



PL(Z)22-14

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

City Council Hearing Date: May 23, 2022

GENERAL INFORMATION

APPLICANT	Marc Isaacson for Daily Management, LLC.
HEARING TYPE	Annexation, Original Zoning Request and Rezoning
REQUEST	County RS-30 (Residential Single-family), City LI (Light Industrial), and City R-3 (Residential Single-family-3) to City CD-RM-18 (Conditional District-Residential Multi-family-18)
CONDITIONS	1. Permitted uses shall be limited to all uses permitted in the RM-18 zoning district except Land Clearing and Inert Debris Landfills, Minor (Accessory Use).
LOCATION	4717-4733, 4735 US Highway 29 North and 3605-3607 Esterwood Road
PARCEL ID NUMBER(S)	7887699722, 7888705195, 7887690374, 7887599824
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). 40 notices were mailed to those property owners in the mailing area.
TRACT SIZE	23.82 acres
TOPOGRAPHY	Undulating
VEGETATION	The back half of the subject properties are wooded. No vegetation on the front half of the properties.

SITE DATA

Existing Use

Undeveloped land, wireless communication facility, chemical storage, heavy equipment sales and service (recently demolished)

	Adjacent Zoning
N	PI (Public and Institution) and R-3 (Residential Single-family-3)

Adjacent Land Uses
Research park, single-family dwelling, and undeveloped land

E	City CD-C-M (Conditional District-Commercial - Medium), and County RS-30 (Residential Single-family)	Manufacturing use, convenience store with fuel pumps, and religious assembly
S	City C-M (Commercial – Medium), City LI (Light Industrial), and City R-3 (Single-family residential-3)	Eating and drinking establishment, manufacturing use, and single-family residential
W	City R-3 (Single Family Residential--3)	Single-family dwellings and undeveloped land

Zoning History

Case #	Effective Date	Request Summary
5085	February 5, 2019	4735 US Highway 29 North and a portion of 4717-4733 US Highway 29 North (8.37 acres) were rezoned from C-M to LI.
3146	June 30, 2003	A portion of 4717-4733 US Highway 29 North (10.65 acres) was annexed and originally zoned from County RS-30 to City RS-12 (now R-3).
N/A	N/A	3607 Esterwood Road is not currently located in the City's jurisdiction.

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District	Existing	Existing
Designation:	(County RS-30)	(City R-3)
Max. Density:	1.4 dwellings per acre	3 dwellings per acre
Typical Uses:	Typical uses in the RS-30 district include single-family dwellings.	Typical uses in the R-3 district include single family residential of up to 3 dwelling units per acre.
Zoning District	Existing	Requested
Designation:	(City LI)	(City CD-RM-18)
Max. Density:	N/A	18 dwelling units per acre
Typical Uses:	Typical uses in the LI district may include limited manufacturing, wholesaling, warehousing and distribution uses	Permitted uses include all uses in the RM-18 zoning district except Land Clearing and Inert Debris Landfills, Minor (accessory use).

**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 not located within an overlay zoning district.

The subject site is not:

- Located in a City of Greensboro Historic District or Heritage Community
- Designated as a Guilford County Landmark Property
- Recognized as a State of North Carolina Historic Site
- Listed in the National Register of Historic Places
- Located in a National Register Historic District

Environmental/Soils

Water Supply Watershed Site currently drains to Middle Reedy Fork, Non-Watersupply Watershed

Floodplains >2000

Streams Possible Non-Blue Line streams are onsite. Non-Blue Line features must be identified. Non-Blue Line streams require a 50ft stream buffer measured from top of bank on each side. Refer to the City's LDO Chapter 30-12-3.9 for stream buffer requirements. State and Corps permits are required for any stream/wetland disturbance and or crossing.

Other: If >1 acre is disturbed and the BUA is increased, site must address Phase 2 requirements, Water Quality and Water Quantity Control must be addressed. All BUA must be treated by a State approved water quality BMP/SCM. Water Quantity Control must reduce the 1yr, 2yr & 10yr 24hr storms to pre-development levels.

