



Z-19-05-006

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

Zoning Commission Hearing Date: May 20, 2019

GENERAL INFORMATION

APPLICANT	William G. Burgin representing Young Men's Christian Association of Greensboro, Inc. for Northern Guilford Baptist Church and Ronald C. and Carlene M. Kohler
HEARING TYPE	Rezoning Request
REQUEST	From R-3 (Residential Single-family - 3) and CD-PI (Conditional District – Public and Institutional) to CD-PI (Conditional District – Public and Institutional).
CONDITIONS	<ol style="list-style-type: none">1. Permitted uses shall include all uses allowed in the Public and Institutional district except for the following:<ol style="list-style-type: none">a. All agricultural uses;b. All residential uses;c. Cemeteries;d. Minor utilities;e. TV/HDTV/AM/FM Broadcast facilities;f. Riding Stables;g. Golf Course, Driving Ranges, Country Clubs;h. Overnight accommodations;i. All personal and professional services;j. All Light Industrial uses
LOCATION	3216, 3232, and 3236 Horse Pen Creek Road
PARCEL ID NUMBER(S)	7847035437, 7847038774, and 7847130731
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). 112 notices were mailed to those property owners in the mailing area.
TRACT SIZE	11.41 Acres
TOPOGRAPHY	Slopes downwards toward the rear of the property.

VEGETATION Landscaping around the perimeter

SITE DATA

Existing Use YMCA, Vacant Religious Assembly, and Single Family Dwellings

	Adjacent Zoning	Adjacent Land Uses
N	R-3 (Residential Single-family - 3) CD-O (Conditional District – Office) CD-RM-5 (Conditional District - Residential Multi-family - 5) CD-RM-8 (Conditional District Residential Multi-family - 8)	Single-family dwellings Single-family dwelling Multi-family dwellings Daycare
E	R-3 (Residential Single-family - 3)	Single-family residence
W	R-3 (Residential Single-family - 3) CD-RM-8 (Residential Multi-family - 8)	Religious Assembly Multi-family residences
S	CD-PI (Conditional District - Public and Institutional) R-3 (Residential Single-family - 3)	Public Park Single-family residence

Zoning History

Case #	Date	Request Summary
PL(Z) 02-11	February 5, 2002	2999 – A portion of the subject property is currently zoned CD-PI with the following conditions: <ol style="list-style-type: none"> 1. Use: All uses permitted in the PI District. 2. All exterior lighting will be directed toward interior of the property. 3. The maximum height of all buildings on the property, excluding the gymnasium, shall not exceed two stories. 4. All buildings on the property shall be of masonry construction. 5. Any trash compactor (dumpster) on the property shall be screened. 6. At the Horse Pen Creek Road/YMCA entrance, installation of a left turn lane on the east approach of Horse Pen Creek Road; installation of a right turn lane on the west approach of Horse Pen Creek Road; installation of separate left and right turn lanes at the propose YMCA entrance; limiting access of the YMCA to one driveway connection to Horse Pen Creek Road. 7. Gate to be located at YMCA entrance from Horse Pen Creek Road. 8. Placement of a privacy fence along eastern property line in addition to the required planting yard.

N/A N/A A portion of the subject property is currently zoned R-3 (Residential Single-family - 3) and has been since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned RS-12 (Residential Single-family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-PI)	Existing (R-3)	Requested (CD-PI)
Max. Density:	N/A	3 units per acre	N/A
Typical Uses	All uses permitted in the PI District.	Primarily intended to accommodate low density single-family detached residential development.	Permitted uses shall include all uses allowed in the Public and Institutional district except for all agricultural uses; all residential uses; Cemeteries; Minor utilities; TV/HDTV/AM/FM Broadcast facilities; Riding Stables; Golf Course, Driving Ranges, Country Clubs; Overnight accommodations; All personal and professional services; All Light Industrial 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 partially located within the AO, Airport Overlay District / 60 decibel noise level noise cone of the Piedmont Triad International Airport. However, because the tract is split by the boundary of the AO District, development on the entire tract is considered exempt from the provisions of this overlay district, provided that exemption would not adjust the boundary line for the overlay by more than 600 feet.

Environmental/Soils

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

Floodplains N/A

Streams N/A

Other: Site is within the 5 statute mile radius of the PTI airport. No stormwater water quality device that holds a normal pool elevation is allowed without an engineer's explanation of need. Watershed requirements, water quality & water quantity control, must be addressed for 3232 & 3236 Horse Pen Creek Rd. 3216 Horse Pen Creek Road currently drains to the existing wet pond for water quality treatment and water quantity control.

