



Z-18-05-004

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

Zoning Commission Hearing Date: May 21, 2018

GENERAL INFORMATION

APPLICANT	Henry Isaacson for Marion C. Sharpe, Julie A. Troxler, Barbara B. Goodman, John R. Stone, Claire Stone, Robert H Stone, Jr., Rita Maloy, and Stephen R Maloy.
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single-family - 3) to CD-O (Conditional District – Office) with the following conditions:
CONDITIONS	<ol style="list-style-type: none">1. All uses permitted in the Office zoning district EXCEPT: Hotels and Motels, Funeral Homes and Crematoriums, Multi-family Dwellings, and Yard Sales.2. Building height shall be limited to 2 stories.3. Applicant will establish a vegetative screen adjacent to single family uses which shall contain evergreen species to ensure year round screening. A minimum of 50% of the screening materials shall be evergreen. Shrubs shall be a minimum of three feet tall at the time of planting.4. Building square footage shall not exceed 15,000 square feet.
LOCATION	1319-1325 New Garden Road
PARCEL ID NUMBER(S)	7835772969, 7835783140, 7835784119, and 7835784362
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). 72 notices were mailed to those property owners in the mailing area.
TRACT SIZE	4.19 Acres
TOPOGRAPHY	Flat
VEGETATION	Residential

SITE DATA

Existing Use		Single-family dwellings
	Adjacent Zoning	Adjacent Land Uses
N	R-3 (Residential Single-family) CD-RM-12 (Conditional District – Residential Multi-family)	Single-family dwellings Multi-family dwellings
E	CD-R-3 (Residential Single-family) R-3 (Residential Single-family)	Elementary School Single-family dwellings
W	CD-RM-12 (Conditional District – Residential Multi-family) PUD (Planned Unit Development)	Multi-family dwellings Multi-family dwellings
S	R-3 (Residential Single-family) PUD (Planned Unit Development)	Single-family dwellings Multi-family dwellings

Zoning History

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned R-3 (Residential Single-Family - 3) 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 (R-3)	Requested (CD-O)
Max. Density:	3.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Typical uses in the O district may include office and 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

The subject site is located within the New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils

Water Supply Watershed Site drains to Greensboro Watersupply Watershed WS-III, Horsepen Creek Watershed

Floodplains >2000LF

Streams Possible stream onsite. Feature is not on the USGS Topo or USDA Soils maps. Feature must be identified. If feature is either intermittent or perennial, then a 30ft non-encroachment area measure from top of bank on each side will be required. See LDO Chp. 30-12-3.9 for an explanation of stream buffer requirements.

Other: Site must meet current Watershed requirements, Water Quality and Water Quantity must be addressed. Max.High Density BUA is 70%, Low Density is 24%. Site is located within the PTI 5 mile statue radius, a water quality device that holds a normal pool elevation cannot be utilized without engineering documentation.

Utilities (Availability)

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping:

Street Yards:

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 Yards:

Adjacent to single-family residential and 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 Lots:

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

Tree Conservation:

For 4.19 acres, 5% of parcel size in critical root zone to be dedicated for Tree Conservation.

Transportation

Street Classification:	New Garden Road – Major Thoroughfare. Pine Haven Drive – Local Street.
Site Access:	All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	New Garden Road AADT = 18,000 (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 exist along a portion of 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 **Moderate Residential (5 – 12 d.u./acre)**. The requested **CD-O (Conditional District - Office)** zoning district, as conditioned, is generally inconsistent with the **Moderate Residential (5 – 12 d.u./acre)** GFLUM designation, however, the applicant has concurrently submitted a request (CP 18-03) 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.

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

Moderate Residential (5-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

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

“The accompanying rezoning request is for CD-O for a medical office facility. The existing Comp Plan calls for Moderate Residential. Since the Comp Plan was enacted numerous changes have occurred along New Garden Road on both sides of the road including another

medical office. Thus, it appears to be appropriate to amend the Comp Plan to coincide with the proposed office.”

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

“During the late 1990's two factors occurred which have changed the complexion of New Garden Road, (1) Bryan Blvd was completed as a rapid expressway to the PTIA; (2) Jefferson Pilot decided to develop its 450+ acre club tract for commercial and office use. These two factors transformed New Garden Road from a two lane road to a 4 lane median lined thoroughfare.

“The new road has given rise to a mix of uses along its way; commercial, multifamily and offices. Thus, the rezoning proposal as well as the accompanying Comp Plan change appear to be appropriate.”

COMPREHENSIVE PLAN POLICY ANALYSIS

Need for Proposed Change

The requested **CD-O (Conditional District - Office)** zoning district, as conditioned, would allow uses that are incompatible with the subject site's current GFLUM designation as **Moderate Residential (5-12 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 18-03**) 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 GLFUM amendment request CP-18-03 associated with this rezoning request during its meeting on April 18, 2018. The Planning Board commented that consideration should be given to where development along major thoroughfares in the City should stop to avoid encroaching on adjacent neighborhoods. The neighborhood across and to the east of New Garden Road is still an intact neighborhood, but concerns were expressed about possible future development in the neighborhood along the frontage of New Garden Road. The Board further commented that consideration should be given to adjusting the designation of the detached single-family that will remain in the Medium Residential designation after this change.

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 adjacent Friendly Lakes neighborhood (located to the north) and Robinridge neighborhood (located to the east).

Staff Analysis

The 4.19-acre subject property is made up 4 separate lots. Each lot currently has a single-family dwelling on it. Generally, North of the request are single-family dwellings (zoned R-3), with townhomes (zoned CD-RM-5) located further north. East of the request are single-family residential dwellings (zoned R-3) an elementary school (zoned CD-R-3). South, and west of the request are single-family residential dwellings (zoned R-3) and multi-family dwellings (CD-RM-12 and PUD).

The Comprehensive Plan's Future Land Use Map designates this area as Moderate Residential. This designation accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings. The applicant has requested a GFLUM amendment to 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.

The Planning Board review the proposed GFLUM amendment CP 18-03 at their April 18, 2018 meeting and commented that consideration should be given to where development along major thoroughfares in the City should stop to avoid encroaching on adjacent neighborhoods. They

stated that this plan keeps existing neighborhoods intact, but that this should be a consideration for future requests.

The proposed CD-O, as conditioned, allows all uses permitted in the Office zoning district except Hotels and Motels, Funeral Homes and Crematoriums, Multi-family Dwellings, and Yard Sales. The request further limits building height to 2 stories and building area to 15,000 square feet. The request requires a buffer yard made up of 50% evergreen material and shrubs to be 3 feet tall at the time of planting. These conditions limit negative impacts on surrounding residential uses. The Office zoning district is primarily intended to accommodate office, institutional, supporting service and other uses of moderate intensity. Additionally, a goal of the Comprehensive Plan is to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development

The 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.