

# *Greenbrier Small Area Plan*

*An Amendment to the  
2001 COMPREHENSIVE PLAN*

*LEXINGTON-FAYETTE URBAN COUNTY, KENTUCKY*



*Adopted: April 17, 2003*

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# GREENBRIER SMALL AREA PLAN

## INTRODUCTION

The *2001 Comprehensive Plan Update*, adopted in December 2001, includes broad recommendations related to general land use, community facilities and transportation for the entire Urban County, including both Urban and Rural Service Areas. Occasionally, issues arise that require smaller areas of the community to develop and adopt Small Area Plans (SAPs) that refine previously adopted Comprehensive Plans and provide a greater level of planning detail for that area of the community. These SAPs are adopted as amendments to the Comprehensive Plan and serve as the basis for future zone map amendment decisions per KRS 100. The *1996 Comprehensive Plan* also supports the use of Small Area Plans in its call for a “new way of planning” in Lexington-Fayette County. One aspect of the “new way of planning” was to initiate a continuing planning process to recognize and emphasize the importance of annual efforts to address specific and general planning issues rather than delay the resolution of major planning issues until the next comprehensive plan update. This Small Area Plan is for the Greenbrier neighborhood, at the eastern edge of Lexington’s Urban Service Area boundary.

Throughout the development of the *Expansion Area Master Plan* (EAMP, adopted in 1996), the Greenbrier neighborhood expressed concern about their inclusion in the Urban Service Area and the impact of such a decision on the character of the neighborhood. To be responsive to these concerns, the proposed rezoning of the entire Expansion Area included significant zoning conditions for Greenbrier. As a result of the neighborhood’s inclusion in the EAMP, Greenbrier was left vulnerable for higher density development than had been historically permitted in the area. After one rezoning proposal was approved in March 2001, the Urban County Council placed a moratorium on future development proposals for

the Greenbrier Neighborhood until the need for a small area plan could be studied.

In December 2001, the Greenbrier Area Study Committee, consisting of representatives from the Planning Commission and the neighborhood, began meeting to discuss alternatives to provide stability to the neighborhood, its accompanying golf course area, and the natural open areas. This Small Area Plan is the resulting recommendation of a report prepared by the Greenbrier Area Study Committee and builds heavily on the Committee’s report.

## DEFINITION OF STUDY AREA

The 409-acre Greenbrier neighborhood (Map 1) was added to the Lexington-Fayette County Urban Service Area (USA) in 1996 as a part of the first major expansion of the USA boundary since it was implemented in 1958. It is located east of I-75, on the eastern most edge of the USA, on the south side of Winchester Road (US 60). It is bounded to the east by ten-acre lots and larger agricultural tracts. It is bounded to the west and south by rural land that has also been brought into the Urban Service Area as a part of the 1996 Expansion. Much of this land is under development or is being planned for urban development. North, across Winchester Road, is agricultural land in the Rural Service Area.

The neighborhood (see Table 1, pg. 6) consists of 145 large residential lots (averaging 1.2 acres), zoned A-R; 90 smaller residential lots (averaging 0.42 acres), zoned R-1T; 5.5 acres zoned EAR-1; and a 169-acre golf course, zoned A-R. These areas are described in more detail later in this Plan. The entire Greenbrier neighborhood currently has a future land use designation of Expansion Area Residential-1 (EAR-1), which would allow a maximum build-out of three dwelling units per acre.

**TABLE 1**

Greenbrier Neighborhood Data

Area	Gross Acreage	Number of residential lots	Range in lot sizes (acres)	Average lot size (acres)
A-R zone (residential)	187.5	145	0.56 to 3.55	1.2
R-1T	49	90	0.33 to 0.94	0.42
EAR-1	5.5	15 townhouses (proposed)	n/a	n/a
Golf Course (zoned A-R)	169	n/a	n/a	n/a

## HISTORY OF STUDY AREA AND PLANNING ISSUES

During most of the forty-plus years since the Greenbrier community was developed, it has existed as a non-conforming use in the rural area of Fayette County. There are a limited number of comparable one-acre rural subdivisions which exist in Fayette County, all of which also predate subsequent larger lot size requirements. Greenbrier developed in two main phases. The first included the golf course and the one-acre portion of the subdivision. In the 1970s, a 49-acre portion of the neighborhood was zoned R-1T. This area subsequently developed as single-family detached homes on lots no less than 15,000 square feet. The majority (87%) of Greenbrier is zoned A-R.

In 1964, based on Health Department recommendations, the County adopted a ten-acre minimum lot size for rural areas of the County, which rely upon individual on-site septic systems to better protect the groundwater and the agricultural economy and rural environment in the County. In 1999, the Urban County Planning Commission adopted a *Rural Service Area Land Management Plan*, which further recommended increasing the minimum lot size in the Agricultural Rural (A-R) zone to a forty-acre minimum.

As the non-conforming residential areas of the Greenbrier subdivision developed in the 1960s and 1970s, problems with the on-site septic systems became apparent. The developer considered utilization of a private package treatment plant, but the neighborhood objected. The Fayette County Health Department determined that over 80 percent of the groundwater in the area was contaminated.

In the late 1970s, after continuing environmental concerns, the Greenbrier neighborhood worked with the city of Lexington to provide public sewer service to their rural subdivision. Extension of public sewer to this rural area was paid for by a grant and by the neighborhood residents. The twenty-year bond has recently been paid in full by the neighborhood. Construction of the sewers and two pump stations complied with all LFUCG requirements. The lines and pump stations have always been owned and maintained by the Urban County. Additional connections to the existing sewer service were restricted since installation. Now that Greenbrier is included in the Urban Service Area, as a part of the 1996 Expansion Area, all urban services will be available as the surrounding area develops, including improvements to the sanitary sewer system. Except for two lots, the subdivision has been at build-out capacity under the existing zoning for many years.

