 in favor of the motion. (Ayes: Bachmann, Gilmer, Marshall, Blackstock, Lester, Duggins, Pinto, Mazzurco. Nays: None.)

Mr. Stone clarified that the entrance and exit to be used by the new development will be the same as what is currently in place at Blakeney Place.

Ms. Mazzurco asked if the streets in Blakeney are wide enough for parked cars and any emergency vehicles that might be required. Mr. Tipton said that he was unsure what the dimensions of the street are; however, private streets are allowed to be a minimum of 24 feet and these standards are set by the fire department and EMS services. Mr. Stone said that the width of the streets in Blakeney is 24 feet.

**Rebuttal in Opposition:**

John Donahoe pointed out that four of the residents from the seven units that have been sold are present tonight in opposition to this request. He questioned why four people would show up and say they did not get the letter. He did speak with Mr. Stone but the neighbors were not invited to the informational meeting.

Bill Ryan reiterated that he did not get invited to the discussion meeting. There was no sign posted indicating there was a homeowners meeting. Following up on the traffic issue, the streets may be the correct width for the City's requirement but he questioned the ability of a fire truck to get through if cars were parked on both sides of the street. The development cannot support traffic generated by six more homes.

Sylvester Waller encouraged Commissioners to visit the community to witness the traffic and parking situation. Members informed Mr. Waller that Commission members are encouraged to visit all rezoning sites. Ms. Mazzurco indicated she had visited the site several times.

There being no other speakers, Chair Bachmann closed the public hearing.

### **Staff Recommendation:**

Mr. Kirkman stated that this site is designated as **Low Residential** on the Generalized Future Land Use map. The Low Residential category 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 of land. In conjunction with the zoning application, the applicant filed a Comprehensive Plan amendment to revise the future land use category to Moderate Residential. This category 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. The proposal supports the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods. The CD-RM-8 district, as conditioned, will accommodate residential uses only and now there are additional conditions. Staff is recommending approval of the request.

### **Comments:**

Mr. Duggins commented that Mr. Turk's property is currently zoned R-3 but it is in between two properties that are both zoned multifamily. He felt it was unlikely someone would do an R-3 development on the proposed property with the current street front in between two multifamily developments. He is very pleased with the two added conditions and noted that the proposed development will be at half the density of the adjacent property. He plans to support the request.

Mr. Pinto plans to support this request, particularly with the additional conditions limiting the use to six dwelling units with buffers on both sides. The general trend along Cornwallis Drive is moving to multifamily use. It would be difficult to keep this as a single house in between two multifamily developments. The R-3 as it currently sits would allow three residential structures to be placed on the lot. This request is a perfect solution because the new development can use the already owned Blakeney Drive as an access point. Otherwise, a future developer without this access would have to figure out how to get three units in and out of the long, narrow lot.

Ms. Mazzurco indicated that she plans to support the request due to the conditions that were added for density and buffering. She encouraged the homeowners to continue to work in harmony with the developer and to try to get the gates installed to address some of the traffic issues. The trend in the community has transitioned to multifamily and the R-3 zoning makes no sense now. She felt this request represented the highest and best use of the property with the conditions that were added.

Mr. Lester hoped that this conversation was constructive and could be built upon. Agreeing with comments made by Mr. Pinto, he felt this would be a good change to the current zoning.

Mr. Gilmer was in agreement with comments made by Commission members. He said that Mr. Stone has a good reputation as a builder and he planned to support the request.

In the matter of **Z-16-10-004**, Ms. Mazzurco moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 200 West Cornwallis Drive from R-3 (Residential Single-Family) to CD-RM-8 (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 Housing and Neighborhoods goal to meet the needs of future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods. The proposal is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the request does implement measures to protect neighborhoods from potential negative impacts.

The motion was seconded by Mr. Gilmer. The Commission voted 7-1 in favor of the motion. (Ayes: Gilmer, Marshall, Lester, Griffin, Duggins, Pinto, Mazzurco. Nays: Blackstock.)