

**City of Greensboro Planning Department
Zoning Staff Report and
Plan Amendment Evaluation
September 10, 2007 Public Hearing**

The information provided in this staff report has been included for the purpose of reviewing proposed zoning changes. Since the zoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee process to address subdivision and development regulations.

Item: A - Old Business
Location: 4100, 4108, 4110-4112 Lawndale Drive and 4201 Lake Jeanette Road (northeast quadrant of Lawndale Drive and Lake Jeanette Road)

Applicant: Derek J. Allen
Owner: Loretta H. Farthing Brown and Charles G. Sims

GFLUM

From: Low Residential
To: High Residential

Zoning

From: RS-15
To: CD-GO-M

- Conditions:**
- 1) Uses: All uses permitted in the GO-M zoning district except those uses requiring drive-thru service.
 - 2) The front façade of any building shall be constructed of primarily brick, stone, stucco, textured masonry and/or glass.
 - 3) The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.
 - 4) The maximum height of any building shall be one above ground story.
 - 5) Interior pedestrian circulation between principal buildings, and between principal buildings and public streets, shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition, walkways may be defined by painted cross-hatched areas.

SITE INFORMATION	
Maximum Developable Units	N/A
Net Density	N/A
Existing Land Use	Single Family Dwelling
Acreage	2.279
Physical Characteristics	<i>Topography:</i> Generally flat <i>Vegetation:</i> Wooded <i>Other:</i> N/A
Overlay Districts	N/A
Historic District/Resources	N/A
Generalized Future Land Use	Low Residential
Other	N/A

SURROUNDING ZONING AND LAND USE		
Location	Land Use	Zoning
<i>North</i>	2 Single Family Dwellings	RS-15
<i>South</i>	Single Family Dwellings	RS-15
<i>East</i>	5 Single Family Dwellings	RS-15
<i>West</i>	5 Single Family Dwellings	RS-12

ZONING HISTORY		
Case #	Year	Request Summary
D829	2007	This property has been zoned RS-15 since July 1, 1992. Prior to the implementation of the UDO, it was zoned Residential 120S. A request to rezone this property to Conditional District – General Business was denied by the Zoning Commission on May 14, 2007.

DIFFERENCES BETWEEN RS-15 (EXISTING) AND CD-GO-M (PROPOSED) ZONING DISTRICTS
RS-15: Primarily intended to accommodate moderate density single family detached dwellings in developments where public water and sewer service is required. The overall gross density will typically be 2.5 units per acre or less.
CD-GO-M: Primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at a density of 12.0 units per acre or less and supporting service uses. See Conditions for use limitations and other restrictions.

TRANSPORTATION	
Street Classification	Lawndale Drive – Major Thoroughfare, Lake Jeanette Road – Minor Thoroughfare.
Site Access	A maximum of one access point per street frontage as far away from the intersection as possible will be approved by GDOT. All access Point(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts	Lawndale Drive ADT = 23,700, Lake Jeanette Road ADT = 6,592.
Trip Generation	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.
Transit	Yes.
Traffic Impact Study	Not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

ENVIRONMENTAL REVIEW	
Water Supply Watershed	Yes, site drains to Greensboro Wastershed (WS-III)
Floodplains	N/A
Streams	N/A
Other	All the built upon area must drain and be treated by a State approved water quality device (pond or similar). The maximum built upon area (BUA) per watershed density is 70% of the site acreage for high density development. If low density development is proposed (<24% BUA) site must meet score sheet requirements.

LANDSCAPING REQUIREMENTS	
Location	Required Planting Yard Type and Rate
<i>North</i>	Type B Yard - 30' avg. width; 3 canopy/100'; 5 understory/100', 25 shrubs/100'
<i>South</i>	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100'
<i>East</i>	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100'
<i>West</i>	Street Yard - 8' avg. width; 2 canopy/100', 17shrubs/100'

CONNECTIONS 2025 COMPREHENSIVE PLAN POLICIES

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.

Housing and Neighborhoods Goal: 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.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

- Including protection against incompatible commercial encroachments into residential neighborhoods

Economic Development Goal: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Connections 2025 Map Policies:

The area requested for rezoning lies within the following map classifications:

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.

Proposed:

High Residential (over 12 d.u./acre): This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

COMPREHENSIVE PLAN AMENDMENT HISTORY		
Case #	Date	Request Summary
CP-05-06	8/1/05	A request for a Plan amendment south of the intersection of Lawndale Drive and E. New Garden Road, from Low Residential to Commercial, was approved by City Council
CP-06-07	4/4/06	A request for a Plan amendment on the south side of New Garden Road East, east of Lawndale Drive, from Low Residential to Commercial, was approved by City Council
CP-07-09	4/9/07	A request for a Plan amendment on the northeast corner of Lawndale Drive and Lake Jeanette Road was withdrawn

APPLICANT STATED REASONS FOR REQUEST

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

The applicant wishes to development an office building to serve surrounding residences. This proposal is not allowed with the current future land use 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.):

The applicant believes this site is an excellent location for a neighborhood serving office. The site is located between two thoroughfares and is therefore not appropriate for uses supported by the current Low Residential classification. The applicant also believes a small neighborhood oriented office could provide valuable services to the surrounding residential neighborhood.

