



Z-12-06-004
Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: June 11, 2012

GENERAL INFORMATION

APPLICANT	Henry Isaacson for Cross of Christ Lutheran Church
HEARING TYPE	Rezoning
REQUEST	R-3 (Residential-Single Family) to CD-C-M (Conditional District- Commercial-Medium).
CONDITIONS	<ol style="list-style-type: none">1. Uses: Limited to all office uses allowed in the C-M (Commercial-Medium) zoning district, physical fitness centers, sports instructional schools, and movie and other theaters.2. The applicant shall preserve the existing building for the proposed use(s) and will not demolish, tear down, or increase the square footage of the existing building.
LOCATION	4094 Battleground Avenue , generally described as the east side of Battleground Avenue, south of Owls Roost Road and north of Brandt Lake Court
PARCEL ID NUMBER(S)	7847179925
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development 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). 50 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~6.56 Acres
TOPOGRAPHY	Undulating
VEGETATION	Institutional landscaping

SITE DATA

Existing Use Place of religious assembly

	Adjacent Zoning	Adjacent Land Uses
N	CD-R-3 (Conditional District-Residential Single Family)	Single-family dwelling
E	CD-R-3 (Conditional District-Residential Single Family)	Single-family dwelling
W	R-3 (Residential Single Family) and O (Office)	Single-family dwelling and an office
S	R-3 (Residential Single Family)	Single-family dwelling

Zoning History

Case #	Date	Request Summary
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This property has been zoned R-3 (Residential-Single Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned RS-12 (Residential-Single Family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Requested (CD-C-M)
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Max. Density: 3.0 units per acre or less.	N/A
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Typical Uses	Primarily intended to accommodate low density single-family detached residential development.	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.
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*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

n/a

Environmental/Soils

Water Supply - Site drains to Greensboro Watersupply Watershed Critical Area Tier 3. Watershed Subbasin is Brush Creek.

Floodplains N/A

Streams Possible stream on site, must be identified.

Other: In Tier 3 High Density development with sewer is 30%BUA, without sewer – NO High Density Option. Low Density development with sewer is 12% BUA, without sewer is 4% BUA. All BUA must be legally approved by TRC (existing & proposed). All BUA must be treated by a State approved water quality BMP.

Utilities (Availability and Capacity)

Potable Water Available

Waste Water Available

Airport Overlay District

The subject property is not located within the Airport Overlay District.

Landscaping Requirements

Battleground Ave. - Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

North and South Property Lines – NA

East Property Line - Type B Yard – average width 25’; 3 canopy trees per 100’, 5 understory trees per 100’, 25 shrubs per 100’

Parking Lot Landscaping

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

Required Landscaping

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

Table 10–4: Location of Parking Lot Planting Areas		
Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
200-499	1	100 (1)
500-899	3	130

(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

Tree Preservation Requirements

Acreage	Requirements
6.56 ac	10% of lot size

Transportation

Street Classification:	Battleground Avenue – Major Thoroughfare.
Site Access:	All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Battleground Avenue ADT = 22,000 (NCDOT, 2009).
Trip Generation:	N/A.
Sidewalks:	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' 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. Sidewalk does not exist along the frontage of this property.
Transit in Vicinity:	No.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	This property is located within the limits of NCDOT's US 220 widening project that is currently underway and scheduled for completion in 2016.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-C-M** (Conditional District- Commercial-Medium) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential (3-5 d.u./acre)**. The requested **CD-C-M (Conditional District- Commercial-Medium)** zoning district is generally inconsistent with this GFLUM designation, however per City Council adopted policy, a GFLUM amendment is not required for a rezoning request that does not involve a significant physical change resulting in new or expanded structures.

Connections 2025 Written Policies

Land Use, Goal 4.1 – Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Housing and Neighborhoods, Goal 6: 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: Implement a comprehensive neighborhood conservation and improvement program.

Economic Development, Goal 7: 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.

Policy 7C: Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Connections 2025 Map Policies

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.

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 2 – Promote Equitable, Affordable Housing:

Goal B: Increase housing affordability through a combination of housing assistance and reduction in overall housing related costs through efficiency factors such as: proximity to jobs, transportation, or services; energy efficiency and resource conservation standards; or reduction in housing access barriers.

Principle 3 – Enhance Economic Competitiveness:

Goal A: Create a Proactive Planning Program to address existing/underutilized business areas near underserved neighborhoods and promote job location near labor force.

Principle 6 – Value Communities and Neighborhoods:

Goal E: Work at the neighborhood level to reconnect neighborhoods to jobs and services, promote "Desirable Infill Development" and redevelop major corridors to strengthen adjacent neighborhoods.

Community Development

The applicant is strongly encouraged to discuss this proposed rezoning and change of use with adjacent property owners.

STAFF ANALYSIS AND RECOMMENDATION

Staff Analysis

The 6.56-acre parcel under consideration is located at the east side of Battleground Avenue, south of Owls Roost Road and north of Brandt Lake Court. This area of Battleground Avenue is generally developed with varying densities and intensities of residential, office and institutional uses. Specifically to the north, south and east are single-family dwellings and to the west is a contractor's office. Other nearby non-residential and higher intensity multi-family uses includes the Shoppes at Battleground Avenue and Battleground Oaks Village, which are less than one-half of a mile south of the subject site.

The subject site currently contains a place of religious assembly on a heavily wooded lot. The substantial tree coverage of this site buffers it from the residential uses to the north and east. The applicant intends to adaptively reuse the existing structure for offices and theater for live performances.

Approving this request will help provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. It will also 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.

Per the conditions attached, this request does include measures to limit potential negative impacts on surrounding properties, especially committing to preserve the existing structure for the proposed uses.

Staff finds this rezoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area.

Staff Recommendation

Staff recommends **approval** of the requested **CD-C-M** (Conditional District- Commercial-Medium) zoning district.