



**Z-11-05-002**

**Planning & Community Development  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: May 9, 2011**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Henry Isaacson for Harry and James Morgan
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>R-3</b> (Residential-Single Family) to <b>CD-RM-8</b> (Conditional District-Residential-Multi Family)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses: Uses shall be limited to a child daycare center.</li><li>2. Students/attendees shall be limited to a maximum of 80.</li><li>3. There shall be a maximum of one building located on the property, one story in height and limited to a maximum of 5,000 square feet of interior space.</li><li>4. Hours of operation of the daycare facility shall be limited to 7:00 AM to 6:00 PM, Monday –Friday.</li><li>5. All exterior lighting shall be cut-off fixtures, not more than 25 feet in height and shall be directed away from adjoining properties.</li></ol>
<b>LOCATION</b>	<b>3231 Horse Pen Creek Road</b> , generally described as north of Horse Pen Creek Road and west of Laurel Run Drive
<b>PARCEL ID NUMBER(S)</b>	<b>7847049172</b>
<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>102</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.91 Acres
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Residential Landscaping

**SITE DATA**

<b>Existing Use</b>		Single-Family dwelling
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-RM-5(Residential-Multi Family)	Multi family dwelling units
E	R-3 (Residential-Single Family)	Single family dwelling unit
W	CD-RM-5(Residential-Multi Family)	Multi family dwelling units
S	R-3 (Residential-Single Family)	Single family dwelling unit

**Zoning History**

Case #	Date	Request Summary
		This property has been zoned R-3 (Residential-Single Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned RS-20 (Residential-Single Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(R-3)</b>	Requested <b>(CD-RM-8)</b>
Max. Density:	3 dwelling units per acre	8 dwelling units per acre
Typical Uses	Primarily intended to accommodate low-density single-family detached residential developments.	Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses.

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro 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 Greensboro Watersupply Watershed, Watershed Critical Area Tier 4, subbasin Horsepen Creek

Floodplains                      N/A

Streams                            N/A

Other:                              For High Density development max.BUA is 40% with sewer, Low Density max.BUA is 24% with sewer. If High Density development is chosen, site must meet current watershed requirements. If Low Density development is chosen site must meet scoresheet requirements.

**Utilities**

Potable Water N/A  
 Waste Water N/A

**Airport Noise Cone**

The subject property is partially located in the Airport Noise Cone.

**Landscaping Requirements**

On lots of record 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.

Horse Pen Creek Rd.: Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

West Property Line: NA

East Property Line: Type C Yard – average width 15’; 2 canopy trees per 100’, 3 understory trees per 100’, 17 shrubs per 100’

North Property Line: NA

**Parking Lot Landscaping**

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

**Required Landscaping**

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

<b>Table 10–4: Location of Parking Lot Planting Areas</b>		
<b>Size of Parking Lot Planting Area (sq. ft.)</b>	<b>Number of Trees In Planting Area</b>	<b>Max. Distance from Parking Space (feet)</b>
200-499	1	100 (1)
500-899	3	130
(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance		

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the 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 used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements**

**Acreage**

**Requirements**

0.91 ac.      1% of Lot Size

**Transportation**

Street Classification:      Horse Pen Creek Road - Minor Thoroughfare

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

Traffic Counts:                  Horse Pen Creek Road ADT = 13,578 (2009)

Trip Generation:                N/A

Sidewalks:                        Sidewalks are a requirement of the Development Ordinance. A 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. A sidewalk along this frontage is currently planned as part of the Horse Pen Creek widening project which is currently scheduled to begin construction Spring 2015

Transit in Vicinity:              No transit in the area

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-8** (Conditional District-Residential-Multi Family) zoning 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 Density Residential (3-5 dwelling units per acre)**. Per adopted Council policy, lots less than one acre in size are considered consistent with all GFLUM designations.

**Connections 2025 Written Policies**

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 4G.1: Promote 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

Economic Development Goal: 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.

### **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.

## **CONFORMITY WITH OTHER PLANS**

**City Plans – N/A**

**Other Plans – N/A**

### **Staff/Agency Comments**

#### **Community Development**

Applicant is strongly encouraged to discuss this proposed rezoning and development with representatives of the adjacent Laurel Run Neighborhood.

#### **Planning**

The subject parcel, which currently consists of a single-family dwelling, is adjoined to the north and west by multi-family dwellings and to the east and south by single-family dwellings. Per the conditions submitted with this request, the applicant intends to redevelop this site as a child day care center for a maximum of 80 attendees.

The immediate neighborhood is well developed with varying intensities and densities of commercial, institutional and residential development. Notable amongst them is the YMCA, Guilford Day school and several multi-family developments. This rezoning request is not contradictory to the intent and purpose of the zoning code. Approving this request will help provide a use often found in or near residential areas without impacting the overall mix of uses found in this vicinity nor will it negatively impact the adjacent residential uses. It will also promote a healthy, diversified economy with a strong tax base and opportunities for

employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas.

Staff believes that this request is consistent 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 compatible with the existing development and trend in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-RM-8** (Conditional District-Residential-Multi Family) zoning district.