Utilities (Availability)

Water is available on US Highway 29. Sewer is available on the north side of the subject property. If water and sewer extensions are required, the Private developer will need to complete the extensions in accordance with City of Greensboro's Standards

Airport Overlay District & Noise Cone

n/a

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, Commercial or Educational Facilities 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 vacant lots: 5' wide Vehicular Use Area buffer yard. (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 23.82 acres, 10% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification: US 29 – Freeway
Esterwood Road – Local Street.

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

Traffic Counts: US 29 AADT = 36,000 (NCDOT, 2017).

Trip Generation: 24 Hour = 1,464, AM Peak Hour = 92, PM Peak Hour = 109.

Sidewalks: Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does not currently exist along the frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: Yes, required per TIS Ordinance. Please see the end of this staff report (TIS) for the Executive Summary of the **DRAFT** TIS.

Street Connectivity: N/A.

Other: Subject site will need to be developed in a manner that allows for a future service road along US 29.

IMPACT/POLICY ANALYSIS**Land Use Compatibility**

The proposed **City CD-RM-18 (Residential Multifamily – 18 du/ac)** zoning district, as conditioned, would allow land uses that are compatible with the general character of the area.

GSO 2040 Comprehensive Plan Policies

The GSO 2040 Future Land Use Map designates this location as **Industrial (eastern nine-tenths)** and **Residential (remainder)**. The requested **City CD-RM-18 (Residential Multifamily – 18 du/ac)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Industrial** and **Residential** future land use designations. The GSO 2040 Future Built Form Map designates the subject site as **Planned Industrial District (eastern nine-tenths)**.
GSO 2040 Written Policies

Filling In Our Framework (remainder) - The Growth Tie Map designates the subject site as being within the Growth Tie 1. Enjoy our free time can create a more vibrant and livable Greensboro.

Goal A - Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

Strategy 1 - Encourage higher density, mixed-use, walkable infill development.

Strategy 2 – Ensure mixed use projects both strengthen and add value to the Community.

Creating Great Places - Creating interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro, in downtown and with our historic resources.

Goal A - Greensboro's citywide network of unique neighborhoods offer residents of all walks of life a variety of quality housing choices.

Strategy 2 - Meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

Becoming Car Optional - Expand quality transportation options beyond cars and maintain an efficient transportation system that allows people and goods to travel throughout Greensboro.

Goal A - Greensboro has unrivaled pedestrian, biking, transit and road networks that provide safe, comfortable, and convenient transportation options.

Strategy 2 – Encourage new development that is compatible with the intended use of the adjacent roadway.

Strategy 3 – Multiple transportation options should be considered when designing streets.

Goal B - Everyone loves our interconnected green spaces, which provide recreation and transportation opportunities, promote active living, and protect our natural environment.

Strategy 1 - Expand the greenway network to connect all parts of the city as a key element of the transportation system.

Prioritizing Sustainability - Greensboro has a strong leadership role in environmental stewardship, social equity, and a resilient economy.

Goal A - Greensboro advances environmental stewardship, taking care of our natural resources and the natural systems that support all living things.

Strategy 1 - Promote resilient, efficient and environmentally beneficial patterns of land use.

Goal B - Greensboro embraces social equity, ensuring all residents benefit from fair and just treatment in the distribution of public services and have a voice in governance.

Strategy 1 – Evaluate impacts to vulnerable populations and communities when reviewing existing and considering new public policies, projects and services.

Strategy 2 – Work to ensure that all Greensboro residents have meaningful opportunities to participate in public decision-making processes.

Strategy 3 – Promote a just, ethical, and respectful community.

Goal C - Greensboro builds economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

Strategy 1 - Consider the impact that growth and development patterns and infrastructure investments have on the City's fiscal health.

Building Community Connections - Greensboro is unique and memorable based on our quality of life, culture, arts and places and the ties that bind us together as a community.

Goal D – Our colleges, universities, and Career and Technical Education facilities play a leading role in the cultural, social and economic fabric of the community.

Strategy 1 – Building on existing partnerships between the City, neighborhoods, and colleges and universities, while creating new partnerships, so higher education campuses play an increasingly stronger role in the cultural life of the larger community.

Goal E – Everyone does their part to maintain stable, attractive, and healthy places to live and raise families.

