



Z-19-09-002

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

Zoning Commission Hearing Date: September 16, 2019

GENERAL INFORMATION

APPLICANT	Demetrios D. Dascalakis
HEARING TYPE	Original Zoning Request
REQUEST	County RS-30 (Residential Single-family) to City CD-RM-5 (Conditional District – Residential Multi-family - 5)
CONDITIONS	<ol style="list-style-type: none">1. Maximum building height shall be limited to 35 feet.2. Minimum required open space shall be calculated at a rate of 456 square feet per dwelling unit.
LOCATION	389 Fairystone Drive
PARCEL ID NUMBER(S)	7862739426
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). 86 notices were mailed to those property owners in the mailing area.
TRACT SIZE	18.69 acres
TOPOGRAPHY	Undulating
VEGETATION	Wooded.

SITE DATA

Existing Use	Vacant
Adjacent Zoning	Adjacent Land Uses
N City R-3 (Single-family Residential - 3)	Single-family dwellings and vacant land
E County RS-30 (Single-family Residential)	Single-family dwellings, minor utility, and undeveloped land
W City CD-RM-12 (Conditional District - Multi-family - 12)	Multi-family development

S County LI (Light Industrial) Vacant Land and a warehouse and distribution use.

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City's jurisdiction.

ZONING DISTRICT STANDARDS

District Summaries

Zoning District Designation:	Existing County (RS-30)	Requested City (CD-RM-5)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached dwellings on large lots in areas without access to public water and wastewater services. The overall gross density in RS-30 areas will typically be 1.3 units per acre or less.	As conditioned, the proposed CD-RM-5 would allow all uses in the RM-5 zoning district, but limit the maximum height of all structures to 35 feet and require open space at least 456 square feet per dwelling unit.

**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 South Buffalo Creek, non-watersupply watershed

Floodplains N/A

Streams Streams onsite have a 50ft stream buffer measured from top of bank on each side. Any possible features must be identified for stream buffers. No new BUA is allowed within the entire 50ft stream buffer.

Other: If >1 acre is disturbed and the BUA is increased, site must meet current Phase 2 requirements, water quality and water quantity control must be addressed.

Utilities (Availability)

Water available
Sewer available.

Airport Overlay District & Noise Cone

n/a

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 Yard: Adjacent to Heavy Industrial uses: Type A buffer yard, with an average width of 45', a minimum width of 35', and a planting rate of 4 canopy trees, 10 understory trees and 33 shrubs per 100 linear feet.

Adjacent to single-family uses: 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 uses: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

Parking lot: 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 18.69 acres, 10% of parcel size to be dedicated in critical root zone.

Transportation

Street Classification: Fairystone – Local Street.
Bethany Trace – 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: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **City CD-RM-5 (Conditional District – Residential, Multi-Family, 5 du/ac)** zoning district, 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 **Industrial/Corporate Park** and **Moderate Residential (5-12 d.u./acre)**, with the Industrial/Corporate Park designation covering almost all of the subject property. The requested **City CD-RM-5 (Conditional District – Residential, Multi-Family, 5 du/ac)** zoning district, as conditioned, is generally inconsistent with the Industrial/Corporate Park designation, and the applicant has concurrently submitted a request (CP 19-05) to amend the GFLUM designation on the subject site to **Low Residential (3-5 d.u./acre)** which, if approved, would resolve this inconsistency. The Growth Strategy Map identifies the subject site as being located within **Growth Tier 1, Current Growth Area (2013 – 2019)**.

Connections 2025 Written Policies

Land Use Goal 4.3 – Growth at the Fringe: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

Policy 4F: Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and

- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

Policy 4G: Improve the quality and patterns of development through incentives and regulatory guidelines.

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

Industrial/Corporate Park: This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

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.

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.

Growth Tier 1, Current Growth Area (2013 – 2019): Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next six years.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	

Applicant Stated Reasons for Request

"The current long range plan shows this as industrial. This will not accommodate the desired use as a multi-family development."

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

"The County has started development of a large mental health facility. This facility will require transitional housing for patients that no longer require inpatient care. This would be better suited to this neighborhood than the current industrial classification."

COMPREHENSIVE PLAN POLICY ANALYSIS

Need for Proposed Change

The requested **City CD-RM-5 (Conditional District – Residential, Multi-Family, 5 du/ac)** zoning district, as conditioned, would allow uses that are incompatible with the subject site's current designation in the GFLUM as **Industrial/Corporate Park** and **Moderate Residential (5-12 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 19-05**) to **Low Residential (3-5 d.u./acre)** 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 19-05**) associated with this rezoning request during its meeting on August 28, 2019. Planning Board members stated that continuation of the single family residential designation in this area makes great sense. Planning Board members remarked that this proposal appears to be a great opportunity for growth in the southeast part of the City, although it is unfortunate that the area has not attracted the industrial or corporate park development that was anticipated. The Planning Board further commented that the City needs to do more to attract businesses to the area. The Planning Board stated that the proposed amendment seems generally appropriate and that they are in favor of it.

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 nearby Bethany Woods neighborhood.

Staff Analysis

The 18.69 acre subject property is currently vacant. North of the request is undeveloped land and single-family residences, zoned City R-3. East of the request are a single-family dwelling, undeveloped land and a minor utility, zoned County RS-30. South of the request is vacant land

and a warehouse use, zoned County LI. West of the request is a multi-family development, zoned City CD-RM-12.

The subject site is currently located in the County. The Growth Strategy Map designates the subject site as Growth Tier 1, Current Growth Area (2013 – 2019), where infrastructure systems are in place, can be economically provided and/or will be proactively extended. The Planning Board recommended approval of the associated annexation request for this property on August 21, 2019.

The Comprehensive Plan's Future Land Use Map designates this area as Industrial/Corporate Park and Moderate Residential, with the Industrial/Corporate Park covering almost all of the site. The Industrial/Corporate Park designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. The applicant has requested a Generalized Future Land Map (GFLUM) Amendment (**CP 19-05**) to Low Residential (3-5 dwelling units per acre) in association with this original zoning request. The Planning Board reviewed and commented on the GLFUM amendment request during its meeting on August 28, 2019.

The request is consistent with the Comprehensive Plan's Growth at the Fringe goal to promote sound and sustainable patterns of land use at the City's fringe 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 proposed CD-RM-5 rezoning will allow residential uses at a density compatible with adjacent residential developments and is consistent with development in the surrounding area.

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 **City CD-RM-5 (Conditional District – Residential Multi-family - 5)** zoning district.