



Z-12-08-002

**Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: September 10, 2012

GENERAL INFORMATION

APPLICANT	Charles E. Melvin for SEBR 715, LLC.
HEARING TYPE	Rezoning
REQUEST	CD-O (Conditional District-Office) to CD-O (Conditional District-Office)
CONDITIONS	<ol style="list-style-type: none">1. <u>Uses: All uses permitted in the O (Office) zoning district except any use in the Residential uses category and the Social Service Facilities subcategory of the Permitted Use Table of the Land Development Ordinance.</u> Uses limited to office buildings; governmental and private office buildings including professional offices and uses incidental thereto including off street parking.2. No parking areas or drives shall be located within 100 feet of the existing residential property lines of property adjacent to the existing golf course and located on Honeysuckle Drive, Elam Ave and Pembroke Road and these areas shall be planted (i) with trees which within five (5) years from the date of planting reasonably can be expected to reach a height of fifteen (15) feet and (ii) and where appropriate , with ornamental shrubs and flowering trees. Existing trees are within the 100 foot buffer will be utilized as a part of the buffer where possible. The planting called for in this section will commence within forty-five (45) days following the rezoning of the property or the next appropriate planting season.3. No new streets or entrances will be constructed which extend from residential areas directly into the property to be rezoned except for required turnarounds.4. No building, structure, including screens for roof-top units or penthouses, will be constructed at a height in excess of the extension of a line at a forty degree (40) angle above horizontal originating at the existing residential property lines, provided, however, that in no case shall the height of any building north on the extension of Green Valley Road exceed 68 feet in height.5. At least fifty percent (50%) of the total property which is to be rezoned shall be left in landscaped or other

~~permeable areas.~~

- ~~6. There will be provided a landscaped area within parking areas of at least six (6) feet in width between every four (4) rows of parking spaces.~~
- ~~7. Parking lot lights shall not be constructed in excess of twenty (20) feet in height in the area north of Green Valley Road and thirty (30) feet in height for the remainder of the property and lights shall be directed away from residential areas.~~
- ~~8. There shall be no construction of buildings north of the extension of Green Valley prior to January 1, 1990.~~
- ~~9. No buildings shall be located within two hundred (200) feet of existing residential property lines on Pembroke Road, Elam Avenue and Honeysuckle Drive.~~
- ~~10. Green Valley Road will be extended to connect with the eastern leg of Pembroke Road at Lendew Street.~~
- ~~11. The Wendover Avenue "off ramp" to Benjamin Parkway will be rebuilt to go under the Green Valley Road extension and access onto Green Valley Road extension will be provided from the ramp.~~
- ~~12. At least one (1) parking lot access driveway will be provided to Lendew Street.~~
- ~~13. Street design will be subject to approval of Public Works Department.~~
- ~~14. Additional right-of-way for improvements on Benjamin Parkway and Green Valley Road will be provided.~~
- ~~15. Applicant will construct a "turn lane" on West approach of Pembroke Road at Westover Terrace at such time as the right-of-way is acquired by the City of Greensboro.~~

LOCATION

709 Green Valley Road, generally described as the west side of Green Valley Road and east of Benjamin Parkway.

PARCEL ID NUMBER(S)

7855637282

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). **58** notices were mailed to those property owners in the mailing area.

TRACT SIZE

~7.22 Acres

TOPOGRAPHY Slopes to the north

VEGETATION Grass

SITE DATA

Existing Use Undeveloped

	Adjacent Zoning	Adjacent Land Uses
N	CD-O (Conditional District-Office)/R-5 (Residential-Single Family)	Open space/ single-family dwellings
E	BP (Business Park)/ CD-O (Conditional District-Office)	Office buildings
W	CD-O (Conditional District-Office)	Open space/ single-family dwellings
S	CD-O (Conditional District-Office)	Bank and offices

Zoning History

Case #	Date	Request Summary
1970	12/17/1984	<p>This property was rezoned in conjunction with other surrounding properties by the City Council from Residential 90 S to CD-O (Conditional District-Office) with the following conditions:</p> <ol style="list-style-type: none"> 1. Uses limited to office buildings; governmental and private office buildings including professional offices and uses incidental thereto including off street parking. 2. No parking areas or drives shall be located within 100 feet of the existing residential property lines of property adjacent to the existing golf course and located on Honeysuckle Drive, Elam Ave and Pembroke Road and these areas shall be planted (i) with trees which within five (5) years from the date of planting reasonably can be expected to reach a height of fifteen (15) feet and (ii) and where appropriate , with ornamental shrubs and flowering trees. Existing trees are within the 100 foot buffer will be utilized as a part of the buffer where possible. The planting called for in this section will commence within forty-five (45) days following the rezoning of the property or the next appropriate planting season. 3. No new streets or entrances will be constructed which extend from residential areas directly into the property to be rezoned except for required turnarounds. 4. No building, structure, including screens for roof-top units or penthouses, will be constructed at a height in excess of the extension of a line at a forty degree (40) angle above horizontal

originating at the existing residential property lines, provided, however, that in no case shall the height of any building north on the extension of Green Valley Road exceed 68 feet in height.

