



Z-15-10-007

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

**Zoning Commission Hearing Date: October 19, 2015**

**GENERAL INFORMATION**

**APPLICANT** Beacon Management on behalf of William Smith, James Thomas Doggett and Molly Rebecca Doggett

**HEARING TYPE** Rezoning Request

**REQUEST** **CD-RM-12** (Conditional District-Residential Multi-Family) and **CD-RM-12** (Conditional District-Residential Multi-Family) to **CD-RM-12** (Conditional District-Residential Multifamily)

**CONDITIONS**

1. Building materials will consist of not less than 50% brick, stone and/or other masonry building materials.
2. Buildings shall not exceed 3 stories in height.
3. Tract A, consisting of addresses 3516-3520 Lewiston Road, will have a maximum density of 80 dwelling units. Tract B, consisting of addresses 3525 & 3527 Lewiston Road, shall have a maximum density of 128 dwelling units.

**LOCATION** **3516-3527 Lewiston Road**

**PARCEL ID NUMBER(S)** **7836376241, 7836377608 & 7836387097**

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

**TRACT SIZE** ~25.01 Acres

**TOPOGRAPHY** Undulating

**VEGETATION** Wooded

**SITE DATA**

<b>Existing Use</b>	Undeveloped
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N R-3 (Residential Single-Family)	Single family dwellings
E R-3 (Residential Single-Family)	Single family dwellings
W R-3 (Residential Single-Family)	Single family dwellings

S O(Office)

Single family dwellings

**Zoning History**

Case #	Date	Request Summary
3985	April 7, 2015	3525 & 3527 Lewiston Rd were rezoned from R-3 to CD-RM-12 with the following conditions: 1. Building materials will consist of not less than 50% brick, stone and/or other masonry building materials. 2. Density shall be limited to a maximum of 130 dwelling units. 3. Buildings shall not exceed 2 stories in height. 4. A six foot tall opaque fence shall be installed, where permitted, along the northern property line, parallel to Silver Creek Drive. Where the fence impacts required tree conservation areas it must be installed by hand with non-motorized equipment.
3949	August 22, 2014	The property addressed 3516 3520 Lewiston Rd was rezoned from R-3 to CD-RM-12 with the following conditions: 1. Building materials will consist of not less than 50% brick, stone and/or other masonry building materials. 2. Density shall be limited to a maximum of 80 dwelling units. 3. Buildings shall not exceed 2 stories in height.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (R-3)	Requested (PUD)
Max. Density:	3.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development	Intended to allow a diverse mixture of residential and/or nonresidential uses and structures that function as cohesive and unified projects.

**District Summary \***

*\*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 property is partially located (southeastern edge) within the Scenic Corridor Overlay District 1 (SCOD-1) of the Greensboro Urban Loop. Consult the Scenic Corridor Overlay Districts Design Manual, for detailed applicable requirements and design guidelines.

The subject site is also partially located (approximately the southeastern half) within the AO, Airport Overlay District. The Airport Overlay prohibits new residential uses with densities greater than 1 unit per acre. However, because the tract is split by the boundary of the AO District, development on the entire tract is considered exempt from the provisions of this overlay district, provided that exemption would not adjust the boundary line for the overlay by more than 600 feet.

**Environmental/Soils -**

Water Supply Watershed Site drains to Greensboro Watersupply Watershed, Brush Creek and Horsepen Creek

Floodplains N/A

Streams Any streams onsite will require a 50ft Jordan stream buffer measured from top of bank each side. See LDO Chp. 30-12-3.9 for Stream Buffer requirements.

Other: If any development is proposed, site must meet current watersupply watershed requirements. Maximum BUA for watershed is 70%. Site is also with the PTI 5 statue mile radius, not BMP's are allowed that will hold a normal pool elevation.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Noise Cone**

The subject property is partially located (approximately the southeastern half) in the 60 decibel noise level noise cone of the Piedmont Triad International Airport.

**Landscaping & Tree Conservation Requirements**

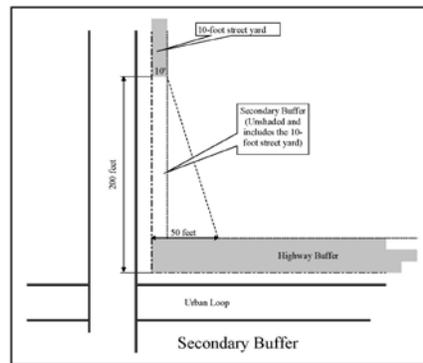
Multi-family, nonresidential and mixed-use development is subject to standards of this section, which generally requires street planting yards abutting public rights-of-way (See Sec. 30-10-2.2), buffer planting yards between different land use classifications (See Sec. 30-10-2.3) and parking lot landscaping (See Sec. 30-10-2.6).

The subject property is partially located within the Scenic Corridor Overlay District 1 (SCOD-1) of the Greensboro Urban Loop.

(B) Scenic Corridor Overlay District 1 (SCOD-1) Buffer Requirements:

(1) A natural undisturbed buffer, a minimum 40 feet wide and a maximum 75 feet wide, with an average width of 50 feet, shall be maintained along the portion of any lot adjacent to the highway right-of-way. If there are no existing canopy or understory trees in the buffer area, then the following planting rates shall apply. If existing canopy or understory trees in the buffer area do not satisfactorily provide screening that would be similar to that achieved by the planting rates, then supplemental canopy or understory trees shall be required, as determined by the Planning Director. Portions of the buffer area that do not contain significant vegetation may be graded if the Technical Review Committee grants a modification upon a finding that equal or better performance, with regard to visibility from the highway, will result from the alternate standards portrayed on the plan. In addition, the Planning Director will require the installation of plant material at locations to maximize the visual buffering. The following planting rates per 100 linear feet shall be used:

- (a) Nine canopy trees; and
- (b) 12 understory trees.



