

**PARTIAL MINUTES OF THE
ZONING COMMISSION
February 18, 2019**

Z-19-02-004 132-136 Wolfetrail Road and 132 near Wolfetrail Road (North of Wolfetrail Road and south of Interstate 40/85) – An original zoning request from County RS-30 to City CD-RM-18 (Conditional District Residential Multifamily)

1. Uses shall be limited to multifamily residential uses.
2. Building height shall be limited to maximum of 50 feet in height as viewed from Wolfetrail Road (APPROVED)

For the property located at 132-136 Wolfetrail Road and 132 near Wolfetrail Road, generally described as north of Wolfetrail Road and south of Interstate 40/85 (20.64 Acres) – Thomas S. Holderby, on behalf of Karen B. Van Dyke; Hilda Bason; Kelly and Shirly Gilbreath; and Stephen and Jeremy Curtis (**FAVORABLE RECOMMENDATION**)

Z-19-02-005 A portion of I-85 right-of-way (West of South Elm-Eugene Street and east of Randleman Road) – Original zoning from County AG (Agricultural) to City R-3 (Single Family Residential). For a portion of I-85 right-of-way, generally described as west of South Elm-Eugene Street and east of Randleman Road (4.62 Acres) – City of Greensboro (**FAVORABLE RECOMMENDATION**)

Lucas Carter described the subject properties, as well as surrounding properties, and noted issues in the staff report. He stated that the Commission would be making two recommendations. The first recommendation will be for the subject property at 132-136 Wolfetrail Road and 132 Near Wolfetrail Road and that will be the Conditional District request. The second recommendation will be for the part of the I-85 right-of-way, this is dependent on the Conditional District request as this is publicly owned land that is between the subject property and the primary corporate limits. They can't attach conditions for the I-85 right-of-way request.

Ms. Mazzurco asked if these were two different original zonings request. Mr. Carter stated that was correct. Ms. Mazzurco stated this is just like the case they just heard but the only difference was there is no R-5 or PI element in these. These are just original zoning requests that have to go together. If one does not get approved, then the other one does not need to be approved. Mr. Carter stated that if case Z-19-02-004 does not get approved then there is no reason for the right-of-way for I-85 to be approved. Ms. Mazzurco asked to explain to her how this all came to be on the same night in the same book. Mr. Kirkman stated that the last case was an original zoning that was not in the City currently. The reason that those were able to be combined with the highway right-of-way was because they were requesting a straight zoning request with no conditions. This request is adding conditions to the private property that is currently outside the City and they can't add conditions to the publicly owned property, so therefore it had to have separate applications. Ms. Mazzurco stated that they were back to the magical word conditions. The conditions are making all the difference in the world. Mike Kirkman stated that the conditions here is what required two requests compared to the last case where there was only one request.

Chair Lester asked if there was anyone wishing to speak on this matter.

IN SUPPORT:

Jennifer Fountain, attorney, stated that she represents the applicant. She passed out materials to the Commission. and stated they were there to request approval of the initial zoning of 20.6 acres for conditional district multifamily zoning. The subject property is currently divided up into four separate tracks with four separate owners. The subject property is located next to an existing apartment development, Woodland Heights Apartments, also owned by the applicant. She noted that the existing apartments opened a few years ago and the occupancy rate is at 100% with a waiting list for three-bedroom units. This shows that there is additional demand for more apartments in this area. Ms. Fountain noted that her client sent letters to the neighbors on the distribution list that was provided by staff and received no concerns. Ms. Mazzurco asked about the conditions for the request. She noted that a traffic study was done on this case, but it

doesn't tell them how many units they are talking about. She asked how many units would be built. Ms. Fountain stated that it would be 288 units and that information was provided to the transportation department.

Chair Lester asked if there was anyone wishing to speak in opposition.

IN OPPOSITION:

Councilwoman Sharon Hightower, 6 Mills Court, stated that this was not really in opposition to the request but had some questions. She noted that they need new housing in District but 288 units seemed like an awful lot here. She is concerned about the traffic impact and was curious to know what was suggested in regard to public transportation since they struggle with the transportation system getting to certain properties and the further out they go the harder it is to serve that area. Chair Lester asked if there was a different zoning designation that she thinks would be appropriate for this property. Councilwoman Hightower stated that she had just heard about this tonight when she read it on the agenda so she doesn't have an appropriate answer right now. She would need more information to make that decision. She did think that they need to have some more community outreach in the area.

In Support of Rebuttal:

Jennifer Fountain stated that she was happy to answer any questions. She knows that the traffic study did not raise any concerns. She thinks that the waiting list that they are currently experiencing next door shows the need for more apartments in this area. Mr. Holston asked what is the average rent currently for a one, two, and three-bedroom apartment at the existing apartment complex. Counsel Jones stated that was not an appropriate question to ask.

Mr. Blackstock asked if Tab Three (3) in the book Ms. Fountain presented was the letter that they sent out to the neighbors and Ms. Fountain stated that was correct. Mr. Blackstock asked how many letters were sent out and Ms. Fountain stated that there were about 30. Mr. Kirkman then stated that there were 27 properties on their mailing list for public notices. Ms. Mazzurco asked if the applicant had to hire the traffic engineer to do the traffic study and Ms. Fountain stated that yes they had hired Mr. Davenport. Mazzurco stated that the site was accessed during A.M. and P. M. peak hours. It gives the number of vehicles then, but it did not count trips. She asked if she knew what the peak hours and days were. Ms. Fountain stated that she does not have that information.

