



Z-08-04-009

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

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

**GENERAL INFORMATION**

<b>APPLICANT</b>	Marc L. Isaacson for Calvin and Virginia Jones
<b>HEARING TYPE</b>	Zoning Commission
<b>ZONING REQUEST</b>	<b>RS-12</b> (Residential-Single Family) to <b>CD-RM-18</b> (Conditional District-Residential Multi Family)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1) Use(s): Limited to multi-family dwellings (including condominiums, town homes and apartments) plus related and necessary accessory uses (e.g., amenities and storage areas).</li><li>2) The front elevation at street level of any building fronting Yanceyville Road shall not exceed two stories.</li><li>3) Applicant shall install and maintain an opaque wood fence adjoining any single-family residential zoned property.</li><li>4) Exterior building materials for any building shall be not less than 75% brick.</li><li>5) Access limited to one curb cut on Yanceyville Road.</li><li>6) Applicant shall, as required by the Greensboro Department of Transportation, install a turn lane and/or widen Yanceyville Road in connection with the development of the subject property.</li></ol>
<b>GFLUM</b>	<b>Moderate Residential to High Residential</b>
<b>LOCATION</b>	4107 Yanceyville Road, generally described as west of Yanceyville Road and the north side of Lees Chapel Road
<b>TAX MAP ID NUMBER (S)</b>	<b>00-09-0617-0-0592-00-032</b>
<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). 37 notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~3.43 Ac.
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Scattered trees

**SITE DATA**

<b>Existing Use</b>	Undeveloped
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N RS-12 (Residential Single-Family)	Multi-family dwellings
E RS-12 (Residential Single-Family)	Single-Family dwelling
W CD-RM-12 (Conditional District-Residential Multi-Family)	Multi-Family dwellings
S RS-12 (Residential Single-Family)	Convenience store (J .B. Food Mart)

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
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This property has been zoned RS-12 since July 1, 1992. Prior to the implementation of the UDO, it was zoned RA-40.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(RS-12)</b>	Requested <b>(CD-RM-18)</b>
Max. Density:	3 dwelling units per acre	18 dwelling units per acre
Typical Uses	Primarily intended to accommodate single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate multifamily uses at a density of 18.0 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 Watershed WS III tier 4
Floodplains	N/A
Streams	N/A

Other: Site must meet critical area requirements. Maximum built upon area is 40% per watershed requirements if the site has access to the City's sewer services. 15% of the property must remain undisturbed and platted as undisturbed easement. Channels that drain 17 cfs or more in the 100 yr storm, steep slopes adjacent to drainageways and wetlands must remain undisturbed and platted as Undisturbed Easements (UE).

All of the proposed built upon area must drain and get treated by a BMP (Best management practices). Please see City of Greensboro Ordinance 30-7-3 for Watershed Critical Area requirements.

### 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 C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100' <b>(when abutting existing single family use on the adjoining property)</b> AND Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100' <b>(when abutting vacant land use on the adjoining property)</b>
South	Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

### Tree Preservation Requirements

Acreage	Requirements
3.34	All trees 4" or greater DBH which are located within the required planting yards <b>OR</b> the equivalent as depicted <b>in theory</b> on the attached sketch plan.  <b>Reference Condition #3: Fences and walls are permitted within the Tree Conservation Areas provided there is no disturbance to the Critical Root Zone area of the trees being preserved (Section 30-5-4.4H). Fences and walls required to be placed within a Tree Conservation Area by this condition shall be installed primarily by hand. The use of mechanized equipment is restricted and allowed only with prior approval from the Urban Forester.</b>

### Transportation

Street Classification	Yanceyville Street – Major Thoroughfare, Lees Chapel Road – Major Thoroughfare.
Site Access	All access must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Yanceyville Street ADT = 8,943, Lees Chapel Road ADT = 13,596.
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. There are no funded sidewalk projects in the area.

Transit in Vicinity	No.
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-18** zoning would allow land uses that are **not** compatible with the existing development in the area.

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

The Generalized Future Land Use Map designates this location as **Moderate Residential**. The requested **CD-RM-18** zoning district is inconsistent with this GFLUM designation and 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.

*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.2:* Promote mixed-income neighborhoods.

*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.

*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:**

*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.

It appears that there is a drainageway crossing through the western portion of this site that is depicted on the City's "Drainageway and Open Space" map. When this site is subdivided, the Subdivision Ordinance will require the dedication of those areas to the City of Greensboro as drainageway and open space. The width of the dedication along

that drainageway will depend on the size of the pipe it would take to cross said drainageway. If a crossing would require a 66-inch or greater pipe, the required dedication would include the land between the natural one-hundred-year flood contour lines as determined by the City. That area may be reduced in width by filling provided that a minimum average width of two hundred feet is maintained, a minimum width of one hundred feet is maintained at the narrowest point, no fill is placed within a designated floodway, and no slope greater than three to one is created. Article VII, Section 27-22 Stormwater management control requirements, and federal wetlands regulations will prohibit or restrict fill placement in certain locations. If the crossing would require a pipe smaller than 66-inches the minimum average width would be sixty feet.