During the 1996 update of the *Comprehensive Plan*, a decision was made to add over 5,000 acres to the Urban Service Area. The existing Greenbrier subdivision and golf course were part of that expansion due to goals, objectives, and policies in place at the time. At that time, the Greenbrier residents expressed considerable concern about being included in the Urban Service Area, fearing immediate infill and loss of the unique character of their community. While the *1996 Expansion Area Master Plan* contains new land use categories and many special provisions related to how it is proposed to develop, it allocates a land use designation of EAR-1 to the Greenbrier neighborhood which would allow the possible redevelopment of the neighborhood at a density of three units per acre (through rezoning).

Many of the concepts in the *Expansion Area Master Plan* were reached through a community-wide consensus building process that were to be ensured by an Urban County Government-initiated zoning map amendment for the entire Expansion Area. When this zoning map amendment was initiated, it included many special provisions to protect the rural character of the Greenbrier community. When this mass zoning map amendment was not approved by the Urban County Council, the recommended





EAR-1 land use designation left Greenbrier vulnerable to more intense redevelopment. One such incident occurred in 2001, resulting in approval for a 5.5-acre tract to be developed into 15 townhouse units. This action reaffirmed the community's concern about developing a mechanism to ensure the stability of both the residential portions of the neighborhood as well as the golf course land. This SAP is a part of this effort to protect the community's rural character.



### EXISTING CONDITIONS

The Greenbrier Area Committee conducted studies to provide an overview of all aspects of the natural and built environment, including the present development patterns (streets and structures); infrastructure; tree canopy areas; drainage areas and other environmentally sensitive areas. These studies are reflected and expanded upon in this section of the Small Area Plan.

#### Land Use and Zoning:

Greenbrier was initially developed as a “rural/suburban” golf subdivision community in the Rural Service Area (prior to the implementation of the “10-acre rule” in 1964). The entire subdivision (Map 1) is comprised of 409 acres, 169 of which are in golf course uses. The original development was primarily one-acre lots and was zoned Agricultural Rural (A-R). In the early 1970s, a portion of the neighborhood was zoned R-1T. Although this zone permits townhouses, an agreement has limited its development to single family detached homes on lots no less than 15,000 square feet. Map 1 shows streets, lots, and setback patterns.

The existing development pattern is characterized by a large lot/large home pattern on an internal public street system. The street system is essentially rural in character with no curbs or gutters and only partial sidewalks. Setbacks are fairly large, averaging over 75-foot setbacks along most major roads in the A-R zoned area, over 100-foot setbacks on some of

the cul-de-sacs, and 40 feet in the R-1T area. These setbacks all provide large front yard areas exceeding the requirements of typical residential zones in Lexington.

The A-R zoned area consists of 145 residential lots, averaging 1.2 acres per lot, plus the golf course. The residential lots range in size from 0.56 acres to 3.55 acres, and total 187.5 gross acres. The R-1T zoned area consists of 90 lots, averaging 0.42 acres per lot. These lots are developed as single family detached homes and range in size from 0.33 acres to 0.94 acres, totaling 49 gross acres.

A 5.5-acre portion of the golf course property was rezoned to Expansion Area Residential-1 (EAR-1) in 2001 and is proposed to be developed in 15 townhomes. This rezoning and the concern about the potential for additional EAR-1 development is what precipitated the moratorium, the formation of the Greenbrier Area Study Committee and, subsequently, the development of this SAP.



# Greenbrier Small Area Plan

## Environmental Conditions:

Map 2 summarizes the environmentally significant areas identified in the data collection process. The lakes, floodplains, and a 25-foot buffer around these features occupy approximately 35 acres of the 169-acre golf course property. Drainage and floodplain-related areas are primarily in the area below the larger lake. The area below the lake has a history of flooding problems, and soils in the area are moist and often saturated.

The Expansion Area includes a master storm water management plan element. The larger Greenbrier lake and floodplain area were factored into the overall storm water management plan. They are not slated for public acquisition. The lake does not

currently function as a storm water control structure. Two drainage areas enter the lake and both will have future basins planned to assist the lake in the overall storm water management system. These will control both the quantity and quality of runoff into the Greenbrier lake.

There are a number of small sinkholes in the neighborhood as well. A few small tree stand areas with mature trees are located within the study area, particularly along the back property lines. The golf course acts as a natural drainage area, wildlife habitat area, recreational facility and a visual and environmental asset to the entire neighborhood.



