



Z-10-07-003

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

Zoning Commission Hearing Date: July 12, 2010

GENERAL INFORMATION

APPLICANT	Marc Isaacson for Alexian, LLC
HEARING TYPE	Rezoning
REQUEST	RM-12 (Residential-Multi Family) to CD-RM-26 (Conditional District-Residential Multi Family)
CONDITIONS	<ol style="list-style-type: none">1. Uses: All residential uses permitted in the RM-26 zoning district.2. Maximum density equal to 20 townhouses, condominium or apartment units per acre.3. Building exterior will be constructed of not less than 50% brick, wood (including Hardiplank) and/or stone and shall have coordinated design features.4. Townhouse/condominiums or apartments shall be limited to three stories in height.5. Applicant shall install a Type B planting yard and a five-foot opaque fence along the southern lines of tax parcel Map 525 Block 3 Lot 1 and Map 525 Block 2 Lot 26, and along the eastern line of tax parcel Map 350-F, Block 726-S, Lot 63. Where said fence passes through any tree conservation area, the applicant will install the fence by hand and no motorized vehicles shall be permitted in the tree conservation area.6. Residential building(s) shall be designed with a pitched roof, architectural shingle roofs, and architectural fenestrations and/or door(s) on the side of each building.7. Applicant shall install and provide pedestrian connectivity between the subject property and Lawndale Drive.8. Applicant shall provide at least 3 stub-outs for future walking connections to adjoining non-residential properties.
LOCATION	105 Tall Oaks Drive , generally described as east of Lawndale Drive, west of Wireless Drive and the terminus of Tall Oaks Drive.
PARCEL ID NUMBER (S)	7856532919

PUBLIC NOTIFICATION

The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City 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). **49** notices were mailed to those property owners in the mailing area.

TRACT SIZE

~9.96 acres

TOPOGRAPHY

Generally flat

VEGETATION

Residential landscaping

SITE DATA

Existing Use

Multi-Family dwellings

Adjacent Zoning

Adjacent Land Uses

N	RS-12 (Residential-Single Family)	Single-Family dwellings
E	CD-HB (Conditional District-Highway Business)	Office complex
W	LO (Limited Office)	Professional Offices
S	HB (Highway Business) and CD-HB (Conditional District-Highway Business)	Shopping Center`

Zoning History

Case #	Date	Request Summary
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This property has been zoned RM-12 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 120

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (RM-12)	Requested (CD-RM-26)
Max. Density:	12 dwelling units/acre	26 dwelling units/acre
Typical Uses	Primarily intended to accommodate multifamily uses at a density of 12.0 units per acre or less.	Primarily intended to accommodate multifamily uses at a density of 26.0 units per acre or less.

**These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

Environmental/Soils

Water Supply Watershed Site drains to Greensboro Watersupply Watershed, Lake Jeanette
 Floodplains N/A
 Streams N/A
 Other: Since site is to be demolished, site must meet current Watershed requirements.

Utilities

Potable Water
 Waste Water

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements

Location	Required Planting Yard Type and Rate
North	See Condition #5 above.
South	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
East	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
West	Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100' and Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

Tree Preservation Requirements

Acreage	Requirements
9.96 ac	All trees 4" or greater DBH which are located within the required planting yards or within 15' of the side and rear property lines, whichever is greater

Transportation

Street Classification: Lawndale Drive – Major Thoroughfare, Tall Oaks Drive – Local Street, Tall Oaks Drive/Circle – Private Street.
 Site Access: Existing.
 Traffic Counts: Lawndale Drive ADT = 20,669 (2007).
 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. There is sidewalk along Lawndale Drive.
 Transit in Vicinity: Yes, Route 8A, Lawndale Connector.

Traffic Impact Study: No, not required per TIS Ordinance.
(TIS)

Street Connectivity: N/A.
Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-RM-26** (Conditional District-Residential Multi Family) zoning would allow land uses that are incompatible with the general character of the area (due to high density).

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Mixed Use Commercial**. The requested **CD-RM-26** (Conditional District-Residential Multi Family) zoning district is consistent with this GFLUM designation.

Connections 2025 Written Policies

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C.1: Establish standards for and promote new forms of compact development.

Housing and Neighborhoods Goal: 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 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

Including protection against incompatible commercial encroachments into residential neighborhoods

POLICY 6B.3: Improve maintenance of existing housing stock.

Connections 2025 Map Policies

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.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans - N/A

Staff/Agency Comments

Water Resources - N/A

Housing and Community Development

Planning

The subject site is located east of Lawndale Drive, west of Wireless Drive and the terminus of Tall Oaks Drive. The subject site is currently an apartment complex and it is the intention of the applicant to upgrade and expand upon these old units.

The immediate vicinity is well developed with varying densities and intensities of residential, office and commercial uses. The immediate north is characterized by single-family detached dwellings in a stable neighborhood. To the east, south and west are some form of commercial and office uses.

Staff does have significant concerns about compatibility of the proposed request with the surrounding neighborhood. Although, the site is designated as Mixed Use Commercial on the Generalized Future Land Use Map (GFLUM), 20 dwelling units per acre at this location, will be incompatible with the surrounding development, especially the single-family residential neighborhood to the north that shares a common access with this site. Approval of this proposal would create an island of higher density multifamily development in a neighborhood that is currently characterized by low to moderate density residential developments.

While the Comprehensive Plan calls for compact development on the City's fringe and the provision of the necessary services and facilities in close proximity to neighborhoods, it also speaks to the need to protect neighborhoods from incompatible and poorly located land uses.

Staff would provide support for this request, if the density were to be lower than or at most 15 dwelling units per acre and also the request included a site plan and elevations for staff to evaluate the layout and the probable impacts that this request might have on the surrounding residential character. Staff is also concerned that the topography of the subject site might hinder the use of the proposed stub-outs, thereby defeating the intent and purpose of the Mixed Use Commercial GFLUM designation for this site.

Staff believes that this request is inconsistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is not compatible with the existing development and trend in the surrounding area.

STAFF RECOMMENDATION

Staff recommends **denial** of the requested **CD-RM-26** (Conditional District-Residential Multi Family) zoning district.