**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-07-33	10/16/07	A request to amend the Generalized Future Land Use Map from Low Residential to Moderate Residential for areas on both sides of Yanceyville Street, south of Lees Chapel Road, was denied by City Council
CP-06-02	02/07/06	A request to amend the Generalized Future Land Use Map from Low Residential to Moderate Residential for areas on the east side of Yanceyville Street, between Lees Chapel Road and Kenion Street, was approved by City Council.
CP-06-12	06/06/06	A request to amend the Generalized Future Land Use Map from Low Residential to Moderate Residential for areas on the south side of Lees Chapel Road and east side of Yanceyville Street west of Mitchell Avenue, 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 proposed density of the directly related rezoning request is too intense for the existing Moderate Residential future land use classification. A change is requested to facilitate a relatively small, high quality multi-family development.

**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.):**

Several conditions warrant a Plan amendment, including demographic shifts and recent development activity in this area; establishment of the plan to construct Painter Boulevard (Urban Loop) with an interchange near this property; and the proximity of local businesses, churches, retirement homes and recreational areas that call for efficient use of land to mitigate impacts on nearby areas.

## **COMPREHENSIVE POLICY PLAN ANALYSIS**

### **Need for Proposed Change**

The applicant is proposing to develop a multifamily project with a density greater than the 5-12 units per acre range allowed under the current Moderate Residential future land use classification. As such an amendment to the High Residential classification was requested.

This site is in an area on the edge of the city that has seen a great deal of transition in recent years from primarily single family residential development to a variety of multifamily developments including both townhomes and apartments. A section of the Greensboro urban loop will also be located further to the north with a proposed access interchange on Yanceyville Road.

While staff is supportive of additional multifamily development in this area, given both recent development patterns and the eventual opening of the urban loop section, staff is concerned about the proposed change to High Residential for this site. The predominant pattern of recent multifamily development in this area has generally been in the 8 to 12 units/acre range. Staff has supported increased density along Yanceyville Street, but only to the Moderate Residential range. While there may be some logic in siting the highest density residential developments in close proximity to significant transportation infrastructure such as the urban loop, staff does not see a compelling reason to change the existing land use designation of Moderate Residential for this site. Additionally the City's High Residential land use classification is generally located near the core sections of the city or in close proximity to job centers or major drivers of activity. These factors are not associated with this area on the periphery of the city.

### **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**

While this particular site is limited in size, the requested change in designation to High Residential may encourage additional similar requests in this area that would not be similar to recent development trends and may be difficult to service with existing infrastructure. Additionally the High Residential land use classification is intended to support areas with significant centers of activity, which do not exist around the proposed site.

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

The eventual opening of a section of the urban loop, with interchange on Yanceyville Road, supports transitions from single family to multifamily development. However staff feels the existing Moderate Residential land use classification is appropriate.

## **PLANNING BOARD COMMENTS**

The Planning Board met on March 19, 2008 and made the following comments concerning this request:

- Site's location within a Watershed Critical Area supports higher density development to preserve appropriate open spaces
- Existing Moderate Residential designation is appropriate as surrounding multifamily developments are between 5 and 12 units/acre
- There is no reason to increase allowable density for this site based on nearby land use trends

## **CONFORMITY WITH OTHER PLANS**

**City Plans - N/A**

**Other Plans - N/A**

## **Staff/Agency Comments**

### **Planning**

The proposed **CD-RM-18 zoning district** would allow land uses that are not compatible with the existing development in the general area. To the north and east of the subject site are single-family residential dwellings, multi-family dwellings to the west, a church and a convenience store to the south. There are several multi-family developments in the general neighborhood with densities ranging from 8 dwelling units per acre to 12 dwelling units per acre.

Staff has made a determination that the requested CD-RM-18 is generally not compatible with the surrounding uses. However staff will be amenable to a density of 12-14 dwelling units per acre which will be compatible with the surrounding uses. Staff would also be amenable to recommend the request if mixed use principles were incorporated into the design of the project; such as street stub-outs to the property to the south.

This request, if approved may be used as a potential precedent for encouraging higher density developments that effectively breaks up established zoning transition patterns.

### **Water Resources**

No additional comments

### **Housing and Community Development**

No additional comments.

## **STAFF RECOMMENDATION**

### **PLANNING**

Staff recommends **denial** of the requested **CD-RM-18** (Conditional District-Residential Multi Family-18) zoning district.