*Clubhouse parking area*

*View across a golf course water hazard*

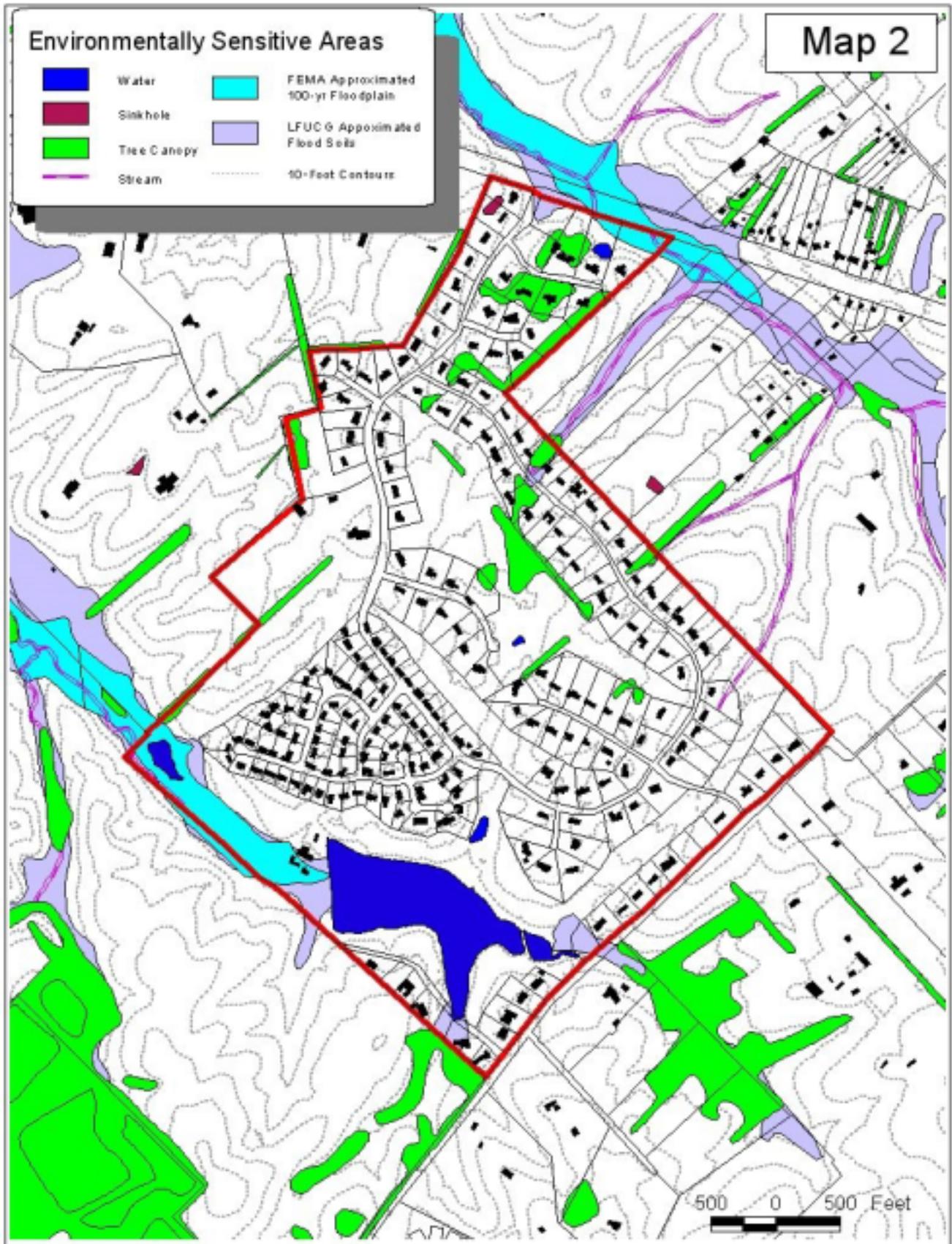


## Public Facilities/Infrastructure:

Map 3 shows the location of sanitary sewer lines that serve the Greenbrier area. As previously discussed, in the late 1970s, as individual on-site septic systems became more of a chronic problem for the community, the Greenbrier community worked with the city of Lexington to provide city sanitary sewer service to the rural subdivision. Extension of city sewer to this rural area was paid for by a grant and by the neighborhood residents. The twenty-year bond has recently been paid in full by the neighborhood. The sanitary sewer lines and

two pump stations depicted on Map 3 are owned and maintained by the Urban County Government.

As previously noted, this neighborhood is included in the Expansion Area's overall storm water management plan. The two drainage areas that enter the larger golf course lake have storm water basins planned (other than the lake) in the overall storm water management system that will control both the quantity and quality of runoff into the lake.









**Setbacks**

One of the significant physical attributes of the Greenbrier neighborhood that gives it the rural character that it wants to maintain is the large

setbacks for the homes that exist at this time. The following summarizes the average street setbacks by street within the development.

<b>TABLE 2 GREENBRIER NEIGHBORHOOD LOT SETBACKS</b>		
<b>Street</b>	<b>No. of lots</b>	<b>Setback</b>
Bahama Road (Winchester to Tabago)	10	75
Bahama Road (Tabago to Trinidad), including Clubhouse	10	70
Bahama Road (Trinidad to Jamaica)	25	40
Bahama Road (Jamaica to Cayman), including Jamaica	14	87.5
Bahama Road (Cayman back to Bahama)	38	92.6
Martinique Lane	7	102.9
Barbados Lane	6	75
Tabago Court	5	64
Trinidad Court	9	56.6
Cayman Lane	14	102.1
Entire R-1T area	65	40
Katkay Drive	5	34
Walnut Grove Lane	13	100

**ISSUES IDENTIFICATION/CONCERNS**

The major concerns of the Greenbrier neighborhood stem from its inclusion in the Urban Service Area in 1996. As previously discussed, the Greenbrier neighborhood was a part of the 5,300-acre “Expansion Area” and thereby is subject to the special planning and land use categories created for the expansion areas. Although the Expansion Area Master Plan contains many statements to support the protection and preservation of the existing character of the Greenbrier neighborhood, the land use element does designate Greenbrier as EAR-1, which could permit up to three dwelling units per acre. Neighborhood residents fear that smaller lots and residences could replace existing single-family homes on one-acre lots. Additionally, with EAR-1 zoning, property owners could consolidate lots for re-division into multiple smaller lots and/or develop accessory dwelling units permitted in EAR-1 zoning, but out of character with the rest of the neighborhood.

Another major concern involves any potential future development of the 169-acre club/golf course area. Concerns relate both to the potential density and to the type of housing permitted under the provisions of the Comprehensive Plan.

Much of the Greenbrier Area Study Committee’s discussions centered on examining these concerns, refining them, articulating them clearly and creating a statement of principles and objectives to guide future decisions about the area. The Committee agreed on the following principles. Some modification and clarification of these principles have been incorporated into this SAP. Map 4 depicts the subdivision areas and the golf course areas discussed in this section.

