



# Z-17-10-006

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

Zoning Commission Hearing Date: November 20, 2017

### GENERAL INFORMATION

<b>APPLICANT</b>	Clint Cogburn for Estate of Joseph M. and Janice S. Waynick
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	Rezone from R-3 (Residential Single Family) to CD-O (Conditional District Office).
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Permitted uses shall include all uses allowed in the Office (O) zoning district except the following:<ol style="list-style-type: none"><li>a. All uses in the Group Living use category;</li><li>b. Wireless Telecommunications Facilities; and</li><li>c. Funeral Homes and Crematoriums</li></ol></li><li>2. Maximum building height shall not exceed three (3) stories,</li><li>3. Maximum building square footage shall not exceed 25,000 square feet.</li></ol>
<b>LOCATION</b>	3522 and 3524 Lawndale Drive
<b>PARCEL ID NUMBER(S)</b>	0055947 and 0055946
<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>81</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	1.33 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Residential

### SITE DATA

<b>Existing Use</b>	<b>Single family dwellings</b>
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>

N	RM-8 (Residential Multifamily)	Multifamily dwellings
E	R-3 (Residential Single Family)	Single family dwelling
W	RM-8 (Residential Multifamily)	Multifamily dwellings
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 (Residential Single Family) and has been since the adoption of the Land Development Ordinance in July 2010. Prior to the LDO, the subject property was zoned RS-12 (Residential Single Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(R-3)</b>	Requested <b>(CD-O)</b>
Max. Density:	3.0 dwelling units per acre	N/A

Typical Uses	Primarily intended to accommodate low density single-family detached residential development	Limited to all uses in Office district except Group Living, Wireless Facilities and Funeral Homes/Crematoriums
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\*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 impervious (BUA) amount is increased, site must meet Phase 2 requirements – Water Quality and Water Quantity Control must be addressed.

**Utilities**

Potable Water available

Waste Water available

**Airport Overlay District & Noise Cone**

N/A

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

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 B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 l.f.

Adjacent to multi-family residential: Type B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 l.f.

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

**Tree Conservation:**

For 2.69 acres, 5% of parcel size in critical root zone to be dedicated for Tree Conservation.

**Transportation**

Street Classification: Lawndale Drive – Major Thoroughfare.

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 exist along the frontage of this property.
Transit in Vicinity:	Yes, GTA Routes 8 (Battleground Avenue) and 17 (Lawndale Drive) are adjacent to subject site, along Lawndale Drive.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

## **IMPACT/POLICY 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 17-10) to amend the GFLUM designation on the subject site to **Mixed Use Commercial** 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 Commercial:** This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

"The requested map amendment is needed because the current designation of Low Residential is not compatible with the intended proposed use for the site of medical offices and/or related office buildings. It is Applicant's belief (as detailed below) that this request is minor, given that the relevant parcels are immediately adjacent to existing Mixed Used Commercial area. In conjunction with the requested map amendment, Applicant has filed a Zoning Map Amendment Request to rezone the parcels from R-3 Residential to Office, to

allow for the proposed development. As identified previously, the existing zoning district for both 3522 and 3524 Lawndale Drive is R-3 Residential. The requested zoning district is Office. Please note that the rezoning request is a conditional zoning request with conditions relating to uses, maximum building height, and maximum square footage.”

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

“As detailed above, the requested map amendment is needed because the current designation of Low Residential is not compatible with the intended proposed use for the site of medical offices and/or related office buildings. The Mixed Use Commercial designation does permit that type of development and Applicant has coordinated with staff regarding the appropriate designation for this request. Moreover, the subject parcels (3522 and 3524 Lawndale Drive) are immediately adjacent to a Mixed Use Commercial zone, located northeast of the parcels, in the current Comprehensive Plan. The close proximity to the existing Mixed Use Commercial zone makes that a minor requested change to the Comprehensive Plan and seeks to ensure relative consistency with the current Comprehensive Plan. There is also existing Office and Commercial-Medium in nearby proximity to the subject parcels. There has been commercial development in that area, including development of office buildings similar to the intended development at the subject parcels. Additionally, that area includes a diversity of uses, including townhomes, condominiums, and various commercial development, making the Mixed Use designation appropriate for the subject parcels.”

**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 GFLUM designation as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 17-10**) to **Mixed Use Commercial** 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 the GFLUM amendment request CP 17-10 during its meeting on September 20, 2017. The Planning Board requested that the GFLUM amendment be expanded to include 3520 Lawndale Drive and the portion of 3526-3540 Lawndale Drive currently designated as **Low Residential (3-5 d.u./acre)**. The Board noted that the area is in transition; driveways and access may be an issue. The Board further commented that the requested properties are awkward; the zoning commission may wish to consider appropriate conditions. The Planning Board stated that the requested change is in line with development patterns and seems like a great idea. The Board concluded that additional development in the area is great to see; the location is conducive for additional growth.

**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 Lawndale Homes Neighborhood, within which the subject site is located.

**Staff Analysis**

The 1.33 acre subject site currently contains two single family dwellings (zoned R-3). Uses to the north and west are townhomes (zoned RM-8). Uses to the south and east are single family dwellings (zoned R-3).

The Comprehensive Plan's Future Land Use Map currently designates this area as Low Residential. The Low Residential designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within the density range of 3-5 dwelling units per acre. As part of this request the applicant is requesting the designation to be changed to Mixed Use Commercial. The Mixed Use Commercial designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary.

The Office district in general is considered a moderate intensity zoning classification that allows uses that are generally compatible with nearby residential uses and often serves as a transition between higher density commercial uses and lower density residential uses. This request also contains conditions to limit the size and scale of any future development to limit impacts on adjacent residential uses.

The proposed request does support 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, 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.

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.