



# Z-19-03-014

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

Zoning Commission Hearing Date: March 18, 2019

### GENERAL INFORMATION

<b>APPLICANT</b>	Pastor Adrian Starks on behalf of World Victory International Christian Center, Inc.
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	R-5 (Residential Single Family – 5) to CD-C-M (Conditional District Commercial Medium)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses limited to religious assembly</li><li>2. Freestanding signage greater than six (6) feet in height may only be located between Freeman Mill Road and the existing (as of February 1, 2019) principal building.</li><li>3. No new principal structures (as of February 1, 2019) are allowed.</li></ol>
<b>LOCATION</b>	1414 Cliffwood Drive and 1407 Kirkman Street
<b>PARCEL ID NUMBER(S)</b>	7853844153 and 7853845476
<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>174</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	6.0 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Institutional with some trees along western and northern property lines
<b><u>SITE DATA</u></b>	
<b>Existing Use</b>	Religious assembly use and accessory facilities

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RM-18 (Residential Multifamily - 18)	Undeveloped and Single family dwellings
E	RM-5 (Residential Multifamily - 5) R-5 (Residential Single Family - 5)	Townhomes and Single Family dwellings
W	R-5 (Residential Single Family)	Street Right of Way
S	R-5 (Residential Single Family)	Single Family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject properties are currently zoned R-5 (Residential Single Family) and have been since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the properties were zoned RS-9 (Residential Single Family)

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(R-5)</b>	Requested <b>(CD-C-M)</b>
Max. Density:	5 dwelling units per acre	N/A
Typical Uses	Intended to accommodate low intensity single family residential uses with a maximum density of 5 dwelling units per acre.	Conditioned to limit uses to Religious Assembly.

*\*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 properties are located within the Freeman Mill Road Visual Corridor Overlay, which prohibits establishment of new off premise advertising signs (i.e. billboards) therein.

**Environmental/Soils**

Water Supply Watershed Site drains to S. Buffalo Creek, non-watersupply 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 only 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 single-family residential or 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.

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 6.0 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: Cliffwood Drive – Local Street.  
Kirkman 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: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **CD-C-M (Conditional District Commercial Medium)** 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**. While the **C-M (Commercial Medium)** zoning district is generally inconsistent with the **Low Residential** GFLUM designation, however this request includes conditions that prohibit any new principal structures. Per Council adopted policy, when rezoning requests do not result in new structures the request does not trigger the need for an amendment to the Comprehensive Plan.

**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.

## **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 representatives of the Spring Valley neighborhood, within which the subject site is located.

### **Staff Analysis**

The 6.0 acre subject properties currently contain a place of religious assembly and associated accessory uses. North of the request is undeveloped property and single family dwellings zoned RM-18. East of the request are townhomes and single family dwellings, zoned RM-5 and R-5. South of the request are single family dwellings zoned R-5 and west of the request is the right of way for Freeman Mill Road, also zoned R-5.

The Comprehensive Plan's Future Land Use Map currently designates this property as Low Residential. This designation category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3-5 dwelling units per acre. Per Council adopted policy, because this rezoning request does not result in new structures there is no requirement to amend the Comprehensive Plan.

The proposed CD-C-M zoning is being requested by the applicant to allow for enhanced signage along their property frontage facing Freeman Mill Road. While the C-M zoning district in general would be considered generally inconsistent with single family residential development, this request contains several conditions to ensure compatibility. These include limiting uses to the existing place of religious assembly, prohibiting any new principal structures on the site and limiting the location of larger freestanding signage to locations between Freeman Mill Road and the existing church building. This ensures that the existing building will screen the new signage from adjacent residences. The proposed rezoning request supports both the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Housing and Neighborhoods policy to implement measures to protect neighborhoods from potential negative impacts of development or redevelopment.

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.