



Z-17-09-003

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

Zoning Commission Hearing Date: September 18, 2017

GENERAL INFORMATION

APPLICANT	Marc L. Isaacson for RL REGI-NC CIL LLC
HEARING TYPE	Rezoning Request
REQUEST	Rezone from CD-RM-18 (Conditional District Residential Multifamily) and R-3 (Residential Single Family) to PUD (Planned Unit Development).
CONDITIONS	<ol style="list-style-type: none">1. Multifamily residential and accessory structures shall be the only permitted uses.2. There shall be a maximum of seventy-two (72) dwelling units.3. There shall be a minimum six (6) foot high opaque fence on the southern boundary, as permitted under applicable ordinances4. The exterior of the principal buildings shall be primarily brick and/or stone5. All buildings shall be limited to a maximum three (3) above ground stories6. There shall be a fifty (50) foot wide buffer between the subject property and the residential properties on the southern boundary. This buffer shall consist of existing undisturbed vegetation (except for disturbances related to construction, operation and maintenance of stormwater treatment devices or where disturbances are otherwise required by ordinance or statute). This condition shall be interpreted to expressly permit the construction, operation and maintenance of stormwater treatment devices within the proposed fifty (50) foot buffer area.7. Vehicular access from the subject property to Brookfield Drive shall be prohibited
LOCATION	4493 Old Battleground Road
PARCEL ID NUMBER(S)	0223676

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

TRACT SIZE 6.428 Acres

TOPOGRAPHY Sloping to south

VEGETATION Residential

SITE DATA

Existing Use		Undeveloped
	Adjacent Zoning	Adjacent Land Uses
N	PUD (Planned Unit Development)	Multifamily dwellings
E	R-3 (Residential Single Family)	Single family dwelling
W	O (Office)	Social service facility
	C-M (Commercial Medium)	Self storage
S	CD-C-M (Conditional District Commercial Medium)	Restaurant
	R-3 (Residential Single Family)	Single family dwellings

Zoning History

Case #	Date	Request Summary
3558	5/25/07	<p>The subject property and an adjacent property were rezoned to CD-RM-18 (Conditional District Residential Multifamily) from City RS-40 (Residential Single Family) with the following conditions:</p> <ol style="list-style-type: none"> 1. Uses: Condominiums for sale. 2. There shall be a maximum of ninety-six (96) condominiums units. 3. There shall be a fifty (50) foot wide buffer between the subject property and the residential properties on the southern boundary. This buffer shall consist of existing undisturbed vegetation (except for disturbances related to construction, operation and maintenance of stormwater treatment devices or where disturbances are otherwise required by ordinance or statute). This condition shall be

interpreted to expressly permit the construction, operation and maintenance of stormwater treatment devices within the proposed fifty (50) foot buffer area.

4. The developer shall install a six (6) foot high opaque fence on the southern boundary (except where otherwise prohibited by ordinance or statute).
5. The exterior of the principal buildings shall be primarily brick and/or stone.
6. All buildings shall be limited to three (3) above ground stories.
7. Vehicular access from the subject property to Brookfield Drive shall be prohibited.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-RM-18)	Requested (PUD)
Max. Density:	Limited to maximum 96 condominium units	Limited to maximum 72 residential multifamily units
Typical Uses	Limited to condominium units designed for sale	Limited to multifamily residential and accessory structures

**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 Greensboro Watersupply Watershed WSIII, Horsepen Creek Sub-basin, Tier 3 Watershed Critical Area

Floodplains >2000FT

Streams Stream onsite requires a 50ft Jordan Lake buffer measured from top of bank on each side.

Other: Site must meet current watershed requirements. Max.BUA per WCA Tier 3 is 30% with sewer, Low Density is 12% with sewer. No High Density option without sewer, Low Density is 4% or 0.33 DU/AC. Site is also located within the PTI 5 mile statue radius. No water quality devices are allowed that hold a normal pool elevation unless supporting engineering calculations are provided.

Utilities

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

N/A

Landscaping & Tree Conservation Requirements

Landscaping:

Landscaping requirements will be established in the Unified Development Plan for the PUD.

Tree Conservation:

For 6.428 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation, if disturbed area is greater than 3,000 s.f.

Transportation

Street Classification: Old Battleground Avenue – Minor Thoroughfare.

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

Traffic Counts: Old Battleground Road ADT = 9,200 (NCDOT, 2016).

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: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **PUD (Planned Unit Development)** 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 **Mixed Use Residential**. The requested **PUD (Planned Unit Development)** zoning district, as conditioned, is generally consistent with the **Mixed Use Residential** GFLUM designation.

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.

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

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.

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

The 6.428 acre subject site was previously rezoned with an adjacent parcel for a maximum 96 condominium units but only 24 of those units have been built to date. The proposed request would allow for additional multifamily development options while maintaining the same number of maximum residential dwelling units between the two properties. Uses to the north are townhomes (zoned PUD), to the east is a single family dwelling (zoned R-3), to the west is a social service facility (zoned O) and self storage facility (zoned C-M) and to the south is a restaurant (zoned CD-C-M).

The Comprehensive Plan's Future Land Use Map currently designates this area as 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 proposed request does support 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.

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 **PUD** (Planned Unit Development) zoning district.