



Z-12-06-003
Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: June 11, 2012

GENERAL INFORMATION

APPLICANT	Marc Isaacson for Atlas 1 SPE LLC.
HEARING TYPE	Rezoning
REQUEST	CD-RM-18 (Conditional District-Residential Multi Family) and CD-C-M (Conditional District- Commercial-Medium) to CD-RM-26 (Conditional District-Residential Multi Family).
CONDITIONS	<ol style="list-style-type: none">1. Uses: Multifamily uses limited to a density of not more than 20 units per acre.2. Building height shall be limited to a maximum of three (3) stories in height as viewed from Wolfetrail Road.
LOCATION	114, 116, 124, 128 and 130 Wolfetrail Road and 4004 Near South Elm-Eugene Street , generally described as west of South Elm-Eugene Street and north of Wolfetrail Road.
PARCEL ID NUMBER(S)	7861490491/7861493527/7861496573/7861590525/7861499189 and 7861489971
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). 38 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~19.90 Acres
TOPOGRAPHY	Undulating
VEGETATION	Overgrown with bushes and shrubs

SITE DATA

Existing Use		Undeveloped
	Adjacent Zoning	Adjacent Land Uses
N	R-3 (Residential-Single Family)	Interstate 85 ROW
E	CD-C-M (Conditional District-Commercial Medium)	Restaurant and convenience store with fuel pumps.
W	County RS-30 (Residential-Single Family).	Single-family dwellings
S	CD-C-M (Conditional District-Commercial Medium) and County RS-30 (Residential-Single Family)	Single-family dwellings and an undeveloped parcel.

Zoning History

Case #	Date	Request Summary
3642	March 4, 2008	Original City CD-RM-18 zoning for this property was established by the City Council with the following conditions: 1) All exterior lighting in the parking areas shall be directed towards the interior of the property.
3641	March 4, 2008	Original City CD-C-M zoning for this property was established by the City Council with the following conditions: 1) <u>Permitted Uses:</u> All uses permitted in the HB district <u>except:</u> a. Automobile Rental and Leasing b. Automobile Repair Services, Major c. Automobile Repair Services, Minor d. Automobile Parking (commercial) e. Automobile Towing and Storage Services f. Boat Repairs g. Equipment Rental & Leasing (no outside storage) h. Equipment Repairs, Light i. Kennels or Pet Grooming Services j. Pest or Termite Control Services k. Recreational Vehicle Parks or Campsites l. Refrigerator or Large Appliance Repairs m. Rehabilitation or Counseling Services n. Taxidermists o. Tourist Homes (Bed & Breakfast) p. Truck Driving Schools q. Flea Markets, Indoor r. Manufactured Home Sales s. Pawnshops t. Truck Stops

- u. Bus Terminals
- v. Heliports
- w. Land Clearing & Inert Debris Landfills, Minor
- x. Railroad Terminals or Yards
- y. Taxi Terminals
- z. Warehouses (general storage/enclosed)
- aa. Warehouses (self-storage)
- bb. Contractors (no outside storage)
- cc. Ice
- dd. Sexually Oriented Businesses
- ee. Arts and Crafts Shows
- ff. Carnivals and Fairs

- 2) All exterior lighting, including lighting of the parking areas, shall be directed toward the interior of the property.
- 3) A maximum of one curb cut on the western margin of South Elm-Eugene Street, will be provided at a location approved by NCDOT and GDOT, which will permit right-in, right-out movements only.
- 4) No more than 65% of the total square footage of buildings in the development shall comprise of uses listed in the Retail Trade category of the Table of Permitted Uses in the Development Ordinance.
- 5) Any single retail building shall not exceed 25,000 square feet.
- 6) All sites in the development except those fronting on South Elm Street shall be developed with the building orientation facing the interior of the development.
- 7) Strong Pedestrian connections shall be established with sidewalks on the interior street and crosswalks at appropriate locations on the interior street within the development.
- 8) The architectural provisions of the SCOD-2 overlay district shall apply to all sites with the development.
- 9) The Applicant will create an Owner's Association and development guidelines similar to those in existence for Elmsley Square and Britt Way Commons.
- 10) The Applicant will install decorative lighting along the new roadways within the development.
- 11) The building facades on the lots fronting S. Elm - Eugene Street shall include a combination of three of

the following materials:

- (a) Brick, and brick veneer;
- (b) Stone, stone veneer, and cultured stone;
- (c) Stucco with architectural detailing.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-RM-18)	Existing (CD-C-M)	Requested (CD-RM-26)
Max. Density:	18.0 dwelling units per acre or less.	N/A	26.0 dwelling units per acre or less.
Typical Uses	Primarily intended to accommodate multi-family and similar residential uses.	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.	Primarily intended to accommodate multi-family and similar residential uses.

