



Z-16-05-001

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

Zoning Commission Hearing Date: May 16, 2016

GENERAL INFORMATION

APPLICANT	MAMP LLC on behalf of Ann V Allen and Harold Allen Jr and Peggy L. Groce Revocable Trust
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single Family) to CD-O (Conditional District-Office)
CONDITIONS	1. Uses shall be limited to all uses permitted in the Office district <u>except</u> drive thru uses.
LOCATION	3200 & 3202 Horse Pen Creek Road
PARCEL ID NUMBER(S)	7837933344 & 7837934375
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). 75 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~1.84 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	Undeveloped and residential

SITE DATA

Existing Use	Undeveloped and residential	
	Adjacent Zoning	Adjacent Land Uses
N	R-3 (Residential Single-Family) CD-O (Conditional District-Office) RM-5 (Residential Multifamily)	Single family dwellings Daycare facility Townhomes
E	CD-RM-8 (Conditional District-Residential Multifamily)	Townhomes
W	R-3 (Residential Single-Family)	Single family dwellings and undeveloped property
S	R-3 (Residential Single-Family)	Single family dwellings

Zoning History

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

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (R-3)	Requested (CD-O)
Max. Density:	3.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached residential development.	Conditioned uses include all uses permitted in the Office district except 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 Water Supply Watershed, WSIII, Brush Creek Watershed

Floodplains N/A

Streams N/A

Other: Site must meet Water Supply Watershed 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. High Density Development max. 70% BUA, Low Density 24% BUA

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 Single-family and Multi-family uses: 25’ wide Type B landscape buffer with a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs

Parking lot: per 100 l.f.

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

Tree Conservation

Acreage	Requirements
1.84 ac.	5% of lot size.

Transportation

Street Classification: Horse Pen Creek Road – Minor Thoroughfare.
 Carlson Dairy Road – Collector Street.
 Brinton Drive – Local Street.

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

Traffic Counts: Horse Pen Creek Road ADT = 12,270 (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 not exist along the frontage of this property.

Transit in Vicinity: No.

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

Street Connectivity: N/A.

Other: Subject site is within the limits of the Horse Pen Creek Road Widening Project that is scheduled to begin construction fall/winter of 2016.

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 16-05) 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

"MAMP LLC is requesting an amendment to the 'City of Greensboro Comprehensive Plan', for both 3200 and 3202 Horse Pen Creek Road, from 'Low Residential' to 'Mixed Use Residential'. This amendment is necessary because 'Mixed Use Residential' is required to rezone these (2) properties as CD-O (O District). CD-O is not compatible with the current 'Low Residential R-3' category. Intended uses: 3202: Convert the vacant building on 3202 into a business office for MMID (Marta Mitchell Interior Design). MMID has 3 Designers and an Office Manager. The business has no retail traffic. 3200: This property would be held for possible future CD-O sale, after the road widening project is complete in 2019 (estimated)."

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

"Horse Pen Creek Road already has a wide array of businesses on this corridor including: Proehlfic Park Sports Complex; several schools (Caldwell Academy, Montessori, Nobel Academy); Spears YMCA; day care centers, storage facilities; churches; offices; medical centers; etc. Additionally Kotis has a 40 acre property on Horse Pen Creek Road (1/4 mile east of my properties, across from Proehlfic Park) which is for sale for 'Office/Retail/Restaurant'. The road widening project will make this corridor dangerous, noisy and unsuitable for residential usage."

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 16-05) 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 16-05 during its meeting on April 20, 2016. The Planning Board commented that the proposed change seems a good fit for the area, and a good location for additional development.

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.

Staff Analysis

This 1.84-acre subject site is currently a combination of a single family dwelling and undeveloped property. North of the request is a combination of a daycare facility (CD-O), single family dwellings (R-3) and townhomes (RM-5). East of the request are townhomes (CD-RM-8). South and west of the request are single family dwellings (R-3).

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 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 compatible transition to nearby residential single family dwellings (north, west and south of the request) and townhomes to the north and east. The request is also consistent with the broader pattern of various residential and nonresidential uses along Horse Pen Creek Road; which is anticipated to continue to evolve following the completion of the current road widening project.

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.