

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
August 19, 2019**

**Z-19-08-001: A rezoning request from R-3 (Residential Single-Family-3) to CD-R-5 (Conditional District – Single-Family Residential-5) for the property located at 1419 Manuel Street, generally described as east of Cecil Street and west of Karlingdale Drive, (1.08 acres). (Approved)**

Mr. Marshall recused himself from this matter.

Mr. Carter presented the zoning map and other summary information for the subject property and surrounding properties and noted the conditions included with the request.

Chair Lester asked if there were any questions of staff. Hearing none, Chair Lester called on the applicant to present their request.

Sonny Vestal, 501 Chancy Place, displayed an illustrative site plan and stated the lot would easily fit two additional homes and is requesting a rezoning from R-3 to CD-R-5 to create the new lots.

Chair Lester asked if there was any information or feedback from the community. Mr. Vestal responded there was none. Mr. Vestal stated he posted a sign on the property reflecting what was presented to the Commission.

Mr. Holston asked if the applicant reached out or had scheduled a formal meeting with the community.

Mr. Vestal responded he did not. He noted he had a list of all the homeowners but felt the sign was enough for notification.

Chair Lester asked if there was anyone present to speak in opposition to the request.

Joella Stargart Smith, 3101 Cecil Street. Ms. Stargart stated the developer is trying to put two homes in the middle of their community and no signage of any kind was done. The homes would be very close to her parents and she stated this an elderly neighborhood and they would like their neighborhood to stay as existing.

Chair Lester asked if there was anyone else who wished to speak in opposition to the request.

Sandra Reed, 3104 Cecil Street. Ms. Reed stated their homes have been there for 58 years and this is a small, tight knit community. The community had no knowledge of what was occurring until they received a notice from the City. There has not been an opportunity to speak with Mr. Vestal who is proposing to change this zoning and build the homes. Ms. Reed stated there is no outlet and more traffic would be problematic. Ms. Reed would have liked to have had the opportunity to speak with Mr. Vestal regarding what was being proposed for this neighborhood and have questions answered regarding the zoning change as there have been two new homes built with no zone change.

Chair Lester asked if there were questions from the Commissioners. Mr. Engle requested Mr. Kirkman to explain why the applicant needed to go from R-3 to R-5 when there are only 3 units on the 1-acre property. Mr. Kirkman stated the R-3 residential zoning district has a minimum lot frontage that must be met before a new lot can be created. Due to the way the road is configured, in order to do two new lots the minimum lot frontage cannot be met. If rezoned to the R-5 district, there is a slightly smaller minimum lot frontage and the new lots would then be able to meet that lot size. The request is limited to 3 residential dwelling units and from a density standpoint would be equivalent to R-3.

Chair Lester inquired if there was anyone else who wished to speak in opposition to the request. Seeing none, Chair Lester asked Mr. Vestal if he would like to respond to the opponents.

Mr. Kirkman noted the two lots shown on the image by Mr. Vestal are two additional lots. The property to the left of the image is part of the current lot on Manuel Street and part of the rezoning request.

Mr. Vestal indicated the site plan on the projector depicting how the houses will sit on the lot and feels there is ample room. He stated there is still quite a bit of road frontage for the size of the homes and they would be conducive to the neighborhood. The proposed lots would be equivalent to the neighborhood.

Mr. Holston asked if the plat provided by Mr. Vestal is showing only the property at 1419 Manuel Street, not inclusive of 3101 Cecil Street. Mr. Vestal responded it is just 1419 Manuel Street. Mr. Holston asked if the community saw the picture that has been shown to the Commissioners. Mr. Vestal responded the site plan the Commissioners reviewed is the same, but without the homes in the center of each lot. It is a site plan for 1419 Manuel Street.

Chair Lester inquired if there were any further questions. Hearing none, Chair Lester inquired if there was anyone who wished to speak in opposition in rebuttal.