Utilities

Water - Available

Sewer - Available

Airport Overlay District & Noise Cone

The subject site is partially located within the AO, Airport Overlay District / 60 decibel noise level noise cone of the Piedmont Triad International Airport. However, because the tract is split by the boundary of the AO District, development on the entire tract is considered exempt from the provisions of this overlay district, provided that exemption would not adjust the boundary line for the overlay by more than 600 feet.

Landscaping & Tree Conservation Requirements**Landscaping:**

Street Yard: 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 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 educational facilities or religious assembly: Vehicular Use Area buffer yard (see below).

Parking: Vehicular Use Area buffer yard: 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. Each parking space must be within 100 l.f. of a tree.

Tree Conservation:

For 11.12 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation.

Transportation

- Street Classification: Horse Pen Creek Road – Minor Thoroughfare.
- Site Access: All access(es) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Horse Pen Creek Road AADT = 14,000 vpd (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 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: Subject site is within the limits of the Horse Pen Creek Road Widening Project that is currently under construction and scheduled to be completed Summer/Fall 2020.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-PI (Conditional District – Public and Institutional)** 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-PI (Conditional District – Public and Institutional)** zoning, as conditioned, is generally inconsistent with the **Low Residential** GFLUM designation, however the applicant has concurrently submitted a request (CP 19-03) to amend the GFLUM designation on the subject site to **Institutional** 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

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.

Institutional: This designation applies to university and college campuses, major medical/health care concentrations, and similar large-scale institutional activity centers.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	

Applicant Stated Reasons for Request

"The requested map amendment is needed because the Young Men's Christian Association of Greensboro, Incorporated (the "YMCA") currently owns the first parcel and is under contract to purchase the other two parcels. The Spears YMCA, located on the first parcel, was approved prior to the adoption of the Comprehensive Plan. As a result, the current map designation for the subject property, as low residential use, is inconsistent with the YMCA's use, which consists, predominantly, of indoor and outdoor recreation use, as well as other permitted uses commonly associated with the institution. This map amendment request is accompanied by a rezoning request for Tract B and Tract C from the existing designation of R-3 to CD-PI. Tract A is already designated as CD-PL."

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

"We request that the City of Greensboro approve the requested map amendment in order to correct the incongruity between the YMCA's permitted use as an indoor and outdoor recreation facility, along with associated permitted uses for such an institution, and the map designation as low residential. Further, the map amendment will correspond from the requested rezoning of Tract B and Tract C from R-3 to CD-PI."

COMPREHENSIVE PLAN POLICY ANALYSIS**Need for Proposed Change**

The requested **CD-PI (Conditional District – Public and Institutional)** 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 19-03**) to **Institutional** 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 19-03**) associated with this rezoning request during its meeting on April 17, 2019. Planning Board members stated that the proposed amendment made sense as presented and would bring the future land use designation into consistency with the current use on the largest of the three parcels involved. The Planning Board further commented that the request is appropriate within the context of the project that will widen and re-configure Horse Pen Creek Road. The Board also noted that the proposal fits well with the range of uses 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 future land use map amendment with owners of surrounding properties and with representatives of the adjacent Laurel Run neighborhood, located to the north of the subject site.

Staff Analysis

The 11.41 acre subject site is made up of three lots. Current land uses on the subject site include a YMCA, facility, religious assembly use, and a single-family dwelling. Uses to the north include single-family dwellings, multifamily dwellings, and a daycare, zoned R-3, CD-O, CD-RM-5, and CD-RM-8. Uses to the east include a single-family residence zoned R-3. South of the request are religious assembly and multi-family dwellings, zoned R-3 and CD-RM-8. West are a public park and a single-family residence, zoned CD-PI and R-3.

The Comprehensive Plan's Future Land Use Map designates this site as Low Residential. 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. The CD-PI request is generally inconsistent with the Low Residential GFLUM designation. However, the applicant has concurrently submitted a request (CP 19-03) to amend the GFLUM designation on the subject site to Institutional which, if approved, would resolve this inconsistency. The

Institutional designation applies to university and college campuses, major medical/health care concentrations, and similar large-scale institutional activity centers.

The request is consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Community Facilities goal to provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life, and support desired land use patterns. The CD-PI zoning district, as requested, includes conditions that will project the surrounding neighborhood from negative impacts.

This 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-PI** (Conditional District - Public and Institutional) zoning district.