## Greenbrier Small Area Plan

### EXISTING GREENBRIER SUBDIVISION (A-R & R-1T) (See Map 4):

#### 1. Concerns:

- a. A-R or R-1T to EAR rezonings by homeowners
- b. Redevelopment of existing subdivision lots into more lots
- c. Redevelopment into housing types not typical to neighborhood (i.e., townhouses)
- d. Even if overall density is not increased, there is concern over the EAR flexibility for granny flats, setback flexibility, and similar features of the EAR zone category
- e. Maintaining existing Winchester Road setbacks
- f. Special concern over vacant lots at Winchester Road entry

#### 2. Potentially Appropriate Redevelopment Opportunities:

- a. Additions to, or replacement of, existing homes; provided that setbacks and yards are kept to a range consistent with neighborhood character
- b. Replacement with very large homes is acceptable with sufficient setbacks and open area in yards
- c. Different standards should be set for A-R and R-1T, as they are different and should remain so (for example, setbacks and lot sizes are different and should remain so)

#### 3. Problems with Infrastructure:

- a. Sewer problem near entrance
- b. Maintenance of large lot natural drainage along streets and driveways
- c. Be careful as additions and redevelopment occur – ensure that drainage systems can handle incremental increases in impervious surface

### GOLF COURSE AREA (see Map 4):

#### 1. Concerns:

- a. Maintaining club/golf course is preferred
- b. If redevelopment occurs in the future, it should be integrated into the Greenbrier area, not surrounding developments
- c. The overall character of any redevelopment should be in keeping with the physical area of Greenbrier to which it most closely relates (i.e., large lot or more compact)
- d. Lake, floodplain, and natural areas should be preserved, regardless of whether golf course remains

#### 2. Potentially Appropriate Redevelopment Opportunities:

*(See Map 4 for the following redevelopment principles for specific areas)*

- a. **Area 1** could redevelop off existing streets, with the preferred land use being single-family lots of approximately one acre, with setbacks as per the original A-R portion of Greenbrier.
- b. **Area 1** should include a greenway area, which would link with other former golf course areas to make a passive open “loop” throughout the development. The portion of Area 1 of an unsuitable shape and location for lotting should be part of the passive open space.
- c. **Area 2** could redevelop, with the preferred land use being single-family detached lots of approximately 15,000 square feet, with setbacks as per the original R-1T portion of Greenbrier.
- d. **Area 3** should primarily be preserved as the lake and open area, with passive system links to other areas of the development. **Very limited** development opportunities may be present due to natural and situational constraints; however, the focus of Area 3 is preservation, not redevelopment.
- e. **Area 4** possesses no reasonable redevelopment potential in a manner consistent with the area, with the possible exception of the creation of one lot on Bahama Road. It should be a part of the passive open space system.





## GOLF COURSE AREA (cont.):

- f. Any future street should be designed like the streets in the area it is close to, not the standard street sections for new development.
3. Problems with Infrastructure & Redevelopment Constraints:
- a. Flooding in southwest corner of site (Area 3)
  - b. Wet soils near lake not in designated floodplain area, and wet weather springs at various locations
  - c. Shape and configuration of some areas make redevelopment objectionable and inappropriate (Area 4, parts of Areas 1 and 3)
  - d. Access difficult to some areas
  - e. Numerous easements, particularly in Area 3  
Soil erosion control problems during redevelopment or when adjoining areas develop; potential excess siltation of lake

The Greenbrier Area Study Committee confirmed its analysis of the issues by developing a survey, which was completed by the residents of the neighborhood. The survey questions and a detailed analysis of the results are found in Appendices 2 through 4 of this Plan. Nearly 40 percent of the surveys distributed were returned. The strongest agreement among the respondents was to Questions 2 and 7. Responses to Question 2 indicate that over 90 percent of the respondents would object to the existing one-acre lots in Greenbrier being redeveloped into more and smaller lots. Responses to Question 7 indicate that over 90 percent of the respondents would prefer that the golf course/club remain in the future. In summary, the neighborhood survey validated the work of the Committee and the principles and objectives noted above.

## RELEVANT GOALS AND OBJECTIVES AND STRATEGIES

A review of the adopted Goals and Objectives of the *2001 Comprehensive Plan Update* reveals numerous Goals and Objectives that support the development and implementation of this Small Area Plan, as well as the recommendations of this SAP. The following are highlights of the most relevant Goals and Objectives.

**Goal #1:** Provide planning processes which enable wide-spread citizen participation and benefit Lexington-Fayette County

**Goal #3:** Promote land uses which are sensitive to the natural and built environment

**Goal #14:** Preserve, protect and enhance the character and quality of existing neighborhoods

### Objectives:

- A. Retain the character, identity and appearance of vital, successful residential and non-residential areas.
- B. Develop strategies to maintain, preserve and revitalize existing neighborhoods.
- C. Develop, adopt, and periodically review Small Area Plans (SAPs) as tools to address neighborhood and community enhancement issues; develop SAPs in a systematic manner, ensuring that they are thoughtful and inclusive, with broad neighborhood participation.
- H. Encourage innovative design, planning, and development solutions which are consistent with neighborhood needs and character.
- I. Study the creation of neighborhood protection overlay zoning provisions as a tool for establishing stability and protection in existing and, especially, older neighborhoods.

### **IMPLEMENTATION ALTERNATIVES/STRATEGIES**

After careful review of the issues, data, goals and principles, the Greenbrier Area Study Committee developed four alternative approaches for analysis by the Planning Commission in the Small Area Plan process. A table depicting these alternatives and the pros and cons of each is found in Appendix 5. Alternatives discussed included the creation of a new land use category, creation of a new zoning category, creation of a new overlay zoning category, and utilizing EAR-1 zoning with conditions.

As noted in the table in Appendix 5, each of the alternative approaches had pros and cons that were carefully weighed by the Planning Commission during this Small Area Plan process. While the “EAR-1 zoning with conditions” (alternative #2) is among the quickest and easiest to accomplish, the neighborhood continues to feel that this strategy alone does not provide it with the long-term protection it desires. On the other hand, the Commission and staff had concern about creating additional land use or zoning categories to achieve the desired results of this planning effort.

However, in a parallel planning effort in the Fall 2002, the Urban County Planning Commission and Urban County Council adopted a new zoning overlay category, described in more detail in the following section, that accomplishes much of what alternative #4 desires. Consideration of the Committee’s alternatives and this Small Area Plan’s recommendations are discussed in the next section as well.



## **SMALL AREA PLAN RECOMMENDATIONS**

The preparation and adoption of this Small Area Plan is the first step toward providing stability to the Greenbrier neighborhood and golf course community, as well as other rural neighborhoods. While limited, there are other existing large lot rural communities that could conceivably find themselves in the similar situation of being brought into a future Urban Service Area expansion. It is the hope of this planning effort that the unique characteristics of existing developments will be carefully considered and honored during other Comprehensive Plan efforts.