COMPREHENSIVE PLAN ANALYSIS

Need for the Proposed Change:

The applicant is requesting a change in the future land use designation for this site in order to support the development of an office project. As the current Generalized Future Land Use Map classifications do not include a purely office category, the applicant is proposing a change to the High Residential land use classification, which specifically mentions office as a supported use. The applicant previously requested a change for this site from Low Residential to Mixed Use Commercial that was officially withdrawn prior to being heard by City Council.

The subject property is located between two relatively heavily traveled roadways serving a nearby single family residential neighborhood and other areas of north Greensboro. While the intersection is signalized there are limited connections to the surrounding residential areas (sidewalk is only in place on the side of Lawndale Drive opposite this site) making it difficult to argue that new non-residential development for this site can be truly “neighborhood” serving. Additionally there are a number of office uses further to the south around the Lawndale Drive/Pisgah Church Road intersection and a very small commercial area that could also support office uses to the north at the Lawndale Drive and E. New Garden Road intersection.

The proposed site is located along a stretch of Lawndale Drive that is designated for residential development. While it is important to establish neighborhood serving uses closer to residences in order to create opportunities for pedestrian activity from these neighborhoods, the location of any non-residential uses must make logical sense. While an office development would potentially have much less negative impact than the previously proposed mixed commercial uses, it is still difficult to make an adequate case that this non-residential use can indeed be considered “neighborhood serving”.

Given the presence of a number of larger residential lots along Lawndale Drive there is also concern that this proposal could be a catalyst for additional nonresidential development along Lawndale Drive that could result in strip development. The change in designation to High Residential can mitigate this concern to some degree but the fact remains that the proposed development will only include the office use. The inclusion of additional areas that could effectively incorporate a compatible residential component could help further address this concern.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service, traffic counts, planned road improvements, transit, accidents statistics, and environmental constraints such as; location within a Water Supply Watershed, floodplain, streams):

None

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

The approval of this proposal could change the standard for evaluating how neighborhood oriented non-residential uses relate to adjacent residential areas, as this site is not well connected to the surrounding neighborhoods that it is proposed to serve. It could also encourage other requests for non-residential development along Lawndale Drive, significantly changing the established residential pattern.

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3):

None

PLANNING BOARD COMMENTS

The Planning Board met on July 18, 2007 and made the following comments concerning this request:

- Location of site at intersection of two busy roadways supports change for non-residential uses
- Proposal for neighborhood serving office makes sense (High Residential only land use category that specifically encourages office uses)
- Proposed change should have limited impact upon adjacent residential area

CONFORMITY WITH OTHER PLANS

The following aspects of relevant plans may be applicable in this case:

City Plans: N/A

Other Plans: N/A

STAFF COMMENTS

Planning: The Lawndale Drive/Pisgah Church Road intersection has been identified as a commercial node in the past by the Pisgah Church Road/Lees Chapel Road Corridor Study. It is presently designated as Mixed Use Commercial on the Generalized Future Land Use Map of the Comprehensive Plan. Two sites are presently under construction for new commercial development – one being the former Food Lion Shopping Center and the other being the property at Martinsville Road and Braxton Lane. This Mixed Use Commercial area is the appropriate location for new office and commercial development in the extended area of the Lawndale Drive corridor.

Staff feels that nonresidential zoning and land use of the subject property would be out of character with the surrounding low density residential neighborhood. Staff is also concerned that approval of this proposal would set an adverse precedent for promoting strip nonresidential development in this section of the corridor.

Staff feels that the Low Residential land use classification is the appropriate designation for this area and that the High Residential classification would be out of character with the surrounding area and would establish an adverse precedent for future land development activity. Furthermore, staff feels that this proposal is not consistent with measures to protect neighborhoods from potential negative impacts of inconsistent development (Policy 6A.4 of the Comprehensive Plan).

Staff would support a proposal for CD-RM-5 on this tract since that density would be consistent with the Low Residential land use classification.

GDOT: No additional comments.

Water Resources: Additional Lake Jeanette specific watershed development requirements may apply due to site draining to Lake Jeanette. No additional comments.

Housing & Community Development: A CD-RM-5 proposal, as described in Planning staff comments above, would avoid detrimental impacts on the integrity of the surrounding Country Park Acres, Courthouse Square, and Three Meadows neighborhoods.

STAFF RECOMMENDATION

Based on all the information contained in this report, the Planning Department recommends denial of the Comprehensive Plan Amendment to the High Residential land use classification and recommends denial of the rezoning to Conditional District – General Office Moderate Intensity primarily due to:

- High Residential is not consistent with the character of the area.
- An appropriate node for commercial/office development exists to the south.
- Concern about establishing an adverse precedent for future land use decisions.
- Concern for the potential of promoting strip nonresidential development.

- Inconsistent with measures to protect neighborhoods from negative impacts of inconsistent development.

ADDITIONAL INFORMATION