



# Z-16-04-002

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

Zoning Commission Hearing Date: April 18, 2016

### GENERAL INFORMATION

<b>APPLICANT</b>	David Phillips on behalf of Church of Pentecost USA-Inc
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	<b>CD-O</b> (Conditional District-Office) to <b>CD-O</b> (Conditional District-Office)
<b>CONDITIONS</b>	1. Uses shall be limited to all uses permitted in the Office district <b>except</b> drive thru uses.
<b>LOCATION</b>	<b>2603 Murrayhill Road</b>
<b>PARCEL ID NUMBER(S)</b>	<b>7853350909</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>45</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~1.08 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Undeveloped

### SITE DATA

<b>Existing Use</b>	Undeveloped
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N R-5 (Residential Single-Family)	Single family dwellings
E R-5 (Residential Single-Family)	Single family dwellings & vacant property
W CD-O (Conditional District-Office)	Motel
S R-5 (Residential Single-Family)	Single family dwellings & undeveloped property

**Zoning History**

Case #	Date	Request Summary
3698	11/21/2008	The subject property was rezoned from CD-GO-M to CD-GO-M with the condition that uses are limited to a place of worship. Since the adoption of the Land Development Ordinance (July 1, 2010) the property has been zoned CD-O (Conditional District-Office).

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (CD-O)	Requested (CD-O)
Max. Density:	N/A	N/A
Typical Uses	Conditioned to a place of worship only.	Conditioned uses include all uses permitted in the Office district <b>except</b> drive thru uses.

**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**

n/a

**Environmental/Soils**

Water Supply Watershed Site drains to Greensboro non-watersupply watershed, South Buffalo Creek

Floodplains Onsite, a Floodplain Development Permit is required for any disturbance onsite. Site development must meet FEMA requirements for elevation and or flood proofing.

Streams A 50ft Jordan Lake stream buffer measured from top of bank each side is required for the stream. A FEMA floodway is onsite, no disturbance or structures are to take place within the floodway without an approved 'No Rise' engineering calculations.

Other: If >1 acre is disturbed and the BUA is increased, site must meet Phase 2 requirements, water quality and water quantity must be addressed. All the new BUA must be treated by a State approved water quality BMP and any existing BUA treated to the maximum extent practicable.

**Utilities**

Potable Water Available

Waste Water Available

**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 parks and open space: 5' wide vehicular use area buffer (see below) between vehicular use areas and the property line.

Parking lot: Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.  
Vehicular use area buffer yard: 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.

**Tree Conservation Acreage**

**Requirements**

1.08 ac. 1% of lot size.

**Transportation**

Street Classification: West Meadowview Road – Minor Thoroughfare.  
Murrayhill Road – Collector Street.

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

Traffic Counts: None Available.

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 2 (Four Seasons) is adjacent to subject site along Murrayhill Road.

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-O (Conditional District – Office)** 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)**. The requested **CD-O (Conditional District – Office)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation, however the applicant has concurrently submitted a request (CP 16-02) to amend the GFLUM designation on the subject site to **Mixed Use Residential** 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.

**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.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

"We would like to place a dentist office on the property."

Existing zone: CD-O  
 Requesting zone: CD-O

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

- "The amendment is for a rezoning request.
- a) We plan to build an office based on a residential design that should enhance the look of the neighborhood/Park area.
  - b) Based on our conversation with Greensboro's transportation (traffic impact division) the office would not greatly affect the existing traffic pattern.
  - c) Job opportunities would be available to qualified locals as well as taxable income for the City of Greensboro."

**COMPREHENSIVE PLAN POLICY ANALYSIS**

**Need for Proposed Change**

The requested **CD-O (Conditional District-Office)** 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 (CP 16-02) to **Mixed Use Residential** 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**

The Planning Board reviewed GFLUM amendment request CP 16-02 during its meeting on March 16, 2016. The Planning Board commented that the site abuts mixed use commercial, so the change could be warranted and appears to fit the criteria for an amendment. The Board also commented that the proposal appears to be a good fit and an appropriate change that could be an asset to the neighborhood.

**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 Hillside Park neighborhood, within which the subject site is located.

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), and
- Economic Development Impact Zone 1 (local).

**Staff Analysis**

This 1.08-acre subject site is currently undeveloped. North, east and south of the request is a combination of single family dwellings and undeveloped property (zoned R-5). West of the request is a motel (zoned CD-O).

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 has also filed a Comprehensive Plan Zoning Commission Public Hearing

amendment to revise the future land use designation to Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced.

The Office district is intended to accommodate office, institutional, supporting service and other uses. This request will serve as a transition between the residential single family dwellings (north, east and south of the request) and commercial uses (motel) to the west adjacent to I-40. Removing the current zoning condition allows the developer to accommodate additional land uses, with the exception of any drive thru uses.

The request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development Goal to promote a healthy and diversified economy.

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-O** (Conditional District-Office) zoning district.