The recommendations of the SAP are modifications of the implementation alternatives and strategies discussed above and presented in Appendix 5, which are believed to meet the intent and goals of the alternatives considered. There are three primary components of these recommendations. The first relates to protecting the stability of the existing residential component of the Greenbrier neighborhood. The second relates to enabling and encouraging the golf course to continue to operate as a viable course and clubhouse within the USA. The third relates to ensuring that any future redevelopment of the golf course would be compatible with and enhance the existing neighborhood.

### **Existing Greenbrier Neighborhood**

The broad direction set by this Small Area Plan, no matter what mechanism is used to implement it, is to maintain the rural character of the development, including the large lot size; large setbacks; and substantial open space. This can be accomplished through conditional zoning in the EAR-1 zone, through the mechanism described below, or by a combination of the strategies.

It is the intent of this Small Area Plan that any future development or redevelopment in the residential portion of the Greenbrier neighborhood currently zoned A-R, and the area of the golf course identified as Area 1, consist of lots no smaller than one acre, no matter what zone is in place. The area of the golf course identified as Area 4 may accommodate one one-acre lot off Bahama Road; otherwise it is proposed to be a part of a passive open space system. Similarly, any future development or redevelopment in the residential portion of the Greenbrier neighborhood currently zoned R-1T, and the area of the golf course identified as Area 2, should consist of no lots smaller than 15,000 square feet. The area of the golf course identified as Area 3 is recommended as a preservation area; however, limited opportunities for some smaller lot development may be present; and if development is proposed, it should consist of lots no smaller than 15,000 square feet if it is in proximity to the existing R-1T area, and no smaller than one acre if it is in proximity to the currently zoned A-R residential area.

To this end, the first major recommendation of this SAP is a mechanism, other than conditional EAR-1

zoning, by which the existing Greenbrier neighborhood itself could be protected from inappropriate or incompatible redevelopment efforts. As a part of the recent Residential Infill and Redevelopment Strategies implementation package, the Lexington-Fayette Urban County Planning Commission and Urban County Council adopted a new zone entitled the Neighborhood Design Character Overlay (ND-1) zone. This is an overlay zone (Article 29 of the *Zoning Ordinance*) that is initiated by the interested neighborhood or area. As an overlay zone, the requirements of the ND-1 zone are in addition to those of the existing “underlying” zoning. Additionally, the zone requires the identification of key design standards to be preserved, which are implemented upon application for a building permit. (Note that H-1 zoning districts and National Register Historic Districts are not eligible for ND-1 overlays.)

The purpose of this zoning overlay category is to establish a design framework to conserve key features or visual and natural characteristics of an interested area or neighborhood. One of the goals of Article 29 that supports the efforts of the Greenbrier community is as follows:

“Encourage construction that will lead to continuation, conservation and improvement in a manner appropriate to the scale and physical character of the original buildings. Assure that new construction is in harmony with the scale and physical character of the original buildings of the neighborhood through the use of design standards.”

Each community requesting the ND-1 overlay zone must prepare a survey of the area desired to be protected. The survey must include specific design standards to be imposed by the overlay. The design standards can include specific structural features, such as roof shapes; building sizes; exterior building materials; as well as relational features, such as setbacks; natural areas; tree stands; fence rows; etc. to ensure future development is compatible with the identified existing neighborhood. The Greenbrier neighborhood may want to examine the deed restrictions currently in place for restrictions related to such design standards that might be applicable in the ND-1 overlay zoning recommendation. While the Planning Commission and LFUCG do not enforce deed restrictions, relevant design standards may have been incorporated in those drafted for the neighborhood which may be considered for incorporation by the Commission and Council as a part of the ND-1 overlay zone in this area. Adoption of the overlay zone requires staff and Commission evaluation and a public hearing process similar to other existing overlay zoning in the Urban County.

Section 29-3 lays out the specific criteria by which a neighborhood is eligible to request designation as a Neighborhood Design Character District (ND-1). These criteria include, among others, the following:

- 1) The overall character of the neighborhood would be maintained;
- 2) A need to protect the visual characteristics that give a neighborhood its distinct identity; and
- 3) The neighborhood is an established and geographically definable residential neighborhood, agricultural area, or business district, united by culture, architectural style, or physical plan and development.

Section 29-4 outlines the design standards analysis that an applying neighborhood must consider in its application for ND-1 designation, as well as the criteria for new construction or additions that would be included within the District. While lot size is not specifically mentioned, it is implied by other criteria, such as lot widths; building setbacks; rear yard building setbacks; etc. The goal of the development of these design standards is that each designated ND-1 area utilizes those design elements that are critical to maintaining the particular neighborhood's character.

This Small Area Plan recommends that the Greenbrier community initiate the ND-1 overlay process. Some of the data collected during the Greenbrier Area Study Committee's analysis of the community will be useful to the required survey process. In particular, the map and analysis of the setbacks will be useful. Through the survey process, the Greenbrier community will specifically identify what characteristics are most desired to be protected through the development of the design standards for the ND-1 request.

Once adopted, the ND-1 overlay zone's design standards will apply whether the properties are zoned A-R, R-1T, or EAR-1. As the neighborhood prepares the designation request, the ND-1 designation needs to be carefully considered so that this process protects the key features and distinct character of the neighborhood.

### **Greenbrier Golf Course and Club**

The second major recommendation of the SAP relates to encouraging the long-term viability of the golf course and club. As noted previously, over 90 percent of the survey respondents strongly desired that the golf course and club remain an integral part of the community in the future. In order for the golf course to maintain its viability, two things need to happen. One is for the neighborhood to maintain its unique character and attractiveness to ensure ongoing compatibility with the golf course community atmosphere. The second is to be able to maintain a course and clubhouse that can compete with other golf courses and related clubs within the Urban Service Area. One factor that may limit the golf course and club's ability to continue to compete

is its inability to expand beyond 10,000 square feet in structures due to current zoning provisions.

