



Z-13-12-006

**Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

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**Zoning Commission Hearing Date: December 9, 2013**

**GENERAL INFORMATION**

**APPLICANT** Marc Isaacson, Attorney at Law on behalf of Lawndale Redevelopment, LLC

**HEARING TYPE** Rezoning Request

**REQUEST** **CD-RM-26** (Conditional District-Residential Multifamily) to **CD-RM-26** (Conditional District-Residential Multifamily)

**CONDITIONS**

1. Uses: All residential uses permitted in the RM-26 zoning district.
2. Buildings will be constructed of not less than 25% brick, stucco, textured masonry, wood decorative siding (including cement board) and/or stone and shall have coordinated design features.
3. Buildings shall be limited to three stories in height.
4. Applicant shall install a type B planting yard along the line of any single-family zoned property.
5. Maximum density will not exceed 22 units per acre.
6. Residential buildings shall be designed with a pitched roof, architectural shingle roofs, and architectural fenestrations and/or doors on the front and rear of each building.
7. Applicant shall install and provide pedestrian connectivity between the subject property and Lawndale Drive.
8. Applicant shall provide for future walking connections to adjoining non-residential properties with walking paths/trails.

**LOCATION** **105 Tall Oaks Drive**, generally described as south of Leland Drive, east of Lawndale Drive, and north of Pisgah Church Road.

**PARCEL ID NUMBER(S)** **78656532919**

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

**TRACT SIZE** ~9.96 Acres  
**TOPOGRAPHY** Undulating  
**VEGETATION** Residential

**SITE DATA**

<b>Existing Use</b>		Single-family dwelling
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-3 (Residential Single Family)	Single-family dwellings
E	CD-C-M (Conditional District-Commercial-Medium)	Miscellaneous office uses
W	O (Office) & C-M (Commercial-Medium)	Daycare facility, medical office and a business park
S	CD-C-M (Conditional District-Commercial-Medium) and C-M (Commercial-Medium)	Business park and miscellaneous office uses

**Zoning History**

Case #	Date	Request Summary
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Z-10-07-003 07/12/2010 Rezoning request from RM-12 (Residential Multifamily) to CD-RM-26 (Conditional District-Residential Multifamily) subject to the following conditions:

1. Uses: All residential uses permitted in the RM-26 zoning district.
2. Maximum density equal to 20 townhomes, condominium or apartment units per acre.
3. Building exterior will be constructed of not less than 50% brick, wood (including Hardiplank) and/or stone and shall have coordinated design features.
4. Townhouse/condominiums or apartments shall be limited to three stories in height.
5. Applicant shall install a Type B planting yard and a five-foot opaque fence along the southern lines of tax parcel Map 525 Block 3 Lot 1 and Map 525 Block 2 Lot 26, and along the eastern line of tax parcel Map 350-F, Block 726-S, Lot 63. The applicant shall install a 5-foot shadow box fence along the remaining perimeter of the property, or within the planting area around the property. Where said fence passes through any tree conservation area, the applicant will install the fence by hand and no motorized vehicles shall be permitted I the tree conservation area.
6. Residential building(s) shall be designed with a pitched roof, architectural shingle roofs, and architectural fenestrations and/or door(s) on the side of each building.
7. Applicant shall install and provide pedestrian connectivity between the subject property and Lawndale Drive.
8. Applicant shall provide at least 3 stub-outs for future walking connections to adjoining non-residential properties.
9. That the project will be developed in substantial conformity with the "Illustrative Rendering" for the elevation and Site Plan designs submitted at the Zoning Commission hearing on July 12, 2010, to be judged by provision of major features shown to the extent practicable and feasible.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-RM-26)</b>	Requested <b>(CD-RM-26)</b>
Max. Density:	A maximum density of 26.0 units per acre or less.	A maximum density of 26.0 units per acre or less.

Typical Uses    Primarily intended to accommodate multi-family and similar residential uses.    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**

n/a

**Environmental/Soils**

Water Supply Watershed    Site drains to Greensboro Watersupply Watershed WS-III, Lake Jeanette subbasin

Floodplains    >2000ft

Streams    N/A

Other:    Site must meet current water supply watershed requirements for any new Built Upon Area (BUA).

**Utilities**

Potable Water    Water is available and capacity is in line with request

Waste Water    Sewer is available and capacity is in line with request

**Airport Noise Cone**

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

**Landscaping Requirements**

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

Adjoining Commercial - Type C Yard – average width 15'; 2 canopy trees per 100', 3 understory trees per 100', 17 shrubs per 100'

Adjoining Single Family - 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:

<b>Table 10–4: Location of Parking Lot Planting Areas</b>		
<b>Size of Parking Lot Planting Area (sq. ft.)</b>	<b>Number of Trees In Planting Area</b>	<b>Max. Distance from Parking Space (feet)</b>
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**

<b>Acreage</b>	<b>Requirements</b>
9.96 ac.	10% of lot size.

**Transportation**

Street Classification: Lawndale Drive – Major Thoroughfare.  
 Pisgah Church Road – Major Thoroughfare.  
 Tall Oaks Drive – Local Street.

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

Traffic Counts: Lawndale Drive ADT = 25,605 (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 Lawndale Drive frontage of this property.
Transit in Vicinity:	Yes, GTA Route 17 (Lawndale Drive) adjacent to subject site, along Lawndale Drive.
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-26 (Conditional District, Residential Multi-Family, 26 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 (GFLUM) designates this location as **Mixed Use Commercial**. The requested **CD- RM-26 (Conditional District, Residential Multi-Family, 26 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 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.

**Community Character, Goal 5.2 - Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5F** - Implement and improve design standards governing the appearance of development from public roadways.

**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.

## **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.

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

**Goal E)** Promote a more equitable distribution of the benefits, costs, and impacts of all transportation systems and facilities within the community.

**Principle 2) Promote Equitable, Affordable Housing:**

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

**Principle 4) Support Existing Communities:**

**Goal F)** Promote neighborhood and economic development by fulfilling target area commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

**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 the proposal with owners of surrounding properties.

Based on the proximity of the subject site to Country Park and the A & Y Greenway, long term quality of life for future residents of this proposed multi-family residential development would be greatly enhanced by provision of secure, convenient bicycle parking.

**Planning**

The subject property is currently zoned CD-RM-26 (Conditional District-Residential Multifamily) and is currently a vacant and dilapidated apartment complex. The immediate vicinity is well developed with varying densities and intensities of residential, office and commercial uses. Properties to the immediate north are characterized by single-family detached dwellings. Properties to the east, south and west contain some form of commercial and/or office uses.

The RM-26, Residential Multifamily District is primarily intended to accommodate multi-family and similar residential uses at a density of 26.0 units per acre. The applicant is proposing as part of their request to limit the density to a maximum of 22 units per acre.

The subject site is located within close proximity to an existing commercial node and potential residents would benefit from the immediate proximity of employment and service centers. The GFLUM designation of Mixed Use Commercial for the site supports higher density residential uses to support surrounding nonresidential development. The proposed CD-RM-26 zoning district, with appropriate development standards, can serve as a transition between the low intensity single family dwellings located to the north and higher intensity commercial and larger scale office development located to the east, south, and 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.

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. The request also supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. 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-26** (Conditional District-Residential Multifamily) zoning district.