Strategy 1 – Build upon successful community initiatives to improve housing conditions while encouraging community involvement and participation.

Strategy 3 – Improve the city's housing through effective use of code enforcement and the strategic leveraging of resources.

Growing Economic Competitiveness - Greensboro will build a prosperous, resilient economy that creates equitable opportunities to succeed.

Goal C – Investment in cutting edge communications technology enhances the quality of life for all residents and helps businesses thrive.

Strategy 1 – Encourage fiber-ready infrastructure to reduce the need for costly future upfits, increase property values and promote economic growth.

Goal D – Education and workforce training opportunities empower residents to achieve financial security and career fulfillment and are matched to the needs of employers.

Strategy 1 – Work with our community partners to provide quality learning from early childhood to higher education through local schools and businesses.

Strategy 2 – Work with our partners to provide accessible and affordable career and workforce education.

GSO 2040 Map Policies

Future Land Use Map

Future Land Uses: Broad areas based on the main character of land uses that we want to see in the future. These are not intended to be exclusive; it is assumed that there are a variety of uses in each area, but the designation reflects the area's predominant character.

Industrial: includes light and heavy manufacturing, assembly and fabrication, and warehousing, logistics and distribution centers. Greensboro has seen a loss of land suitable for and attractive to industrial development, and it is critical that these areas be protected for larger industrial development opportunities.

Residential: includes both single and multifamily residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

Future Built Form Map

Place Types: Areas that have a consistency of character, identity or purpose and that are most often bounded by corridors, natural features, or parks that create transition or separation from other neighborhoods that may not share the same characteristics.

Planned Industrial Districts should reflect these characteristics:

1. Employment or employment support uses only are permitted. Support could include retail, services, and housing but only if new uses do not undermine the potential for future job creation.
2. Employment areas are protected from erosion by non-employment uses so that their viability for industrial and other uses that create quality, living-wage jobs is not lessened. This could include guarding against loss of important road or rail access, having contiguous land broken up into smaller pieces, or introducing new housing or other uses that can later claim that the employment uses are not compatible.
3. They have a demonstrated tolerance for noise, trucking, and other off-site impacts.
4. They are sufficiently supported by roadways, rail lines, and other infrastructure.
5. Employment and employees are supported and connected through transit, bicycle and pedestrian access and connections, and the installation of high-quality infrastructure such as bus shelters, heating, lights, and data displays.
6. Adaptive reuse of older industrial and commercial property is encouraged.
7. Inactive uses, such as storage facilities, are screened by active uses along street frontages or located above or below street level.

Urban General: should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

Growth Tiers Map

Growth Tiers: areas outside Greensboro's city limits but inside the area in which the City can legally annex property and extend water and sewer services; this is called the Water Sewer Service Area (WSSA). Three tiers are delineated based on the cost to extend City services to the area, primarily water and sewer, solid waste collection, and Police and Fire protection, as well as long-term maintenance of City facilities. In Growth Tier 1, due to the nearby presence of existing City infrastructure, the City is able to extend services currently, if an annexation is requested; Tiers 2 and 3 will require significant City investment to serve.

Growth Tier 1: This is the area 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.

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 original zoning and rezoning and development with owners of surrounding properties.

Staff Annexation Analysis

Part of the subject property is currently located in the County. On September 1, 2020 the Zoning Commission assumed responsibility for reviewing annexation petitions and making a recommendation to City Council regarding annexation requests. Upon submittal of a valid annexation petition, Planning staff forwards annexation requests to City services providers. These service providers include Water Resources (water and sewer), Fire Marshal's Office, Police Department, and Solid Waste (trash and recycling services). Each service provider has stated that infrastructure is in place to provide City services to this location. The Technical Review Committee also recommended approval of this annexation request at its April 4th, 2022 meeting. This property is located within the Tier 1 Growth Area on the Growth Strategy map in the Comprehensive Plan. It is the City of Greensboro's policy to annex properties within Growth Tier 1 pending approval of the original zoning.