The golf course is currently zoned A-R and is shown on the *2001 Plan Update* land use map as EAR-1. Golf courses are no longer permitted in the A-R zone unless they are a pre-existing non-conforming use. Limitations have also been placed on the expansion of golf courses and related uses that predate 1995. Changes in the Zoning Ordinance to the A-R zone in the mid-1990s restrict certain conditional uses to a maximum of 10,000 square feet for all structures associated with that conditional use. Private clubs associated with these pre-existing non-conforming golf courses fall into this category. These restrictions currently preclude any significant expansion of the existing clubhouse associated with Greenbrier golf course while it exists in the A-R zone.

Golf courses are principal uses in the EAR-1 zone. Clubhouses associated with golf courses are conditional uses in the EAR-1 zone. However, a zone change to EAR-1 also permits the area zoned to develop as single family, two-family, multi-family, townhouse, and community residences. Such a zoning map amendment, while it would address possible future golf course growth issues, would not address the redevelopment concerns of the neighborhood.

While there may be alternative means of accomplishing this overall desire, this Small Area Plan recommends that the A-R zone language be modified to clarify that A-R land, which has been brought into the Urban Service Area (USA)

boundary as a result of a comprehensive plan expansion or modification, and is occupied by a non-conforming use as the result of the Zoning Ordinance language when it comes into the USA, should be exempt from the 10,000 square-foot restriction as long as the proposal is compatible with the other development occurring in the area. Note that such a change would also impact, among other things, churches that previously existed in the Rural Service Area but have been brought into the USA as a part of a planning process. A detailed analysis of the impact of such a text amendment on other conditional uses should occur as a part of any study or planning process to consider this implementation strategy. While growth of the current clubhouse facilities is not a foregone conclusion, addressing these limitations would be to the benefit of the community as a whole.

### **Potential Future Redevelopment of the Golf Course Acreage**

Although both the golf course owners and the neighbors greatly prefer that the golf course continue to be viable as a golf course and private club, this Small Area Plan would be remiss in not addressing the long-term possibility of the redevelopment of the golf course. It is recommended that the golf course area be included in the above referenced ND-1 overlay zone request. Utilizing the “Appropriate Redevelopment Opportunities” of the Issues Identification/Concerns section of this Small Area Plan and Map 4, potential redevelopment could occur in a way that allows it to be integrated into the existing residential neighborhoods.



### **ACTION PLAN**

One of the keys to making any planning process effective is a clear and detailed “plan of action” for the implementation of proposals and plans endorsed and adopted as a part of the process.

Upon adoption of the Small Area Plan as an amendment to the *2001 Comprehensive Plan Update*, the next steps in implementing the recommendations include the following:

- 1) Pursue Neighborhood Design Character Overlay (ND-1) by initiating a community survey for specific design standards;
- 2) Initiate zoning text amendment for A-R related to 10,000 square-foot requirement inside USA boundary or a similar text amendment to accomplish this goal;
- 3) Utilize the recommendations of this Small Area Plan when considering any zoning map amendment requests, or other types of development decision making within this Small Area Plan, possibly through conditional zoning. Any actions should further protect the subdivision’s rural character and plan design.
- 4) Develop a mechanism to ensure that it is as difficult and restrictive to overturn any of the recommendations and provisions of this Small Area Plan, as it is to initiate and implement them.

It should also be noted that the *2001 Comprehensive Plan Update* recommends a “sunset” policy of 10 years for Small Area Plans, with the pertinent land use, transportation, and other elements incorporated into subsequent Comprehensive Plans for ongoing “life” and implementation. This further reinforces the need for implementation efforts to be aggressively pursued. It also ensures that the recommendations of the Small Area Plans are carefully analyzed during each Comprehensive Plan update process.

**APPENDICES**

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### 1. GREENBRIER AREA STUDY COMMITTEE

The Greenbrier Area Study Committee was created by the Planning Commission in response to the settlement of litigation that arose from the *1996 Comprehensive Plan*. It was agreed that the Planning Commission would attempt to review and discuss concerns and issues of the Greenbrier neighborhood resulting from their inclusion into the Urban Service Area. The Committee agreed that its tasks would include a review of the existing conditions, identification of issues, examination of alternative future actions, and discussion of what the realm of implementation could include.

The Committee consisted of three Planning Commission members and two neighborhood representatives:

- Linda Godfrey (Planning Commission)
- Sarah Gregg (Planning Commission)
- Dallam Harper, Jr. (Committee Chair) (Planning Commission)
- Mariana Moore (Greenbrier Neighborhood)
- Emma Tibbs (Greenbrier Neighborhood)

All Committee meetings were open to the public. Later in the review process, the Committee decided to specifically invite the owners of the Greenbrier Country Club to attend the Committee meetings as non-voting members. Messrs. Larry and Morris Hart participated in the planning process as owners/operators of the club.

The Committee held meetings on the following dates:

- December 11, 2001
- January 8, 2002
- January 29, 2002
- February 12, 2002
- February 26, 2002
- March 12, 2002
- March 26, 2002
- April 9, 2002

The agendas for these meetings are attached as appendices to the Greenbrier Area Committee Report and are available upon request. In addition, the Division of Planning staff attended a neighborhood meeting hosted by the Greenbrier Neighborhood Association on the evening of April 23, 2002 at David's Fork Baptist Church on North Cleveland Road. Several Committee members were also present.



## 2. GREENBRIER SURVEY AND RESULTS

On Tuesday, April 23, 2002, a meeting between Greenbrier neighborhood residents and LFUCG Division of Planning and Department of Law staff was held at the David's Fork Baptist Church. This meeting culminated several weeks of discussions between a core committee (neighborhood residents and Planning Commission members) and staff. The purpose of the bi-weekly meetings and the April 23 meeting was to address concerns of Greenbrier residents regarding the future of the neighborhood. The April 23 public meeting was multi-functional. Division of Planning staff presented issues regarding maintaining the character of the neighborhood and ways to achieve that end in the event that, should the golf course no longer exist, there would be potential for redevelopment of the subdivision or development in addition to what is existing. The meeting was also an opportunity to get feedback from the residents of the Greenbrier subdivision in order to better address their concerns.

