



# Z-15-11-003

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

Zoning Commission Hearing Date: November 16, 2015

### GENERAL INFORMATION

<b>APPLICANT</b>	Trinterra, LLC on behalf of Dorothy Hardin Lewis
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	<b>R-3</b> (Residential Single-Family) to <b>CD-RM-12</b> (Conditional District-Residential Multifamily)
<b>CONDITIONS</b>	1. Uses shall be limited to a maximum of 142 townhouses.
<b>LOCATION</b>	<b>4803 &amp; 4807 Hardindale Drive &amp; 635 Muirs Chapel Road</b>
<b>PARCEL ID NUMBER(S)</b>	<b>7845013033;7845008939;7845019048</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>160</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~11.83 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Undeveloped, residential & wooded area

### SITE DATA

<b>Existing Use</b>	Undeveloped & Single-family dwellings	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-3 (Residential Single-Family)	Undeveloped property and single family dwellings
E	R-3 (Residential Single-Family)	Single family dwellings
W	R-3 (Residential Single-Family) CD-RM-12 (Conditional District-Residential Multi-Family)	Single family dwellings Multifamily dwellings
S	R-3 (Residential Single-Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property has been zoned R-3 (Residential Single-Family) since the adoption of the Land Development Ordinance (LDO) on July 1, 2010. Prior to the LDO, the property was zoned RS-12 (Residential Single-Family).

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (R-3)	Requested (CD-RM-12)
Max. Density:	3.0 units per acre or less	Conditioned to a maximum of 142 townhouses.
Typical Uses	Primarily intended to accommodate low-density single-family detached dwellings.	Conditioned to townhouses only.

**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 (approximately the northern one-third) within the West Friendly Avenue Visual Corridor Overlay District, which prohibits the establishment of new outdoor advertising signs therein.

**Environmental/Soils -**

Water Supply Watershed	Site drains to South Buffalo Creek, non-watersupply watershed
Floodplains	Onsite, a Floodplain Development Permit is required for any disturbance within the 1% Special Flood Hazard Area. Any structures within the 1% Special Flood Hazard Area will require an Elevation Certificate.
Streams	Perennial streams require a 50ft stream buffer measure from top of bank each side. See LDO Chp. 30-12-3.9 for Allowances and Restrictions with the stream buffer zones.
Other:	If >1acre is disturbed and Built Upon Area is increased, site must meet current Phase 2 requirements. Water Quality and water quantity must be addressed. Site is also located within the 5 statute mile radius of the PTI Airport, no BMP's that hold are normal pool are allowed without documentation to support such BMP.

**Utilities**

Potable Water	Available, depending upon development water and sewer may need to be extended/upgraded, funding by developer.
Waste Water	Available, depending upon development water and sewer may need to be extended/upgraded, funding by developer.

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

**Street Yard:** Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

**Buffer Yard:** Adjacent to single family residential: Type C buffer yard, with an average width of 15', and a planting rate of 2 canopy trees, 3 understory trees, & 17 shrubs per 100 linear feet. Adjacent to vacant property or multi-family residential: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line

**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 for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

**Tree Conservation Acreage**

**Requirements**

11.83 ac. 10% of lot size for a new development

**Transportation**

**Street Classification:** Muirs Chapel Road – Minor Thoroughfare.  
Hardindale Drive – Local Street.

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

**Traffic Counts:** Muirs Chapel Road ADT = 10,416 (GDOT, 2013).

**Trip Generation:** 24 Hour = 984, AM Peak Hour = 73, PM Peak Hour = 96.

**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 Muirs Chapel Road frontage of this property.

**Transit in Vicinity:** No.

**Traffic Impact Study: (TIS)** Yes, required per TIS Ordinance. A draft TIS is pending revision.

**Street Connectivity:** Public street will be required to connect proposed area to Muirs Chapel Rd.

Other: N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-RM-12 (Conditional District-Residential, Multi-Family-12 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 **Low Residential (3-5 d.u./acre)**. The requested **CD-RM-12 (Conditional District-Residential, Multi-Family-12 du/ac)** zoning district is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation, however the applicant has concurrently submitted a request to amend the GFLUM designation on the subject site to **Moderate Residential (5-12 d.u./acre)** which, if approved, would resolve this inconsistency.

### **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.

**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.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

“The change is required to allow for the width of Single Family lot widths to be less than 75’ which is current R-3 standard. In addition we would like to include the ability to provide a multi-family attached Townhome style product as part of the proposed project. The requested zoning district is RM-12.”

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

“This rezoning request will allow for a lot size and product that is more in line with the existing neighborhoods in this area of the City. There is currently a mix of Single Family, Townhomes and apartments near the site. The site currently adjacent to a CD-RM-12 zoned site.”

**COMPREHENSIVE PLAN POLICY ANALYSIS**

**Need for Proposed Change**

The requested **CD-RM-12 (Conditional District-Residential, Multi-Family-12 du/ac)** zoning, as conditioned, would allow uses that are incompatible with the subject site’s current designation in the GFLUM as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment to **Moderate Residential (5-12 d.u./acre)** would resolve this inconsistency.

**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**

At their October 21, 2015 meeting, the Planning Board was asked to consider and comment on the requested change to the GFLUM as discussed above. The Board noted that the proposed change from **Low Residential (3-5 d.u./acre)** to **Moderate Residential (5-12 d.u./acre)** appeared to provide a good transition between the existing high density and low density development in the area.

**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 Madison Woods Neighborhood, within which the subject site is located.

**Staff Analysis**

This 11.83 acre subject site is currently a combination of single family dwellings and undeveloped property. North, south, west and east of the request is zoned primarily R-3 and contains single family dwellings. Northwest of the request the zoning transitions to CD-RM-12 (multifamily dwellings).

The Generalized Future Land Use Map designates this site as Low 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. In conjunction with the rezoning request, the applicant filed a Comprehensive Plan amendment to revise the generalized future land use designation to Moderate Residential. The Moderate Residential 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.

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

The CD-RM-12 request, as conditioned will limit uses to a maximum of 142 townhomes. The request will serve as a transition between the established single family neighborhoods located south, east and west of the request and the multifamily development located northwest of the request. The request as submitted 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. While the proposed request provides additional housing choices in this area and serves as a reasonable transition in land

use intensities, additional consideration for development aspects such as height, building materials and landscaping can further enhance compatibility with adjacent development.

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.