

**PARTIAL MINUTES OF THE
ZONING COMMISSION
July 17, 2017**

Z-17-07-002 4716 Hicone Road (south of Hicone Road and west of Chinaberry Place) – An original zoning request from County RS-30 (Residential Single Family) to City CD-C-L (Conditional District Commercial Low) with the following condition: 1) Maximum building square footage shall be 5,000 square feet. – For the property located at 4716 Hicone Road, generally described as south of Hicone Road and west of Chinaberry Place - Tammy Stanley for John M. & Carolyn S. Jenkins. **(RECOMMENDED DENIAL)**

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

Chair Bachmann asked if there was anyone wishing to speak in favor of this matter.

Tammy Stanley, 5517 Eckerson Road, the applicant, stated that she owns and operates an in-home beauty salon, which has been in operation since 1996. Her daughter works with her and they want to expand the business and offer more amenities to their clients. They would like to offer massage, manicures and pedicures and possibly a barber. The property is a vacant lot and owned by one of her customers and zoned residential, so it needs to be changed to zoning that would allow her business. The proposed building would only be 3,000 to 4,000 square feet and inside the building would be suites for independent contractors where they would rent their suite and offer services to clients. She would like to see this area expand and grow. In response to questions, Ms. Stanley stated that she has not met with the neighbors but she sent out a letter that was mailed June 21st. That letter went out to 54 of the surrounding neighbors. She has also spoken to several of the neighbors who are her current customers. Parking will not be a problem because the property is large enough to provide the required parking spaces for the square footage of the building.

John Jenkins stated that he owns the subject property. Ms. Stanley has cut his hair for several years and he has never seen more than three people at the business at one time. It is always quiet and he does not feel that this would change the neighborhood character because this property is approximately one block across Hicone Road from where she operates her business now.

Chair Bachmann asked if there was anyone wishing to speak in opposition to this matter.

James H. Bryant, 4720 Hicone Road, stated that his property is next door to the subject property. He is concerned that putting a business on the property will increase his property taxes. He is also concerned about an invasion of his privacy. Hicone Road is a very busy road and putting more business on the road is going to cause more traffic and safety concerns. He also has concerns that the beauty shop may not remain on the property and the building could be rented or sold for another business that may not be a desired business for this area. He urged the Commission to not rezone this piece of property.

Archy Luffman, 5310 Ashworth Road, stated that Hicone Road and Eckerson Road are really bad traffic areas. There is no traffic light at that intersection and there is a housing development nearby that creates traffic all day. NCDOT came out and raised the elevation of the road by one foot and that only caused more problems for sighting at that intersection. It is now harder to get out of Eckerson because there is a blind spot where you cannot see on-coming traffic and he has personally seen over 2 dozen accidents in the last 23 years. NCDOT says they cannot put a traffic light at that location and one is needed very badly. He is really concerned about the safety of this intersection. He feels that having a business on this property is only going to cause more problems. He asked the Commission to deny the request.

Sarah Luffman, 5310 Ashworth Road, stated that they have contacted the NC Department of Transportation and they counted the cars coming through this area about 10 – 15 years ago. There are three schools out in this area and there is a lot of traffic every day with students and parents and school buses traveling on this road. They do not mind the applicant having a business, but they do not feel this is the right location for a

business because of the traffic safety reasons. She asked if they would be required to be annexed into the City. Mr. Kirkman stated that they would not be required to be annexed, but if they want to be annexed they would have to submit a voluntary request for annexation.

Angela Luffman, 5002 Hidden Brook Court, stated that she is also concerned about the traffic problems in this area. It would be very difficult for someone to exit the subject property because of the sight problems and the blind spot on Hicone Road. She feels that if another business is added in the area, there will be additional accidents and safety issues in the future.

Rebuttal in Favor

Tammy Stanley stated that she only wants to add to the community. She has contacted someone about doing a traffic study and from his data, he told her a traffic study was not needed. She acknowledged Hicone Road is a busy road but noted there are turning lanes to make right and left turns. She hates that people are opposed to her request. She just wants to have a small business. In response to questions, Ms. Stanley stated that she hopes to have around 10 – 13 people in the building. Not everyone would be at their station at the same times of day. The business would not be operating in the late night hours and there would not be an additional noise, no activities going outside of the property.

Rebuttal in Opposition

Angela Luffman asked that the photograph showing the subject property and Hicone Road be brought back up. She stated that there is a turn lane that would be near the property, but up from it is the intersection and people try to turn into that turn lane early and late and could cause serious problems.

Archy Luffman stated that there are turn lanes on Hicone Road but the blind spot he spoke of earlier is still a major safety concern. He reiterated that there have been a lot of accidents in this immediate area over the last years.

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

Staff Recommendation:

Mike Kirkman stated that the Comprehensive Plan's Generalized Future Land Use Map designates this area as Interim Node of Mixed Use. The Interim Node of Mixed Use classification includes areas with a mixture of uses of high and moderate density, primarily providing services to the surrounding area (e.g. small to mid-size shopping areas that could include higher density housing, office, and institutional uses). Proposal supports the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy and the Growth at the Fringe goal to promote sound and sustainable development patterns. The CD-C-L zoning district includes low intensity shopping and services close to residential areas. Staff recommends approval of the request.

After significant discussion from the Zoning Commission regarding potential traffic impacts, the ideal edge of commercial retail from the highway interchange and potential impacts on nearby residences, in the matter of **Z-17-06-002, 4716 Hicone Road**, Ms. Mazzurco moved that the Greensboro Zoning Commission believes that its action to deny the rezoning request for property located at 4716 Hicone Road from County RS-30 (County Residential Single Family) to City CD-C-L (Conditional District Commercial Low) to be inconsistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be unreasonable and not in the public interest because 1. The request is inconsistent with the Growth at the Fringe goal to provide the framework for the fringe. 2. The request is inconsistent with the Economic Development goal to promote a healthy and diversified economy; 3. Even with the proposed condition, the project is not compatible with the surrounding properties. The motion was seconded by Mr. Blackstock. The Commission voted 6-3 in favor of the motion to deny the request. (Ayes: Bachmann, Mazzurco, Blackstock, Lester, Pinto, Duggins. Nays: Marshall, Gilmer, Griffin.)