Noland Tipton, GDOT, stated that transportation requires traffic counts to be done on Tuesday, Wednesday, and Thursday and peak hours are typically from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. Ms. Mazzurco asked if this was a 7 a.m. to 9 a.m. study. Nolan Tipton stated that they typically do a count all day, but the peak hour that they pull out of that count occurs usually from 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m. Ms. Mazzurco stated that the trip generation rate was 1,567 and that was just from one hour. Nolan Tipton stated that was for 24 hours. 104 trip generation was the a.m. peak hour and 128 was the p.m. hour and that is trips not vehicles. Ms. Mazzurco asked if that was made up of 15 minute increments consecutively. Noland Tipton stated that sometime during that peak timeframe there would be four consecutive 15-minute intervals that are the highest count. Ms. Mazzurco asked how many more trips are they going to see with 288 units. Noland Tipton stated that the traffic study has stated that 104 additional trips will be in the a.m. and 128 in the p.m. Ms. Mazzurco asked how many more trips Davenport's study is saying that this 288 units will generate. Noland Tipton again stated that it would be 104 and 128. The information is based on national studies across the country where they have gone out and done actual counts for apartment complexes. Most apartment complexes vary with one, two and three-bedroom apartments and they have taken that information sent in to ITE and it created equations and estimated rates. That is how they estimate trips.

Chair Lester stated that Councilwoman Hightower's concerns were about extending City services to the proposed property. He asked if that was something he could speak about. Nolan Tipton stated that would be a conversation with GTA, which bases their routes on ridership. The closest route is on Elmsley just north of the Wal-Mart. Mr. Holston asked if the numbers in the traffic study were inclusive of the projected construction of the 288 units. Nolan Tipton stated that was correct. Ms. Mazzurco asked about the number range of units that they used to determine the trips per unit per day. Nolan Tipton stated that without sitting there taking it apart he couldn't get the range. Mr. Engle stated that it looks like that if he took the 1,567 daily

trips divided by 288 units they would be looking at 504 trips per day during peak hours. Ms. Mazzurco stated that would be a lot less than the average, because the average is eight to twelve units if she was understanding what the State said in the last case that they talked about. Nolan Tipton stated that the State has reviewed this traffic study. Ms. Mazzurco asked why they would estimate less when they are adding 288 units. Nolan Tipton stated that the numbers they are giving are quick estimate numbers. Then once they get into the trip reports they use the appropriate land use and rate for this study.

Chair Lester asked if there was anybody else wishing to speak in opposition. Seeing no one come forward the Public Hearing was closed.

STAFF RECOMMENDATION:

Mike Kirkman stated that in regard to the property at 132-136 Wolfetrail Road and Near 132 Wolfetrail Road is currently designated on the Land Use Map as Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. The request 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 in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities and the Growth at Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use. The CD-RM-18 zoning district does include conditions to eliminate negative impact on surrounding neighborhoods. Staff recommends approval of this request.

Mr. Kirkman stated that the I-85 right-of-way is currently designated as Mixed Use Commercial and Mixed Use Residential. The Mixed Use Commercial designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. This request does meet the Comprehensive Plan's Growth at Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use and the Community Facilities goal to provide community facilities, services, and infrastructures in a cost-effective manner to meet citizen's needs. The City R-3 district is primarily intended to accommodate low density single-family detached residential development that would also include public infrastructure such as roads and public utilities. It is consistent with the current R-3 zoning for other portions of I-85 that is already within the City's jurisdiction. Staff recommends approval of this request.

COMMISSION DISCUSSION AND MOTION:

Chair Lester stated that they were considering case number Z-19-02-004, which is an original rezoning request with conditions. Then a companion case Z-19-02-005, which is the highway with no conditions and goes to R-3.

Mr. Engle stated that he was supportive of the requests. He understands the consideration about public transportation and that is important.

Mr. Engle moved that in regard to case Z-19-02-004, 132-136 Wolfetrail Road and 132 near Wolfetrail Road, the Greensboro Zoning Commission believes that its action to approve the zoning request for this property to be consistent with adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest because the request is consistent with the Comprehensive Plan's housing and neighborhoods goals to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. The request is consistent with the Comprehensive Plan goal for the Growth at Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands, seconded by Mr. Blackstock. The Commission voted 6-1 to approve the request. (Ayes: Lester, Engle, Blackstock, Holston, Alford, and Dansby-Byrd. Nays: Mazzurco)

Mr. Engle moved that in regard to case Z-19-02-005, I-85 right-of-way, the Greensboro Zoning Commission believes that its action to approve the zoning request for this property to be consistent with adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest because the request is consistent with the Comprehensive Plan's goal for the Growth at Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. It is consistent with the Comprehensive Plan's Community Facilities goal to provide community facilities, services, and infrastructures in a cost-effective manner to meet citizen's needs, future needs, quality of life, and support desired Land Use Maps, seconded by Mr. Blackstock. The Commission voted 6-1 to approve the request. (Ayes: Lester, Engle, Blackstock, Holston, Alford, and Dansby-Byrd. Nays: Mazzurco)