Staff Original Zoning Analysis

The subject properties contain a total of 23.82 acres and currently contain undeveloped land, a wireless communication facility, chemical storage, and heavy equipment sales and service (recently demolished). North of the request contains a research park, single-family dwelling, and undeveloped land, zoned PI and R-3. East of the request contains a manufacturing use, convenience store with fuel pumps, and religious assembly, zoned City CD-C-M, and County RS-30. South of the request contains an eating and drinking establishment, manufacturing use,

and single-family residential, zoned City C-M, City LI, and City R-3. West of the request contains a single-family dwellings and undeveloped land, zoned R-3.

The proposed original zoning and rezoning request supports both the Comprehensive Plan's Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families.

The Comprehensive Plan's Future Land Use Map designates this subject property as Industrial and Residential. The Industrial designation includes light and heavy manufacturing, assembly and fabrication, and warehousing, logistics and distribution centers. Greensboro has seen a loss of land suitable for and attractive to industrial development, and it is critical that these areas be protected for larger industrial development opportunities.

The Residential designation includes both single and multifamily residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

The Comprehensive Plan's Future Built Form Map currently designates the majority of the subject property as Planned Industrial. The remainder of the subject property is designated Urban General. Planned Industrial districts should reflect the following characteristics:

1. Employment or employment support uses only are permitted. Support could include retail, services, and housing but only if new uses do not undermine the potential for future job creation.
2. Employment areas are protected from erosion by non-employment uses so that their viability for industrial and other uses that create quality, living-wage jobs is not lessened. This could include guarding against loss of important road or rail access, having contiguous land broken up into smaller pieces, or introducing new housing or other uses that can later claim that the employment uses are not compatible.
3. They have a demonstrated tolerance for noise, trucking, and other off-site impacts.
4. They are sufficiently supported by roadways, rail lines, and other infrastructure.
5. Employment and employees are supported and connected through transit, bicycle and pedestrian access and connections, and the installation of high-quality infrastructure such as bus shelters, heating, lights, and data displays.
6. Adaptive reuse of older industrial and commercial property is encouraged.
7. Inactive uses, such as storage facilities, are screened by active uses along street frontages or located above or below street level.

Applicable characteristics of the Urban General classification include, but are not limited the following:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.

6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

The proposed CD-RM-18 zoning district, as conditioned, allows moderate intensity residential uses that support nearby industrial uses and are also compatible with the various nearby residential uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to adjacent and nearby lower density residential uses.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO 2040) and is generally compatible with the existing development and trend in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the requested **County RS-30 (Residential Single-family), City LI (Light Industrial), and City R-3 (Residential Single-family-3) to CD-RM-18 (Conditional District-Residential Multi-family-18)** zoning district.

Additional Information

DRAFT

Executive Summary of Traffic Impact Study – Blu Ladder Ramey Kemp Associates

1. Existing Traffic Conditions

The study area for the TIS was determined through coordination with the North Carolina Department of Transportation (NCDOT) and the City of Greensboro (City) and consists of the following existing intersections:

- US 29 and Esterwood Road- Unsignalized Right-In/Right-Out
- US 29 and Milford Road/Aldine Road- Unsignalized Left-Over

Existing peak hour traffic volumes were determined based on traffic counts conducted at the study intersections in November of 2021 during the typical weekday AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak periods while schools were in session.

2. Site Trip Generation

Average weekday daily, AM peak hour, and PM peak hour trips for the proposed

development were estimated using methodology contained within the ITE Trip Generation Manual, 10th Edition. It is estimated that the proposed development will generate approximately 1,464 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 92 trips (21 entering and 71 exiting) will occur during the weekday AM peak hour and 109 trips (69 entering and 40 exiting) will occur during the weekday PM peak hour.

3. Future Traffic Conditions

Through coordination with the City and NCDOT, it was determined that an annual growth rate of 2% would be used to generate 2024 no-build weekday AM and PM peak hour traffic volumes. Through coordination with the City and NCDOT, there are currently no approved adjacent developments. Based on coordination with the City and NCDOT, there are future plans for US 29 has plans to be converted to an interstate. However, there is no timeline for this improvement; therefore, it was not included in this analysis.

4. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for 2021 existing, 2024 no-build, and 2024 build conditions. Refer to Section 7 of the TIA for the capacity analysis summary performed at each study intersection.

5. Recommendations

Based on the findings of this study, no specific improvements have been identified at study intersections