*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

The subject site is located partially within Scenic Corridor Overlay District I (SCOD-I) and partially within Scenic Corridor Overlay District II (SCOD-II) of the Greensboro Urban Loop. Refer to the *Scenic Corridor Overlay Districts Design Manual* for details of the use and design standards applicable within these overlay districts.

Environmental/Soils

Water Supply - Site drains to South Buffalo Creek, subbasin 3 Watershed

Floodplains >2000 FT

Streams 50ft Jordan Lake Buffer required. See LDO Table 12-5 for Activities and Structures allowed within buffer.

Other: Previously approved plan is on file. If the new plan is to exceed previously approved BUA, then the new BUA and any existing BUA must be treated to the maximum extent practicable.

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

Urban Loop Corridor – SCOD I and SCOD II buffer requirements:

Public Streets - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

East and West Property Lines - Type C Yard – average width 15'; 2 canopy trees per 100', 3 understory trees per 100', 17 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

18.57 ac Tree Conservation requirements for this site was approved by TRC on June 10, 2008, Plan Tracking # 2008-0320, File # 306.1353.

Transportation

Street Classification: Wolfetrail Road – Local street (state)
Village Loop Road – Local street
Elmsley Meadows Lane – Local street.

Site Access: All access(es) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None available.

Trip Generation: TIS under review.

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 most the frontage of this property.

Transit in Vicinity: Greensboro Transit Authority Route 12 (Randleman Rd - S Elm/ Eugene St); Route 12A (South Town Connector); and Route 24 (Randleman Rd - S Elm/ Eugene St, weekend), are located within 0.4 miles to the north of the site, along South Elm-Eugene Street.

Traffic Impact Study: Yes, required per TIS Ordinance. TIS under review.
(TIS)

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-RM-26** (Conditional District-Residential Multi Family) 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 Mixed Use Commercial. The requested **CD-RM-26** (Conditional District-Residential Multi Family) zoning district is generally consistent with this GFLUM designation.

Connections 2025 Written Policies

Land Use, Goal 4.3 – Growth at the Fringe: 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 4F: Initiate a fringe area growth management framework comprising the following elements: a Fringe Area Land Use Plan; a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities; specific criteria for water and sewer extensions and annexations; designation of the fringe as Greensboro’s extraterritorial jurisdiction; and a proactive plan to provide infrastructure in advance of development.

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

Connections 2025 Map Policies

Mixed Use Commercial – This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by “strip” commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New “strip” commercial development is discouraged.

Growth Tier One, 2007 to 2013 (Current Growth Area) – Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City’s development pattern shall be encouraged over the next six years.

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1) Provide More Transportation Choices:

Goal A) Promote transportation and development patterns and types that contribute to decreased household transportation costs.

Principle 2) Promote Equitable, Affordable Housing:

Goal A) Increase opportunities for choices in housing location, unit type and level of accessibility.

Principle 6) Value Communities and Neighborhoods:

Goal A) Promote coordinated transportation and land use decisions for broader livability throughout Greensboro.

Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:

Goal A) Promote more efficient land development patterns.

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning and development with adjacent property owners. Long term quality of life for residents of the subject site would be greatly enhanced by extension of GTA Routes 12, 12a, & 24 south to serve this site.

STAFF ANALYSIS AND RECOMMENDATION

Staff Analysis

As conditioned, the proposed **CD-RM-26** (Conditional District-Residential Multi Family) zoning district would allow land uses that are compatible with the existing development and trend in the general area.

The 19.9-acre subject property which is generally located west of South Elm-Eugene Street and north of Wolfetrail Road is currently undeveloped. The subject site, in addition to two other parcels (currently developed as restaurant and convenience store with fuel pumps) were annexed into the City in March of 2008 and assigned original City CD-C-M (Conditional District- Commercial-Medium) zoning designations respectively as part of a proposed mixed use project. The applicant now proposes to rezone the site to allow the development of multi-family dwellings at a maximum density of 20 dwelling units per acre or less.

The site's location at a highway interchange with significant commercial development makes it a viable location for moderate to high density multi-family development. The proposed request, if approved, will complement the surrounding area's viability without negatively impacting the overall mix of uses found in this area of the City. The proposed residential use will also help provide the mass to support nearby non-residential uses.

This rezoning request if approved will help promote a diverse mix of housing types, and densities in the general area which will 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. Approving this request will also provide a development framework for the fringe that will guide sound, sustainable patterns of land use, limit sprawl and provide for efficient provision of public services and facilities as the City expands.

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-RM-26** (Conditional District-Residential Multi Family) zoning district.