



**CASE # Old Item A**  
**City of Greensboro Planning Department**  
**Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: April 14, 2008**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Derek Allen for Mary Louis White Estate
<b>HEARING TYPE</b>	Zoning Commission
<b>ZONING REQUEST</b>	<b>RS-12</b> (Residential-Single Family-12) to <b>CD-RM-8</b> (Conditional District-Residential Multi Family-8)
<b>CONDITIONS</b>	1) A maximum of 26 twin home units shall be allowed on the property.
<b>GFLUM</b>	<b>Low Residential to Mixed Use Residential</b>
<b>LOCATION</b>	3609 & 3615 Old Battleground Road, generally described as the north side of British Lake Drive and west of Old Battleground Road
<b>TAX MAP ID NUMBER (S)</b>	00-00-0345-0-0003-00-011 and 00-00-0345-0-0003-00-010
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 73 notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~4.57 Ac.
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Typical residential & institutional landscaping, in part

**SITE DATA**

**Existing Use**

Single-Family dwelling unit and a vacant lot

**Adjacent Zoning**

**Adjacent Land Uses**

N PI (Public and Institutional Use)

Guilford Courthouse National Military Park

E LI (Light Industrial)

Southern Foods Distribution Co./Self Storage

W CD-GB (Conditional District-General Business) and RM-8 (Residential-Multi Family-8)

Multi-Family dwelling units

S RS-12 (Residential-Single Family-12)

Single-Family residential units/Guilford Courthouse National military Park Land

**Zoning History**

**Case #**

**Date**

**Request Summary**

This property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:

Existing (RS-12)

Requested (CD-RM-8)

Max. Density:

3 dwelling units per acre

5.6 dwelling units per acre

Typical Uses

Primarily intended to accommodate single-family detached dwellings in developments where public water and sewer service is required. The overall gross density in RS-12 will typically be 3.0 units per acre or less.

Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses at a density of 8.0 units per acre or less.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

## **SPECIAL INFORMATION**

### **Overlay District Ordinance/Historic Preservation - NA**

#### **Environmental/Soils**

Water Supply Watershed	Yes, site drains to Greensboro Watersupply Watershed
Floodplains	N/A
Streams	N/A

Other Maximum built upon area (BUA) per watershed density is 70% of the site acreage for high density development. If high density development (24%-70% of BUA) is proposed all the built upon area must drain and be treated by a State approved water quality device (pond or similar). If low density development is proposed site must meet score sheet requirements. Potential for wetlands on site. Contact the State & Corps for any wetland disturbance or stream crossing or disturbance.

#### **Airport Noise Cone**

The subject property is not located in an Airport Noise Cone.

#### **Landscaping Requirements -**

Location	Required Planting Yard Type and Rate
North	Type B Yard – avg. width 30'; 3 canopy/100'/5 understory/100'/25 shrubs/100'
South	Type B Yard – avg. width 30'; 3 canopy/100'/5 understory/100'/25 shrubs/100'
East	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100'
West	Type D Yard – 5' minimum width; 2 understory/100'; 18 shrubs/100'

#### **Tree Preservation Requirements**

Acreage	Requirements
4.57 ac.	All trees 4" or greater DBH which are located within the required planting yards

## Transportation

Street Classification	Old Battleground Road – Collector Street.
Site Access	A maximum of one access point will be approved by GDOT. All access point(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts: Trip Generation:	Old Battleground Road ADT = 8,550 (2005). N/A.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There are no sidewalk projects in the area.
Transit in Vicinity	Yes, Route 8, Battleground Avenue.
Traffic Impact study (TIS)	No, not required per TIS Ordinance.
Street Connectivity	N/A
Other	N/A

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-RM-8** zoning would allow land uses that are incompatible with the existing development in the area, particularly with Guildford Courthouse National military Park as being a regional open space resource.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as Low Residential. The requested **CD-RM-8** zoning district is inconsistent with this GFLUM designation. As such an amendment has been requested.

## Connections 2025 Written Policies

Growth at the Fringe Goal: 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. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 4G.1: Promote compact development.

Parks, Open Space, and Natural Resources Goal: Protect and restore Greensboro's irreplaceable scenic and natural resources: its system of parks and greenways, urban and woodland tree canopy, stream corridors and wetlands, and air and water quality.

POLICY 5D: Preserve and promote Greensboro's historic resources and heritage.

POLICY 5D.2: Support protection of historic resources through district designation or development review.