Following that meeting, a survey was mailed to each neighborhood resident/family with several questions/statements regarding feelings about keeping things as they are; possible redevelopment of the golf course and existing vacant lots; and types of redevelopment, should it become imminent. A scale of 1 through 5 was used, indicating level of agreement to each question, with "1" indicating strong disagreement and "5" indicating strong agreement. In addition, further comments were solicited, should the questions/statements not address specific concerns that residents might have. Not all questions

were answered, and not everyone added comments. Out of the 236 surveys sent, 93 were returned. Ninety-two actually contained answers to the questions, and one was returned in the form of a letter, addressing issues that they thought relevant. The results were calculated by taking the number of responses to a particular question, multiplying it by the points assigned (i.e., the level of agreement) and dividing that number by the total number of responses to get an average point score. The questions, as they appeared in the survey, as well as the results, are listed below.

**Question 1: I am concerned** about the nature of future redevelopment in the Greenbrier area.

Of the ninety-two (92) (survey) responses, eighty-one (81) responded that they strongly agreed with this statement. One questionnaire had no response to this question, and the remainder of responses ranged from "1" to "4", with only five (5) "Somewhat Agree" responses. The general average for this response was 4.74, which indicates that the level of concern regarding the future of the Greenbrier neighborhood on the part of residents who participated in the survey is very high. Several comments were received, stating that residents want no change to the existing character of the neighborhood.

**Question 2: I would object** to existing one-acre lots in Greenbrier being redeveloped into more and smaller lots.

Of the total number of responses, eighty-four (84) strongly agreed with this statement. The distribution of the remainder of responses was similar to that of question #1. The general average for this response was 4.83, indicating a strong objection to current lot sizes in the older area of Greenbrier being subdivided into smaller lots. The general consensus (between the survey questions and the added comments) seems to be that people moved to Greenbrier because of its unique character and do not want that character to change much, if at all. In particular, they do not want it to be or become "just another neighborhood." They like the existing setback and the density and would like to preserve as much green space as possible in the event that the golf course does develop in the future. However, most do not want to lose the golf course, some even stating that if the golf course is developed, they will move from the subdivision.

## *Greenbrier Small Area Plan*

Question 3: **I would not object** to large additions to existing homes in Greenbrier.

Of the total number of responses to question #3, only twenty-five (25) responded that they strongly agreed with this statement. However, twenty-seven (27) responded that they somewhat agreed. “No Opinion,” “Somewhat Disagree” and “Strongly Disagree” were fairly evenly distributed in their responses. The general average score for this question was 3.35, which seems to indicate that there is some concern on the part of residents regarding large additions and the possibility that this might change the character of the neighborhood, but not an undue amount. One person commented that larger houses would likely increase property values.

Question 4: **I would** want future home additions to respect such things as the existing setback from roads.

Of the total number of responses to this statement, seventy-four (74) responded that they were in strong agreement. Thirteen (13) responded that they somewhat agreed, and the remainder had either no opinion or disagreed with the statement. The overall average score for this question was 4.68. This, in combination with additional comments received, indicates that the residents prefer the existing setback from the road and do not mind the idea of large additions, provided these additions respect the setback, and provided they are “tasteful and in keeping with the character of the neighborhood.”

Question 5: **I would not object** to some existing homes being removed and replaced with larger homes on the same lot (no increase in the number of lots).

The responses to this statement were evenly divided between “Strongly Agree” (46) and the remaining four categories. Twenty-six (26) responded that they somewhat agreed, eleven (11) neither agreed nor disagreed, one (1) somewhat disagreed, and six (6) strongly disagreed. The average score was 4.13, which indicates that residents are generally in agreement that, provided the residential density is no more intense than currently exists, larger homes would not bother them.

Question 6: **I would** want such new homes to respect such things as existing setbacks from roads.

Of the total number of responses, seventy-seven (77) indicated strong agreement to this statement. Nine (9) responded that they somewhat agreed, four (4) had no opinion, and only one (1) voiced strong disagreement with this statement. The average score was 4.71; and combined with the added comments, it appears that existing setback has as much to do with the character they wish to preserve as does residential density and open space. However, when question #8 was answered, open space did not appear to be as much of an issue. (See below.)

Question 7: **It is my preference** that the golf course/club remain in the future.

Overall, the average score on this question was 4.77. Eighty-three (83) of the ninety-two (92) survey responses indicated strong agreement to this statement. Two individuals did not even answer, stating that this was an unacceptable option and the question did not warrant an answer. Feelings appear to be strong with regard to keeping the golf course as part of the subdivision.

***PLANNING FOR THE FUTURE INVOLVES CONSIDERING THINGS THAT MAY BE DIFFICULT TO IMAGINE. THE FOLLOWING ARE COMPLETELY HYPOTHETICAL QUESTIONS.***

***IF IT WERE INEVITABLE THAT THE GOLF COURSE LAND DEVELOP, and GIVEN THE SAME NUMBER OF HOUSING UNITS UNDER ANY OF THE FOLLOWING SCENARIOS:***

Question 8: I **would prefer** that any new development be “clustered” into townhouses or other uses to leave the maximum amount of open space.

Only ten (10) responses indicated strong agreement to this statement. Forty-three (43) indicated strong disagreement. The overall score for this question was 1.69. At first glance, there appears to be a discrepancy between the responses to question #6 and this question. However, the comments that were added indicate that although the residents prefer the open green space, if the golf course were to be developed, they would like to see one-acre lots as opposed to clustering of townhomes. This would be more in character with what they have, what they like about the subdivision, and what they wish to maintain; and “one-acre lots provide enough open space.”

Question 9: I **would prefer** that the development be single-family detached homes on lots the same size as currently exist in Greenbrier, even if this meant the loss of open areas.

