



# Z-15-06-001

## City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: July 13, 2015

### GENERAL INFORMATION

<b>APPLICANT</b>	PM Price on behalf of PI Properties
<b>HEARING TYPE</b>	Special Use Permit Request
<b>REQUEST</b>	<b>Request to allow all uses permitted in the RM-18 (Residential Multi-Family) zoning district including a Rooming House.</b>
<b>CONDITIONS</b>	N/A
<b>LOCATION</b>	<b>1944 Spring Garden Street</b>
<b>PARCEL ID NUMBER(S)</b>	<b>7854631207</b>
<b>PUBLIC NOTIFICATION</b>	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). <b>78</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.32 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Residential

### SITE DATA

<b>Existing Use</b>	Single family dwelling
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N RM-18 (Residential Multi-Family)	Multifamily dwellings
E RM-18 (Residential Multi-Family)	Multifamily dwellings
W RM-18 (Residential Multi-Family)	Multifamily dwellings
S RM-18 (Residential Multi-family)	Multifamily dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property has been zoned RM-18 (Residential Multi-Family) since the adoption of the Land Development Ordinance in July 2010. Prior to the adoption of the LDO, the property was also zoned RM-18 (Residential Multi-Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (RM-18)	Requested (SUP for all uses permitted in the RM-18 (Residential Multi-Family) zoning district including a Rooming House)
Max. Density:	A maximum density of 18 units per acre.	N/A
Typical Uses	Primarily intended to accommodate multi-family and similar residential uses.	A Special Use Permit is requested for all uses permitted in the RM-18 (Residential Multi-Family) zoning district including a Rooming House.

*\*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 N/A Site drains to North Buffalo Creek

Floodplains N/A

Streams N/A

Other: If any development is proposed onsite, proposed development must meet the requirements of the stormwater ordinance. If disturbance is more than 1 acre, Phase II stormwater requirements would have to be addressed.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Noise Cone**

n/a

**Landscaping & Tree Preservation Requirements**

Applicable in the event of expansion or new development.

**Transportation**

- Street Classification: Spring Garden Street – Major Thoroughfare.  
Milton Street – Local Street.  
Holliday Drive – Local Street.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Spring Garden Street ADT = 18,200 (GDOT, 2014).
- 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 1 (West Wendover Avenue) is adjacent to subject site, along Spring Garden Street.
- Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)
- Street Connectivity: N/A.
- Other: N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The requested **SUP (Special Use Permit) to allow a Rooming House in the RM-18 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 designates this location as **Mixed Use Residential**. The requested **SUP (Special Use Permit) to allow a Rooming House in the RM-18 district** is generally consistent with the **Mixed Use Residential** 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 4B:** Target capital investments to leverage private 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.  
**Policy 4D:** Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

**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 5E:** Improve the aesthetic quality of publicly owned and maintained 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 7A:** Target city investment and regulatory policies for economic development.  
**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 Residential:** This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***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 ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed special use permit with owners of surrounding properties and with representatives of the College Park/Brice Street Neighborhood, within which the subject site is located.

Based on the proximity of the subject site to marked bicycle lanes and signed Bicycle Routes 3 and 6, along Spring Garden Street, long term quality of life for future residents of this proposed Rooming House would be greatly enhanced by provision of secure, convenient bicycle parking.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal),
- Historically Under-utilized Business Zone tax credits (federal), and
- Urban Progress Zone tax credits (state).

**Staff Analysis**

This analysis is based on factual 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 determined to be consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission. It is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject property contains 0.32 acres and is currently a vacant building. The applicant is interested in operating a rooming house which requires a Special Use Permit under the current provisions of the Land Development Ordinance (LDO) for RM-18 (Residential Multi-Family) zoned property. The surrounding properties are primarily developed with multifamily dwellings.

Section 30-15-17 of the Land Development Ordinance defines a Rooming House as follows:

**Rooming House**

A dwelling with one kitchen in which lodging is provided by the owner or operator to more than 3 tenant residents.

Rooming houses differ from multifamily dwelling uses as multifamily dwellings are designed for 3 or more individuals and families to live independently of each other through the provision of separate housekeeping and cooking facilities.

Section 30-8-1, Permitted Use Table, of the Land Development Ordinance requires rooming houses in the RM zoning districts to obtain a Special Use Permit to ensure compatibility with adjoining properties.

To get approval for a Special Use Permit, this request must conform to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in:

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 residential properties.
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.

The location of the request along a minor thoroughfare, in close proximity to various services and adjacent to existing multifamily dwellings, suggests the use itself is generally compatible with existing development in the area; satisfying Special Use Permit criteria 2 and 3. Since staff's initial evaluation of this request, the applicant has provided additional information demonstrating that a rooming house use was established at this location prior to the adoption of either the Land Development Ordinance or the Unified Development Ordinance and the use has been maintained consistently through the subsequent years. As such, multiple city staff have collectively determined that a Change of Use permit is not required for this boarding house use and the site can adequately address various ordinance and code requirements (in terms of parking, accessibility, fire safety, etc.). Based on this additional information, staff has now determined 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; satisfying Special Use Permit criteria 1.

**Staff Recommendation**

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