



Z-13-06-001

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

Zoning Commission Hearing Date: June 10, 2013

GENERAL INFORMATION

APPLICANT Chuck Truby, C.P.T. Engineering for New Garden Square Apartments, LLC
HEARING TYPE Rezoning
REQUEST **CD-RM-12** (Conditional District-Residential Multi-family) to **CD-RM-18** (Conditional District-Residential Multi-family)

CONDITIONS

1. Permitted Uses: Multi-family residential not to exceed 78 units.
2. 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.
3. A six foot tall (where permitted) opaque fence shall be constructed on the northern and western property boundaries between the subject property and adjoining residential properties.
4. The exterior of the principal buildings shall be constructed of at least 50% stone, brick, glass and/or other materials of a similar quality and appearance.
5. 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.
6. The buffer along the entire length of the western portion of the site will be planted at the following rate: 4 canopy trees per 100 linear feet; 10 understory (evergreen) trees per 100 linear feet and 30 shrubs per 100 linear feet.

LOCATION 1505 New Garden Road, generally described as west of New Garden Road and north of Garden Lake Drive.

PARCEL ID NUMBER(S) 7836808300

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

TRACT SIZE ~4.63 Acres

TOPOGRAPHY Undulating

VEGETATION Residential landscaping

SITE DATA

Existing Use Existing CD-RM-12 multi-family construction in progress

	Adjacent Zoning	Adjacent Land Uses
N	CD-RM-12 (Conditional District - Multi-family)	Multi-family apartments
E	R-3 (Residential Single-family)	Single-family dwellings
W	CD-C-M (Conditional District-Commercial-Medium)	Retail and drive-through restaurant
S	CD-O (Conditional District-Office) and R-3 (Residential Single-family)	Bank/Office and single family dwellings

Zoning History

Case #	Date	Request Summary
3630	02/05/2008	This 4.63 acres was rezoned from RS-15 (Residential Single-family) to CD-RM-12 (Conditional District-Multi-family) with the following conditions: <ol style="list-style-type: none"> 1. Permitted Uses: Multifamily residential 2. 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.

3. A six foot tall opaque fence shall be constructed on the northern and western property boundaries between the subject property and adjoining residential properties.
4. The exterior of the principal buildings shall be constructed of at least 50% stone, brick, glass and/or other materials of a similar quality and appearance.
5. 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.
6. The buffer along the entire length of the western portion of the site will be planted at the following rate:
 - i. 4 canopy trees per 100 linear feet
 - ii. 10 understory (evergreen) trees per 100 linear feet
 - iii. 30 shrubs per 100 linear feet

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-RM-12)	Requested (CD-RM-18)
Max. Density:	12.0 units per acre or less	18.0 units per acre or less
Typical Uses	Primarily intended to accommodate multi-family and similar residential uses at a density of 12.0 units per acre or less.	Primarily intended to accommodate multi-family and similar residential uses at a density of 18 units per acre or less.

**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 within the boundary of the New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs.

Environmental/Soils

Water Supply Site drains to Greensboro Watersupply Watershed, WS III, Horsepen Creek Watershed

Floodplains N/A

Streams N/A

Other: Site is part of an approved TRC plan 2012-0590. Site drains to an existing State approved BMP

Utilities

Potable Water Available with capacity in line with request

Waste Water Available with capacity in line with request

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

The landscaping requirements for this project were established in the Preliminary IMUD plan #2008-0664, file # 306.1346 approved by TRC on May 20, 2008 and are consistent with the Zoning Condition # 6 stated above.

**Tree Preservation Requirements
Acreage**

4.63 ac.

Requirements

The Tree Conservation requirements for this project were established in the Preliminary IMUD Plan # 2008-0664, file # 306.1346, approved by TRC on May 20, 2008.

Transportation

Street Classification: New Garden Road – Major Thoroughfare.
Garden Lake Drive – Collector Street.

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

Traffic Counts: New Garden Road ADT – 28,926 (GDOT, 2007).

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:	No.
Traffic Impact Study (TIS):	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-RM-18 (Conditional District- Residential Multi Family, 18 du/ac)** 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-18 (Conditional District- Residential Multi Family, 18 du/ac)** 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 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 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

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.

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.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	n/a

Applicant Stated Reasons for Request

n/a

Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application

n/a

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

n/a

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

n/a

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

n/a

PLANNING BOARD COMMENTS

n/a

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1 – Provide More Transportation Options:

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

Goal B: Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

Principle 2 – Promote Equitable, Affordable Housing:

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

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.

Goal C: Improve the resource-efficiency of both new construction and existing housing stock.

Principle 6 – Value Communities and Neighborhoods:

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

Goal C: Promote Healthy Lifestyles and Complete, Livable Neighborhoods.

Principle 7 – Recognize the Environment as a Critical Element of Community Sustainability:

Goal A: Promote more efficient land development patterns.

Other Plans

n/a

STAFF/AGENCY COMMENTS

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of adjacent properties and with representatives of the Friendly Lakes neighborhood, within which the subject site is located. Long-term quality of life for occupants of this proposed multi-family residential development would be enhanced by provision of secure, accessible bicycle parking facilities on this site, especially considering its proximity to Price Park and the Price Park Greenway.

Planning

The applicant's request to rezone 4.63 acres in this location for higher density residential purposes was reviewed by staff and evaluated on both immediate and longer term development impacts. The subject property is currently zoned CD-RM-12 which allows a maximum of 55 dwelling units. The RM-18 district would generally allow a maximum of 82 dwelling units; however, the applicant is conditioning this request to limiting the maximum number of dwelling units to 78.

This proposed CD-RM-18 zoning district, similar to the existing CD-RM-12 zoning district, can continue to serve as a transition between the low intensity single-family dwellings located to the east and the higher intensity commercial development located to the west of the subject property. Staff has consistently encouraged such areas throughout the city to promote good transitions between higher and lower intensity land uses.

Additionally, the existing development on this site means any additional multifamily units allowed if this rezoning request is approved will be developed internally to the site resulting in no significant additional impact on adjacent single family residential properties to the west.

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. It is also in line with the Mixed Use Commercial future land use designation that encourages higher density residential development to support nearby commercial and service uses.

STAFF RECOMMENDATION

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