



Z-19-03-011

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

Zoning Commission Hearing Date: March 18, 2019

GENERAL INFORMATION

APPLICANT	Lia Miller, on behalf of Creative Aging Network and HandyCapable
HEARING TYPE	Rezoning Request
REQUEST	CD-RM-8 (Conditional District Residential Multifamily – 8) to CD-C-M (Conditional – Commercial Medium)
CONDITIONS	1. All uses permitted in the Commercial Medium district except Eating and Drinking Establishments; Bars, Nightclubs and Brewpubs; any use with a Drive Through Facility; and Sexually Oriented Businesses.
LOCATION	2400 Summit Avenue
PARCEL ID NUMBER(S)	7875486429
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). 30 notices were mailed to those property owners in the mailing area.
TRACT SIZE	10.53 Acres
TOPOGRAPHY	Undulating
VEGETATION	Residential and partially wooded
<u>SITE DATA</u>	
Existing Use	Repair Services, Educational Facility, Personal Services

Adjacent Zoning

Adjacent Land Uses

N	O (Office) C-M (Commercial Medium)	Assisted Living and Self Storage
E	C-M (Commercial Medium)	Highway Right of Way
W	CD-O (Conditional District Office) O (Office) HI (Heavy Industrial)	Offices, Training Facility and Vacant Industrial
S	O (Office)	Undeveloped

Zoning History

Case #	Date	Request Summary
4038	January 23, 2016	The property was rezoned from CD-O and C-M to CD-RM-8 with the following conditions: <ol style="list-style-type: none"> 1. Uses shall be limited to a maximum of 50 residential dwelling units for seniors 2. The building height will be limited to a maximum of 3 stories.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-RM-8)	Requested (CD-C-M)
Max. Density:	50 dwelling units	N/A
Typical Uses	Conditioned to allow a maximum of 50 dwelling units for seniors.	Conditioned to allow all uses in C-M except bars,nightclubs, brewpubs; any use with drive through; and Sexually Oriented Businesses

**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 Watershed

- Floodplains Onsite. Any disturbance within the FEMA 1% Special Flood Hazard Area requires a Floodplain Development Permit.
- Streams Blue Line stream is on site. A 50ft stream buffer measured from top of bank on each side is required. Any disturbance within the stream buffer will require a letter of 'No Practical Alternative' explaining why the disturbance must take place within the stream buffer.
- Other: If >1acre is disturbed and the BUA is increased, site must meet Phase 2 requirements – water quality and water quantity control must be addressed. Existing BUA on site is grandfathered. Any new structures within the FEMA 1% Special Flood Hazard Area must meet current FEMA requirements. Building must be either elevated to 1ft above the BFE or must be flood proofed. An Elevation Certificate will be required at footing/foundation stage and at final construction.

Utilities (Availability)

- Water available
- Sewer available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping and Tree Conservation will be applicable to redevelopment or expansions of use that disturb greater than 3,000 s.f.

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 hospice (group living) use: 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 vacant property: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

Parking Lots:

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.

Tree Conservation:

For 10.53 acres, 10% of disturbed area to be dedicated in critical root zone for Tree Conservation for expansions of use, or 10% of parcel size dedicated in critical root zone for redevelopment.

Transportation

Street Classification: Summit Avenue – Minor Thoroughfare.
Sixteenth Street – Minor Thoroughfare.

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

Traffic Counts: Summit Avenue AADT = 16,000 (NCDOT, 2017).

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: Yes, GTA Routes 6 (Summit Avenue) and 15 (Yanceyville Street / Brightwood School Road) are within 650’ of the subject property, along Sixteenth Street.

Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-RM-8 (Conditional District – Residential, Multi-Family – 8 du/ac)** 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**. The requested **CD-RM-8 (Conditional District – Residential, Multi-Family – 8 du/ac)** zoning district, as conditioned, is generally inconsistent with the **Low Residential** GFLUM designation, however the applicant has concurrently submitted a request (CP 19-02) to amend the GFLUM designation on the subject site to **Mixed Use Residential** which, if approved, would resolve this inconsistency. The Growth Strategy Map designates this location as being partially (approximately eastern 75%)

within the US Highway 29 Reinvestment Corridor and partially (approximately western 25%) within the Cone Mills Reinvestment Area.

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 Residential: 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.

Reinvestment Area: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Areas are neighborhoods and districts within Greensboro’s urban areas that would most benefit from actions to promote compatible infill development and other forms of investment and reinvestment.

Reinvestment Corridor: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	

Applicant Stated Reasons for Request

“Property is no longer being used as residential. We intend to use the property to provide education in Arts & Technology to older adults, healthcare providers as well as differently abled adults and caregivers. Requesting change from CD-RM-8 to CD-C-M.”

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

“The surrounding area is no longer primarily residential.”

COMPREHENSIVE PLAN POLICY ANALYSIS

Need for Proposed Change

The requested **CD-RM-8 (Conditional District – Residential, Multi-Family – 8 du/ac)** zoning district, as conditioned, would allow uses that are incompatible with the subject site’s current designation in the GFLUM as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 19-02**) 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 19-02** associated with this rezoning request during its meeting on February 20, 2019. Planning Board members stated that the requested change makes a lot of sense, especially considering the pending completion of the nearby Greensboro Urban Loop interchange at US Highway 29. The Planning Board noted that there are numerous infill opportunities in the area that would be well suited to the Mixed Use Residential designation. The Planning Board agreed that the area needs mixed use development and expressed interest in seeing development of much needed retail and other services in the area.

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 White Oak neighborhood, within which the subject site is located.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal),
- Opportunity Zone Tax Credits (federal), and
- Economic Development Impact Zone 1 (local).

Staff Analysis

The 10.53 acre subject property currently contains a variety of uses include educational facilities (art studios and classes) computer repair services and offices. North of the request is assisted living (Hospice) and self-storage, zoned O and C-M. East of the request is highway right of way zoned C-M. South of the request is undeveloped (zoned O). West of the request is a training facility, vacant industrial and offices, zoned O, CD-O and HI.

The Comprehensive Plan's Future Land Use Map currently designates this property as Low Residential. This designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. As part of this request the applicant has requested an amendment to the Generalized Future Land Use Map of the Comprehensive Plan to the Mixed Use Residential designation. The Mixed Use Residential 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 proposed CD-C-M request, as conditioned, enables the property and building to be reused for several nonresidential uses that are compatible with the surrounding land uses. The proposed rezoning request supports both 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.

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-C-M** (Conditional District Commercial Medium) zoning district.