



# Z-19-07-007

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

**Zoning Commission Hearing Date: August 19, 2019**

### GENERAL INFORMATION

**APPLICANT** Misty McCall for MMM-5907 Ballenger LLC.

**HEARING TYPE** Rezoning Request

**REQUEST** CD-RM-12 (Conditional District – Residential Multi-family - 12) to CD-RM-12 (Conditional District – Residential Multi-family - 12)

**CONDITIONS**

1. Uses limited to a maximum of nine (9) dwelling units.
2. No structure shall exceed 40' in height.
3. The exterior of all structures shall be a maximum of 20% vinyl building materials, not including windows and doors.

**LOCATION** 5907 Ballinger Road

**PARCEL ID NUMBER(S)** 7835661047

**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). **48** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** 0.781 Acres

**TOPOGRAPHY** Relatively flat

**VEGETATION** Sparsely wooded

### SITE DATA

<b>Existing Use</b>	Single-family dwelling
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N R-3 (Residential Single-family – 3)	Single-family dwelling
E R-3 (Residential Single-family – 3)	Fire Department

S	R-3 (Residential Single-family – 3)	Single-family dwellings
W	CD-RM-12 (Conditional District - Residential Multi-family – 12)	Multi-family dwellings

**Zoning History**

Case #	Date	Request Summary
3435	March 13, 2006	The property was rezoned from RS-15 to CD-RM-12 with the following conditions: <ol style="list-style-type: none"> <li>1. Uses limited to residential multi-family or single-family dwellings designed for sale.</li> <li>2. Maximum of four (4) dwelling units.</li> <li>3. No structure shall exceed 2 above ground stories in height.</li> <li>4. The exterior of all structures shall be constructed primarily of brick building materials.</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-RM-12)</b>	Requested <b>(CD-RM-12)</b>
Max. Density:	4 dwelling units on the lot	9 dwelling units on the lot
Typical Uses	Uses limited to residential multi-family or single-family dwellings with a maximum of four (4) dwelling units.	Uses limited to a maximum of nine (9) dwelling units no taller than 40 in height.

*\*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 Greensboro Watersupply Watershed WS-III, Horsepen Creek sub-basin

Floodplains: > 2000LF

Streams: N/A

Other: Site is located within the Greensboro Watersupply Watershed. Site must meet all current Stormwater requirements, Water Quality & Water Quantity control must be addressed. Max.70% for High Density Development and 24% for Low Density Development. Site is also within the PTI 5 statute mile radius and

therefore no water quality devices that hold a normal pool elevation are allowed without an engineer's explanation.

**Utilities (Availability)**

Water: Available  
Sewer: Available

**Airport Overlay District & Noise Cone**

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

**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 uses or government facilities: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, and 17 shrubs per 100 linear feet.

Adjacent to multi-family residential uses: 5' wide Vehicular Use Area buffer (see below).

**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 .781 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

**Transportation**

Street Classification: Ballinger Road – Collector Street.  
New Garden Road – Major Thoroughfare.

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

Traffic Counts: Ballinger Road AADT = 3,400 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: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

### **IMPACT/POLICY ANALYSIS**

#### **Land Use Compatibility**

The proposed **CD-RM-12 (Conditional District – Residential, Multi-Family – 12 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 (3-5 d.u./acre)**. The requested **CD-RM-12 (Conditional District – Residential, Multi-Family – 12 du/ac)** zoning, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation. However, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests that are less than one acre in size.

#### **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.

### **Staff Analysis**

The 0.781 acre subject property currently contains a single-family dwelling. North and south of the request are single-family dwellings, zoned R-3. East of the request is a fire station, zoned R-3. West of the subject property are multi-family dwellings, zoned CD-RM-12.

The Comprehensive Plan's Future Land Use Map currently designates this property 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 a density of between 3 and 5 dwelling units per acre. Per City Council adopted policy, a GFLUM amendment is not required for rezoning requests that are less than one acre in size.

The proposed CD-RM-12 request, as conditioned, is limited to no more than 9 dwelling units with a maximum building height of 40 feet and is consistent with development along this section of Ballinger Road, near Fleming Road. 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 goal to 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.

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-RM-12** (Conditional District - Residential Multi-family - 12) zoning district.