



# Z-17-06-002

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

Zoning Commission Hearing Date: June 19, 2017

### GENERAL INFORMATION

<b>APPLICANT</b>	Attis E. Crowe and Theodore Stevens
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	Rezone from CD-RM-18 (Conditional District Residential Multifamily) to CD-RM-18 (Conditional District Residential Multifamily).
<b>CONDITIONS</b>	1. Maximum building height shall be 3 stories.
<b>LOCATION</b>	1632 Ball Street
<b>PARCEL ID NUMBER(S)</b>	0018691
<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>120</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	3.43 Acres
<b>TOPOGRAPHY</b>	Gentle sloping
<b>VEGETATION</b>	Mostly open with some trees along southern boundary

### SITE DATA

<b>Existing Use</b>	Daycare Center and single family dwelling	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-5	Single family dwellings
E	R-5	Single family dwellings
W	RM-18 R-5	Multi-family dwellings Single-family dwellings
S	R-5 RM-18	Single family dwelling

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned CD-RM-18 (Conditional District Residential Multi-family) and prior to the adoption of the LDO in July 2010, was zoned CD-RM-18 (Conditional District Residential Multi-Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CD-RM-18)	Requested (CD-RM-18)
Max. Density:	N/A	18.0 units per acre or less
Typical Uses	Limited to church, day care center, nursing home, and/or public/private school.	Primarily intended to accommodate higher density residential development

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Land 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 N. Buffalo Creek, Non-watersupply watershed

Floodplains >2000FT

Streams N/A

Other: If >1acre is disturbed and the BUA (Built Upon Area) is increased, site must meet current watersupply watershed requirements, water quality and water quantity must be addressed.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Overlay District & Noise Cone**

N/A

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

**Street Yards:** 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 Yards:** Adjacent to single family residential: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, and 17 shrubs per 100 linear feet.

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

**Tree Conservation:**

5% of parcel size in critical root zone to be dedicated for Tree Conservation.

**Transportation**

Street Classification: Ball Street – Local Street.  
Ryan Street – Local 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 14 (Bessemer Avenue / Phillips Avenue) is within 200 ft. of subject site, along Tucker Street.

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

Street Connectivity: N/A.

Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **CD-RM-18 (Conditional District – Residential, Multi-family – 18 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)**. The requested **CD-RM-18 (Conditional District – Residential, Multi-family – 18 du/ac)** 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 to amend the GFLUM designation on the subject site to **High Residential (over 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.

**High Residential (over 12 d.u./acre):** This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

“The amendment is needed because the current zoning is 'Consitional District / RM 18' with conditions being for schools or churchs. The land use map is for low residential. Our re-zoning request is for CD-RM18, with the condition being to cap structure height at 3 stories.”

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

“The city should approve our request because our plans are to construct 2 and 3 bedroom apartments that will meet affordability and size requirements of current residents.”

**COMPREHENSIVE PLAN POLICY ANALYSIS**

**Need for Proposed Change**

The requested **CD-RM-18 (Conditional District – Residential, Multi-family – 18 du/ac)** zoning, as conditioned, would allow uses that are incompatible with the subject site’s current designations in the GFLUM as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 17-05**) to **High Residential (over 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**

The Planning Board reviewed GFLUM amendment request CP 17-05 during its meeting on May 17, 2017. The Planning Board commented that without additional details regarding the proposed development, the shift from low residential to high residential seems like a big jump and that the requested change doesn't seem to benefit the uses surrounding this site. The Planning Board stated that the request does relate to the pattern of development occurring around Phillips Avenue.

## **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.

### ***Phillips Avenue Redevelopment Plan***

#### **Plan Objectives**

The Redevelopment Plan for this area, when carried out as hereinafter delineated, will accomplish the following objectives:

- (a) Remove structurally substandard buildings;
- (b) Eliminate blighting factors including deficient lot platting and overcrowding of structures on land;
- (c) Encourage extensive rehabilitation;
- (d) Improve traffic circulation; and
- (e) Provide recreational and open space.

### **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 Phillips Avenue Neighborhood within which, the subject site is located.

Based on the proximity of the subject site to existing bike lanes on Phillips Avenue, long term safety and accessibility for residents, visitors, and employees at the subject site would be greatly enhanced by provision of secure, convenient bicycle parking.

**Staff Analysis**

The 3.43 acre subject site is currently vacant. North and east of the site are single family dwellings (zoned R-5). South of the site are single family dwellings (zoned R-5 and RM-18). West of the site are a combination of single family and multifamily dwellings (zoned R-5 and RM-18).

The Comprehensive Plan’s Future Land Use Map designates this area as Low Residential. The Low Residential classification 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 or less. As part of this request the applicant has requested a change to the High Residential designation. The High Residential designation provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

This requested CD-RM-18 zoning expands the allowable uses from a previous CD-RM-18 that currently excludes residential uses (besides nursing homes) but allows for several commercial and institutional uses including childcare centers, churches, schools and nursing homes. The area around the request contains both low to moderate intensity single family zoning (R-5) and higher intensity multifamily zoning (RM-18). The proposed height limitation would ensure that any new multifamily buildings could not be taller than what would be allowed in the R-5 single family zoning district. The proposed request also allows the same range of uses as other properties in the area zoned RM-18.

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-18** (Conditional District-Residential Multifamily) zoning district.