Ms. Smith stated her issue is there would need to be a new road or a driveway created. Also, if two story homes are built, they will look down onto her parents' property and she was concerned with privacy. Ms. Smith stated the land where these homes will be built has always been one piece of property and only used as a garden. There will be added noise, lights, and traffic within an elderly handicapped community. Ms. Smith does not believe this is a good fit.

Norman Riddell, 3101 Cecil Street. Mr. Riddell stated he owns all the land facing Cecil Street and the developer will have to cut a road to Manuel Street and he would like to know how that will be done. Chair Lester referred the question to Mr. Tipton who is with the City's Department of Transportation. Mr. Tipton stated he did not have a scale to indicate anything specific but the site plan indicates two driveways, one for each of the houses in the curve where Manuel turns into Cecil. Ms. Smith stated that this is her father's driveway and behind his home is a cousin's home with a house in-between. She believes the new driveway would come down and be on her father's property and believes the road would not look good in their neighborhood.

Chair Lester asked if there was anything further she wanted to tell the Commissioners regarding her concerns. Ms. Smith responded she is concerned for the safety of the community and her parents. They are senior citizens, handicapped individuals, and people with disabilities in their community. Mr. Riddell stated he is concerned with individuals walking through his yard trying to get to Cecil Street. He will need to have a fence or people will be walking through the yard and creating disruption and destruction. There needs to be a way to go to Cecil without coming through his yard as Cecil Street is one way. Chair Lester then closed the public portion of the hearing and requested staff's recommendation.

Mr. Kirkman stated this site is currently designated as Low Residential on the Generalized Future Land Use Map of the Comprehensive Plan. The Low Residential designation includes the City's predominantly single-family residential neighborhoods, as well as other compatible housing types that can generally be accommodated within a density range of 3-5 dwelling units per acre. Staff does find the proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas as well as the Housing and Neighborhood's goal to meet the needs of present and future Greensboro's citizens for a choice of decent and affordable housing in stable, livable neighborhoods offering security, quality of life, and the necessary array of services and facilities. The proposed CD-R-5 request as conditioned, does limit potential negative impact on surrounding areas and staff is recommending approval of the request.

Chair Lester inquired if there were any questions for staff. Mr. Alford asked if the only thing that precludes the applicant from putting the houses up now is that there is not enough street frontage based on the current zoning. Mr. Kirkman responded that was correct. There is not have enough lot frontage to create the two new legal lots in the R-3 district. Mr. Alford stated the applicant would only be able to put one new home up then. Mr. Kirkman responded yes.

Mr. Trapp commented the Commissioners feel for the neighbors and with change there will be some hesitation and resistance but the Commissioners need to remember they are here to look at land use. The safety concerns may be valid concerns but not through this platform and would need to be addressed at a level beyond the Zoning Commission which would be TRC. He asked Mr. Kirkman if that was correct. Mr. Kirkman responded that larger subdivisions are addressed through TRC but this will be based off of building permit reviews for the individual lots in the minor subdivision. Mr. Trapp stated the Commission is here to look at land use and land use only. The other things may be valid concerns but out of the Commission's purview to address.

Chair Lester asked if there were any other discussions or a motion.

Mr. Pinto stated as to agenda item Z-19-08-001, the Greensboro Zoning Commission believes that its action to approve the zoning amendment for property located at 1419 Manuel Street from R-3 (Residential Single-Family-3) to CD-R-5 (Conditional District, Single-Residential-5) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons. The request is consistent with the Comprehensive Plan's Housing and Neighborhood's 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. The request is also consistent with the Comprehensive Plan's Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas. The request includes conditions that limits potential negative impacts to the surrounding area.

Motion by Mr. Pinto, seconded by Mr. Engle. The Commission voted 5-3. (Ayes: Chair Lester, Pinto, Alford, Trapp, and Engle. Nays: Dansby-Byrd, Holston, and Blackstock). Chair Lester then stated the motion passed but with less than 6 votes. It constitutes a favorable recommendation and is subject to a public hearing at the September 17, 2019 City Council meeting. Chair Lester advised those in opposition they will have another chance to have the matter heard at the City Council meeting.