5. At least fifty percent (50%) of the total property which is to be rezoned shall be left in landscaped or other permeable areas.
6. There will be provided a landscaped area within parking areas of at least six (6) feet in width between every four (4) rows of parking spaces.
7. Parking lot lights shall not be constructed in excess of twenty (20) feet in height in the area north of Green Valley Road and thirty (30) feet in height for the remainder of the property and lights shall be directed away from residential areas.
8. There shall be no construction of buildings north of the extension of Green Valley prior to January 1, 1990.
9. No buildings shall be located within two hundred (200) feet of existing residential property lines on Pembroke Road, Elam Avenue and Honeysuckle Drive.
10. Green Valley Road will be extended to connect with the eastern leg of Pembroke Road at Lendew Street.
11. The Wendover Avenue "off ramp" to Benjamin Parkway will be rebuilt to go under the Green Valley Road extension and access onto Green Valley Road extension will be provided from the ramp.
12. At least one (1) parking lot access driveway will be provided to Lendew Street.
13. Street design will be subject to approval of Public Works Department.
14. Additional right-of-way for improvements on Benjamin Parkway and Green Valley Road will be provided.
15. Applicant will construct a "turn lane" on West approach of Pembroke Road at Westover Terrace at such time as the right – of-way is acquired by the City of Greensboro.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-O)	Requested (CD-O)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate office, institutional, supporting service and other uses.	Primarily intended to accommodate office, institutional, supporting service and other 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

n/a

Environmental/Soils

Water Supply - Watershed Site drains to North Buffalo Creek.

Floodplains N/A

Streams N/A

Other: If >1ac is disturbed site must meet Phase 2 requirements. If Jordan new development rules apply, >0.5 disturbed, site must meet Nitrogen and Phosphorus reduction requirements

Utilities (Availability and Capacity)

Potable Water Water is available with capacity in line with request

Waste Water Sewer is available with capacity in line with request

Airport Overlay District

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

Landscaping Requirements

Green Valley Rd. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

Surrounding Property Lines – NA

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**

7.22 ac. 10% of lot size

Transportation

- Street Classification: Green Valley Road – Collector street.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Green Valley Road ADT = 6,570 (GDOT, 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 exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 7A (Irving Park / Starmount Connector) on Green Valley Road is adjacent to subject site and GTA Route 8 (Battleground Avenue) within 0.16 miles of the subject site, along Green Valley Road.

Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-O** (Conditional District-Office) 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 Institutional. The requested **CD-O** (Conditional District-Office) zoning district is generally consistent with this GFLUM designation.

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 4A - Remove present impediments to infill and investment in urban areas.

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

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.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A - Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Policy 8B - Develop comprehensive pedestrian and bicycle facility networks.

Connections 2025 Map Policies

Institutional: This designation applies to university and college campuses, major medical/health care concentrations, and similar large-scale institutional activity centers.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning and development with adjacent property owners, and with representatives of the adjacent Guilford Hills Neighborhood.

STAFF ANALYSIS AND RECOMMENDATION

Staff Analysis

The 7.22-acre subject site is generally located at the west side of Green Valley Road and east of Benjamin Parkway. The subject site is currently undeveloped and is adjoined to the north and west by open space and single-family dwellings, and to the south and east by office buildings. The general area is developed with institutional uses, hospitality uses, office buildings and medical facilities.

This property was rezoned in conjunction with other surrounding properties by the City Council on December 17, 1984 from Residential 90 S to Conditional District- Institutional 100 which translates to CD-O (Conditional District-Office) under the current LDO. This conditional district included 15 conditions as shown on pages 1 and 2 of this staff report. The applicant intends to have more flexibility in the uses that will be permitted on this site, necessitating a rezoning of the site and amending condition #1 to allow more uses.

This is the only undeveloped property within the CD-O (Conditional District-Office) zoning district of the Green Valley Office Park development and a majority of the existing conditions from the initial rezoning in 1984 have either been met or are addressed by the current development standards of the Land Development Ordinance, which came into effect on July 1, 2010.

Specifically, condition # 3 is not needed since no street connection from the subject site to the nearby residential properties is possible as any connections would have to go through an 85-foot wide open space area owned and maintained separately from this site. Development of this site would not be in conflict with condition #5 as previous development of the larger office park set aside enough open space and landscaped areas. Also, condition # 6, addressing landscaping in parking areas, is less restrictive than the current requirements of the LDO. Condition #7, related to outdoor lighting, is now addressed by the general development standards of the Land Development Ordinance. Condition #8 which prevented the construction of buildings north of the extension of Green Valley Road prior to January 1, 1990, and conditions 10-15, which address various road improvements are no longer applicable.

Staff will note that the open space adjacent to the rezoning site, with dense vegetative cover has created a good protective buffer between the single-family dwellings to the north and west of the subject site and current tree preservation requirements of the LDO will encourage the preservation of existing understory and canopy trees in the remaining 15 feet of the original 100-foot buffer (85 ft is located in separately owned and maintained common areas for the larger office park).

Staff has worked with the applicant to address potential concerns raised through conversations with neighboring property owners regarding uses, height and separation of the proposed development from the existing single-family dwellings. To this end the applicant intends to offer additional conditions at the public hearing to eliminate other potential permitted principal uses from that portion of the site closest to the residential uses on Pembroke Road and North Elam Avenue. Uses to be prohibited include hotels and motels, outdoor and indoor recreation, educational and government facilities, day care centers, funeral homes and crematoriums.

The applicant also intends to offer a condition for a 15-foot vegetated buffer (not required by the LDO) on the western property line closest to the residential uses on Pembroke Road and Elam Avenue. In addition, the applicant also intends to limit the height of any proposed development to a maximum of 68 feet and require any buildings to be at least 150 feet from the residential property lines.

Consistent with the economic development goal of the Comprehensive Plan, this request, if approved will help 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.

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-O** (Conditional District-Office) zoning district.