



Z-14-08-005

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

Zoning Commission Hearing Date: August 11, 2014

GENERAL INFORMATION

APPLICANT Matthew and Hannah Hill

HEARING TYPE **Quasi-Judicial**

REQUEST **Special Use Permit** to establish a Swim Club in an RM-12 zoning district.

CONDITIONS N/A

LOCATION **4093 Baylor Street**, generally described as west of Baylor Street and north of Pisgah Church Road.

PARCEL ID NUMBER(S) **7866380312**

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

TRACT SIZE ~1.136 Acres

TOPOGRAPHY Primarily flat

VEGETATION Non-residential use

SITE DATA

Existing Use Swimming pool and accessory club house

Adjacent Zoning

Adjacent Land Uses

N	CD-RM-12 (Conditional District-Residential Vacant and townhouses Multi-Family)	
E	CD-RM-12 (Conditional District-Residential Vacant and townhouses Multi-Family)	
W	R-3 (Single Family Residential)	Single family dwellings

S R-3 (Residential Single-Family) Single family dwellings
 CD-RM-12 (Conditional District-Residential Tennis courts
 Multi-Family)

Zoning History

Case #	Date	Request Summary
1968-1	12/13/1984	Rezone a portion of the property located at 4093 Baylor Street from RS-120S to CD-R-120 with the following conditions: (1) Limited to 564 residential units designed for sale.
	03/11/1985	Rezone a portion of the property located at 4093 Baylor Street from RS-120S to CD-R-120 with the following conditions: (1) For construction of residential units designed for sale; (2) Shall be developed in conjunction with the adjoining Conditional use Residential 120 (#168-1), Bellwood Village, with the maximum total number of units on both properties being 572; (3) No access will be made to the Kings Road or to Princess Road.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-RM-12)	Requested (SUP to establish a Swim Club in an RM-12 zoning district)
Max. Density:	12.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate multifamily and similar residential uses.	A Special Use permit is requested to establish a Swim Club in an RM-12 zoning district.

**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 partially located within the North Elm Street Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs.

Environmental/Soils

Water Supply Watershed Site drains to Greensboro Watersupply Watershed WSIII, Lake Jeanette Watershed

Floodplains >2000ft

Streams N/A

Other: Site must meet current watersupply watershed requirements, Water Zoning Commission Public Hearing Page 2 of 7 August 11, 2014

Quality & Water Quantity must be addressed.

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

n/a

Landscaping & Tree Conservation Requirements

Applicable if there is a disturbance or expansion on this parcel

New Buildings or Uses

Principal buildings or open uses of land constructed, reconstructed, or established.

Expansions

The landscaping requirements apply to the expansion of buildings, parking areas, or open uses of land.

Transportation

Street Classification: Baylor Street – Collector Street.
 Pisgah Church Road – Major Thoroughfare

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

Traffic Counts: Baylor Street ADT = 521 (GDOT, 2013).

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: Yes, GTA Route 3 (N Elm Street) is within 0.35 mi of subject site, along Pisgah Church Road.

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

Street Connectivity: N/A.

Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **Special Use Permit** to establish a Swim Club in an RM-12 zoning district 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 **Moderate Residential (5-12 d.u./acre)**. The requested **Special Use Permit** to establish a Swim Club in an RM-12 zoning district is generally consistent with this GFLUM designation. The Growth Strategy Map designates the subject site as being partially within the North Elm Village Activity Center.

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.

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

Moderate Residential (5-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in

areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

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.

Principle 3) Enhance Economic Competitiveness:

Goal E) Focus on energy efficiency as an economic generator for small business development.

Goal F) Provide opportunities for job training, mentoring, education and job creation.

Principle 6) Value Communities and Neighborhoods:

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

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.

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

Goal A) Promote more efficient land development patterns.

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

Other Plans

N/A

STAFF/AGENCY COMMENTS

Community Development

Applicant is strongly encouraged to discuss this requested **Special Use Permit** to establish a Swim Club in an RM-12 zoning district with owners of surrounding properties and with representatives of the Bellwood Village Neighborhood, within which the subject site is located.

Planning

This analysis is based on information provided to staff as indicated in this report. The recommendation of staff below is only to be considered to the degree that this information is consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission and is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject property contains 1.136 acres and is currently developed as a swimming pool with an accessory club house. The applicant is interested in converting the pool to a swim club which requires a Special Use Permit under the current provisions of the Land Development Ordinance (LDO) for RM-12 (Residential Multi-Family) zoned property. The surrounding properties are primarily developed with a mix of single family and multifamily development, with some commercial development southeast of the subject property, along Pisgah Church Road.

The Permitted Use Table of the Land Development Ordinance (LDO), states a Swim Club may be approved in the RM-12 district with a Special Use Permit. In addition to the Special Use Permit, Section 30-8-10.3(K) of the LDO establishes development standards of which the use must comply. These standards include:

- (1) **Setbacks:** Clubhouses, maintenance facilities, and other buildings, swimming pools (including decking and equipment associated with the pool) must be set back at least 50 feet from any abutting residentially zoned property.
- (2) **Minimum Area:** The site must be at least 2 acres in area.
- (3) **Fencing:** Outdoor swimming pools must be protected by a fence (or equal enclosure such as wall or continuous hedge), a minimum of 4 feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

On Monday, July 28, 2014 the subject property was granted two variances from the City of

Greensboro Board of Adjustment. The first variance is for a reduction of 0.864 acres for the minimum size of the swim club. The second variance allows the swim club buildings, including decking, to encroach at the nearest point up to 32.05 feet into the minimum separation requirement abutting residentially zoned property. Both variances are contingent upon a successful rezoning to CD-RM-12 and obtaining a Special Use Permit for a Swim Club.

To be approved, this request must conform to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in that:

1. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the adjacent and nearby industrial properties and their operations.
3. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **SUP (Special Use Permit)**.