



Z-17-11-003

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

Zoning Commission Hearing Date: November 20, 2017

GENERAL INFORMATION

APPLICANT	Thomas Mizelle for Daystar Christian Fellowship
HEARING TYPE	Rezoning Request
REQUEST	Rezone from R-5 (Residential Single Family) to CD-O (Conditional District Office).
CONDITIONS	<ol style="list-style-type: none">1. Use shall be limited to a maximum building height of three stories2. No drive through uses shall be permitted
LOCATION	1806 Merritt Drive
PARCEL ID NUMBER(S)	0034231
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). 153 notices were mailed to those property owners in the mailing area.
TRACT SIZE	14.77 Acres
TOPOGRAPHY	Undulating
VEGETATION	Institutional

SITE DATA

Existing Use		Undeveloped
	Adjacent Zoning	Adjacent Land Uses
N	R-5 (Residential Single Family)	Public park and Single family dwellings
E	R-5 (Residential Single Family)	Place of religious assembly

W	R-5 (Residential Single Family)	Public park and Single family dwellings
S	R-5 (Residential Single Family)	Interstate highway

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-40.(Residential Single Family)

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-5)	Requested (CD-O)
Max. Density:	5.0 dwelling units per acre	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached residential development	Primarily intended to accommodate various office uses and personal and professional service uses

**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 South Buffalo Creek, Non-Watersupply Watershed

Floodplains On site and FEMA Floodway. Any disturbance within the FEMA 1% Special Flood Hazard Area will require a Floodplain Development Permit.

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

Other: If >1 acre is disturbed and the BUA is increased, site must meet current Phase 2 watershed requirements, water quality and water quantity control must be addressed. 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 will be required in the event of redevelopment or expansion of existing buildings or parking lots:

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 parks, open spaces, or vacant property: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

Parking lot: 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.

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

On lots of records that existed prior to July 1, 1992 that are less than 55,000 square feet in area, no development is required to landscape more than 15% of the site.

Tree Conservation:

For 14.77 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation, if parcel is redeveloped; or 10% of disturbed area for expansions of buildings or parking lots, if disturbed area is greater than 3,000 s.f.

Transportation

Street Classification: Merritt Drive – Minor Thoroughfare.
Gentry 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:	No.
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 17-11) 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.

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

"This amendment is needed because Low Residential does not provide office uses or many non-residential uses. This amendment accompanies a zoning change from R-5 to CD-O."

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

"This property is a 14 acre parcel that has been used as a non residential use for 70 years. The requested amendment will be more consistent with the use of the property as a church."

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 17-11**) 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 the GFLUM amendment request CP 17-11 during its meeting on October 18, 2017. The Planning Board commented that the requested Mixed Use Residential designation was complementary to residential; that it makes sense and fits, and that it does not appear to present a problem. The Planning Board noted that there is unlikely to be another low residential use in this location next to the Interstate and that the Merritt Drive area between major thoroughfares is experiencing change and the corridor needs attention as we update the Comprehensive Plan. The Planning Board noted that although they are generally not in favor of changing zoning for signage, including conditions and restrictions to prevent more intense uses and to protect established single family neighborhoods nearby, would allay their concerns.

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 Hunter Hills West neighborhood, within which the subject site is located, and the adjacent Hunter Hills East neighborhood, located to the east of the subject site.

Staff Analysis

The 14.77 acre subject site is currently occupied by a place of religious assembly which has recently added an additional building to the site. Uses to the north and west include a public park and single family dwellings zoned R-5. The use to the east is a place of religious assembly (zoned R-5), and to the south is Interstate 40 (zoned R-5). The applicant is seeking the change in zoning to allow for expanded options for signage on the property.

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 a general density range of 3 to 5 dwelling units per acre. As part of this application, a request has been made to change 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 proposed office zoning district is generally considered a moderate intensity district that allows uses generally compatible with nearby residential development. The proposed conditions associated with the request also limit potential negative impacts on nearby residential uses and the site itself is wedged between a public park and an interstate highway. The 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 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.