POLICY 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

## Connections 2025 Map Policies

### Existing:

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

**Proposed:**

Moderate Residential (5-12 d.u./acre): 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.

**Comprehensive Plan Amendment History**

Case #	Date	Request Summary
CP-07-23	N/A	A request to amend approximately 2.28 acres located in the northeast quadrant of Lawndale Drive and Lake Jeanette Road from Low Residential to High Residential was withdrawn prior to Council consideration
CP-07-09	N/A	A request to amend approximately 2.28 acres located in the northeast quadrant of Lawndale Drive and Lake Jeanette Road from Low Residential to Mixed Use Commercial was withdrawn prior to Council consideration
CP-06-22	12/05/06	A request to amend approximately 2.6 acres located on the west side of New Garden Road, north of Brassfield Road from Moderate Residential to Mixed Use Commercial was approved by City Council

**Applicant Stated Reasons for Request**

**Explain in detail why the change is needed and a justification for such a change:**

The rezoning proposal associated with this requested amendment includes a residential density that exceeds the maximum density (5 units/acre) allowed under the current Low Residential designation.

**Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):**

This project is located in close proximity to areas currently zoned CD-GB and RM-8 that are more intense than the proposed change. There is also areas of existing industrial to the east of the site and the proposed change in classification would permit a project similar in character to surrounding development.

**COMPREHENSIVE POLICY PLAN ANALYSIS**

**Need for Proposed Change**

The applicant intends to construct a residential project (twin homes) whose density exceeds the existing land use designation of Low Residential. Thus an amendment to the Moderate Residential classification is being sought. The proposed amendment lies within a small area of Low Residential on the east side of Battleground Avenue with Major Parks/Open Space areas (primarily related to the Guilford Courthouse National Military Park) to the north and Mixed Use Commercial areas to the east and south.

This property is adjacent to the Guilford National Military Park and is within an area generally indicated for future acquisition to expand the park. While there are several industrial (self-storage, distribution facilities) uses immediately to the east of the site, areas to the south and west are currently single family residential uses or vacant parcels, with one small townhome development located to the northwest. Given the proximity of the large park in this area and existing development patterns, the existing future land use designation of Low Residential appears appropriate. Residential development is still viable, it simply would be limited more towards the single family development pattern just south of the proposed site rather than more intense townhome or apartment development that is located further away from this site.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service) - N/A**

**Implications, if any, the Amendment may have for Other Parts of the Plan**

Approval of this amendment would most likely encourage other properties currently designated Low Residential to seek increased densities, which could cause negative impacts for the existing military park or areas intended for future expansion

**Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3) – N/A**

**PLANNING BOARD COMMENTS**

The Planning Board met on February 20, 2008 and made the following comments concerning this request:

- Approval of change could be problematic for long-term expansion of the military park (a significant piece of Greensboro)
- The existing land use classification (Low Residential) is appropriate for this site and there's no compelling reason to change it to a higher intensity classification

**CONFORMITY WITH OTHER PLANS**

**City Plans - N/A**

**Other Plans - N/A**

**Staff/Agency Comments**

**Planning**

The proposed **CD-RM-8 zoning district** would allow land uses that are not compatible with the existing adjacent Guilford Courthouse National Military Park. This area has been generally earmarked for future acquisition to expand the park. This park is a Federal park of national historic importance and putting a multi-family development at the fringe will not be in the best interest of all.

There are a number of multi-family developments in the immediate vicinity and the applicant has not demonstrated the need for additional multi-family housing units in the area.

By approving this request, the City may not be able to ensure the protection of the National Historic Park. Staff has determined that disrupting public and institutional land uses with the intrusion of incompatible land uses is inconsistent with the intent and purpose of the zoning code.

**Greensboro Department of Transportation (GDOT) – N/A**

**Water Resources**

Potential for wetlands on site. Contact the State & Corps for any wetland disturbance or stream crossing or disturbance.

**Housing and Community Development**

This proposed development appears likely to impose significant negative impacts upon the Guilford Courthouse National Military Park, currently located immediately to the north. Pending approval of Cases Z-08-04-002 and Z-08-04-003, Guilford Courthouse National Military Park will also be located immediately to the west of this site, and in close proximity to the south of this site.

**STAFF RECOMMENDATION**

**PLANNING**

Staff recommends **denial** of the requested **CD-RM-8** (Conditional District-Residential Multi Family-8) zoning district.