Of the ninety-two (92) responses to this statement, fifty (50) indicated strong agreement. Twelve (12) indicated that they somewhat agreed with the statement, and thirteen (13) provided no response. The remaining three categories were fairly evenly distributed with regard to number of responses. In general, those that did not respond to the question/statement also provided no written comment, although some did state that developing the golf course was totally unacceptable as an option. The overall score for this question was 3.62. Based on the written comments (in general), if those that only provided written comments had answered the questions as they appear in the questionnaire, it is likely that the overall score would have been higher.

Question 10: I **would prefer** a mix of both of the above scenarios.

There was relatively strong disagreement when responding to this statement. Forty-three (43) out of ninety-two (92) responses were “Strongly Disagree,” with only five (5) indicating strong agreement (the lowest number of responses). The remaining categories (including no responses) were fairly evenly distributed, resulting in an overall score of 1.76. Based on the number of responses in the “Strongly Disagree” category and the distribution among the remaining categories, it appears that the option of any new development in the Greenbrier subdivision would be met with less than an enthusiastic attitude – whether it be developed as large lot single-family detached or clustering to preserve green space. There were exceptions to this in the comments, with a few individuals noting that townhomes (upscale) such as those proposed for the Harts’ property would be okay for elderly couples that can no longer care for large yards but, that would like to remain in the subdivision.

In summary, it was clear that the neighborhood survey validated the work of the Committee and the principles and objectives that it drafted. Raw statistical data from the survey is attached as Appendix 3, and a listing of general respondent comments that were written on the survey forms is included as Appendix 4.

**3. SURVEY STATISTICAL DATA**

Question #	1		2		3		4		5	
Points	# resp	raw score								
5	81	405	84	420	25	125	74	370	46	230
4.5	0	0	0	0	0	0	0	0	1	4.5
4	5	20	4	16	27	108	13	52	26	104
3.5	0	0	0	0	0	0	0	0	0	0
3	2	6	1	3	12	36	2	6	11	33
2.5	0	0	0	0	0	0	0	0	0	0
2	2	4	2	4	14	28	1	2	1	2
1.5	0	0	0	0	0	0	0	0	0	0
1	1	1	1	1	11	11	1	1	6	6
0	0	0	0	0	1	0	1	0	1	0
Did not answer	1		0		2		0		0	
AVERAGE SCORE:		4.74		4.83		3.35		4.68		4.13

Question #	6		7		8		9		10	
Points	# resp	raw score								
5	77	385	83	415	10	50	50	250	5	25
4.5	0	0	0	0	0	0	0	0	0	0
4	9	36	3	12	4	16	12	48	8	32
3.5	0	0	0	0	0	0	0	0	1	3.5
3	4	12	4	12	9	27	7	21	13	39
2.5	0	0	0	0	0	0	0	0	0	0
2	0	0	0	0	8	16	4	8	10	20
1.5	0	0	0	0	0	0	0	0	0	0
1	0	0	0	0	43	43	6	6	42	42
0	1	0	0	0	1	0	0	0	1	0
Did not answer	1		2		15		13		12	
AVERAGE SCORE:		4.71		4.77		1.69		3.62		1.76

**4. GENERAL COMMENTS NOT SPECIFICALLY INCLUDED IN THE  
DISCUSSION OF SURVEY RESPONSES**

- Should be able to expect surrounding properties to remain relatively the same as they are – inexcusable to think that everything could change without property owners’ concurrence
- Any new development should abide by the same deed restrictions as existing
- Create a new zoning designation to accommodate things as they are – do not want EAR-1 or even 10-acre A-R lots
- Character of Greenbrier is unique – don’t change it (several comments)
- Green space is important – if the golf course must be developed, one-acre lots are preferable; maintain some green space for biking, walking, possibly a 1- or 2-acre park; preserve the maximum amount of green space possible
- Keep the neighborhood intact; preserve its integrity
- No greater density if golf course does develop in future – would like to see estate homes on large lots
- Do not want congestion (traffic or otherwise) in neighborhood
- Traffic lights needed at entrances to subdivision
- Harts’ townhomes are okay – may serve as a buffer between Greenbrier and adjoining development
- Walnut Hill-Chilesburg Road should be re-opened
- Likes and appreciates the fact that the golf course is there, but would like it to be more accessible to everyone in the subdivision – can’t afford the membership fee

## 5. ALTERNATIVE COMMITTEE RECOMMENDATIONS

POSSIBLE APPROACH	PROs	CONs
1. Creation of a new Expansion Area Master Plan Land Use Category & Amendment to Comprehensive Plan: New Category for Greenbrier Area	<ul style="list-style-type: none"> <li>• Set a new Comp Plan direction for future zone changes other than the "straight" EAR-1 currently recommended in the EAMP</li> </ul>	<ul style="list-style-type: none"> <li>• Difficult process: Comp Plan amendment, with state statute requirements</li> <li>• Long Time Frame</li> <li>• No guarantee recommendations would be followed</li> </ul>
2. EAR-1 Zoning with conditions for Greenbrier  NOTE: This option was rejected unanimously by Greenbrier residents when proposed in 1996	<ul style="list-style-type: none"> <li>• Relatively quick to implement</li> <li>• Conditions can be designed</li> <li>• Specifically for Greenbrier "areas"</li> <li>• Can be done without any further amendments to the Comprehensive Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Lower standard for removal of conditions vs. rezoning</li> <li>• Greenbrier residents' past concerns and dislike for this approach</li> </ul>
3. Creation of a new <u>primary</u> zoning category, and application on Greenbrier area	<ul style="list-style-type: none"> <li>• Category might be able to be designed for other situations in addition to Greenbrier</li> </ul>	<ul style="list-style-type: none"> <li>• Another special zoning category; many feel there are too many zoning categories at present.</li> <li>• Lengthy 2-step implementation process (text amendment, then zoning change)</li> </ul>
4. Creation of a new zoning <u>overlay</u> category	<ul style="list-style-type: none"> <li>• Same as #3 above</li> </ul>	<ul style="list-style-type: none"> <li>• Same as #3 above</li> </ul>

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