(2) A secondary natural undisturbed buffer meeting the following standards shall be maintained for a distance of 200 feet along any street right-of-way intersecting the highway right-of-way. If there are no existing canopy or understory trees in the buffer area, then the following planting rates shall apply. If existing canopy or understory trees in the buffer area do not satisfactorily provide screening that would be similar to that achieved by the planting rates, then supplemental canopy or understory trees shall be required, as determined by the Planning Director. Portions of the buffer area that do not contain significant vegetation<sup>1</sup> may be graded if the Technical Review Committee grants a modification upon a finding that equal or better performance, with regard to visibility from the street intersecting the highway right-of-way, will result from the alternate standards portrayed on the plan. In addition, the Planning Director will require the installation of plant material at locations to maximize the visual buffering:

- (a) The 200 foot distance requirement shall be measured from the intersection of the rights-of-way; however, the secondary buffer width and planting rate shall begin at the termination of the buffer along the highway.
- (b) The width of the secondary buffer shall proportionately decrease from 50 feet at its inception to 10 feet at its termination, with the following planting rates:

- (i) One canopy tree per 555 square feet of buffer area; and
- (ii) One understory tree per 420 square feet of buffer area.

*SCO-1*

- (c) The required street planting yard meeting the width and planting rates of the Land Development Ordinance shall be provided along the street right-of-way intersecting the highway. The width and plantings of the street yard count toward achieving the overlay buffer requirements.

(3) Buffer Width Reduction:

- (a) If a minimum five-foot high earthen berm is installed in locations where a natural buffer does not exist, the minimum, maximum, and average width of the buffer may be reduced by ten feet. The earthen berm shall contain a rounded crown suitable for planting and a stabilized side slope of no greater than three-to-one (3:1).
- (b) If walls, a minimum of five feet in height, constructed of masonry, stone or pressure treated lumber, or an opaque fence, a minimum of five feet in height, are installed in locations where a natural buffer does not exist, the minimum,

maximum, and average width of the buffer may be reduced by ten feet, provided that:

- (i) The installation of the wall or fence does not disturb the critical root zone of existing trees;
- (ii) The wall or fence is installed at a location to maximize the visual screening; and
- (iii) The use of chain-link fencing with woven slats of opaque material and retaining walls are not acceptable for this buffer width reduction.

(c) The following planting rates per 100 linear feet shall be used:

- (i) Seven canopy trees; and
- (ii) 10 understory trees.

(4) Trees shall be planted a minimum of 10 feet, but no more than 50 feet, from other trees.

(5) Trees located within the required buffer area may be used to meet tree conservation requirements of the Land Development Ordinance.

**Parking Lot Landscaping**

*SCO-1*

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.

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.

**Transportation**

- Street Classification: Lewiston Road-Major Thoroughfare  
Fleming Road- – Major Thoroughfare.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Lewiston Road ADT=6,187 (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 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-12 (Conditional District, Residential Multi-Family 12 du/ac)** zoning, as conditioned, 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 **Low Residential (3-5 d.u./acre)** and **Mixed Use Corporate Park**. The requested **CD-RM-12 (Conditional District, Residential Multi-Family 12 du/ac)** zoning district, as conditioned, is generally consistent with the **Mixed Use Corporate Park** GFLUM designation, but is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation. However, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests where the proposed residential density of the request is within 10% of the maximum or minimum residential density for the existing future land use classification.

**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**

**Low Residential (3-5 d.u./acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

**Mixed Use Corporate Park:** This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly should be placed in a campus-like or "corporate park" setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features such as buildings placed near the street, sidewalks, and trails leading to nearby uses such as retail and housing should be encouraged.

## **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 rezoning and development with owners of surrounding properties and with representatives of the Cardinal Neighborhood, within which the subject site is located.

Based on the absence of complete sidewalk connections in the vicinity, long term safety, accessibility, and quality of life for residents of the subject site would be greatly enhanced by the presence of continuous sidewalks along both sides of Lewiston Road.

### **Staff Analysis**

This 25.01-acre subject site is currently undeveloped. North, west and east of the request is zoned R-3 (single family dwellings).

The Generalized Future Land Use Map designates this site as both Mixed Use Corporate Park and Low Residential. The Mixed Use Corporate Park designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale

business/employment parks with supporting uses such as retail, hotels, and residential. The Low Residential category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3 to 5 dwelling units per gross acre.

The RM-12, Residential Multifamily district is primarily intended to accommodate multifamily and similar residential uses at a density of 12.0 units per acre or less.

The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Housing and Neighborhoods goal to 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.

Existing commercial services are available in close proximity to serve future residents of the proposed development and the area will likely to see both additional business and residential development in the future. Compatibility with surrounding single family development can be enhanced by siting taller multifamily buildings towards Lewiston Road and incorporating enhanced landscaped buffers.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **CD-RM-12** (Conditional District-Residential Multifamily) zoning district.