



# PLZ-22-43

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

City Council Hearing Date: November 15, 2022

### GENERAL INFORMATION

|                            |   |
|----------------------------|---|
| <b>APPLICANT</b>           | Marc Isaacson for Tascosa Construction, LLC on behalf of Patti C. and Robert L. Phillips and Gary S. Upchurch   |
| <b>HEARING TYPE</b>        | Rezoning Request  |
| <b>REQUEST</b>             | R-5 (Residential Single-family - 5) to CD-RM-18 (Conditional District – Residential Multi-family - 18)  |
| <b>CONDITIONS</b>          | <ol style="list-style-type: none"><li>1. Exterior building facades shall consist of no less than 40 percent wood, stone, glass, brick, and/or cementitious materials.</li><li>2. Permitted uses shall be limited to residential uses only.</li></ol>  |
| <b>LOCATION</b>            | Portions of 4402, 4408, and 4410 North Church Street and all of 4412 North Church Street  |
| <b>PARCEL ID NUMBER(S)</b> | Portions of 7867718152, 7867718362, and 7867813457, and all of 7867712438   |
| <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>93</b> notices were mailed to those property owners in the mailing area. |
| <b>TRACT SIZE</b>          | 5.1 Acres   |
| <b>TOPOGRAPHY</b>          | Primarily flat then slopes away close to the rear of the property   |
| <b>VEGETATION</b>          | Sparsely wooded   |
| <b><u>SITE DATA</u></b>    |   |
| Existing Use               | Single-family dwellings and undeveloped land  |

**Adjacent Zoning**

**Adjacent Land Uses**

|   |   |                        |
|---|---|------------------------|
| N | CD-RM-5 (Conditional District-Residential Multifamily-5)                  | Multi-family dwellings |
| E | R-5 (Residential Single Family - 5)                                       | Greensboro Urban Loop  |
| S | R-5 (Residential Single Family - 5)                                       | Greensboro Urban Loop  |
| W | R-5 (Residential Single Family - 5) and R-3 (Residential Single-family-3) | School                 |

**Zoning History**

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

**ZONING DISTRICT STANDARDS**

**District Summary \***

| Zoning District Designation: | Existing  | Requested   |
|------------------------------|---|---|
|                              | <b>R-5</b>  | <b>CD-RM-18</b>   |
| Max. Density:                | 5 dwellings per acre  | 18 dwelling units per acre  |
| Typical Uses                 | Typical uses in the R-5 district low-density single-family detached residential development | Typical uses in the RM-18 district include various residential uses with a maximum density of 18 dwelling units per acre. |

*\*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 located within the SCOD-1 (Scenic Corridor Overlay District 1) of the Greensboro Urban Loop. Consult the Scenic Corridor Overlay Districts Design Manual, for detailed applicable requirements and guidelines for architecture, lighting, signage, landscaping and other elements.

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 drains to Greensboro WS-III, Water-supply Watershed, Lake Townsend Sub-basin

Floodplains N/A

Streams Blue Line Any non-Blue Line stream features onsite must be identified. Intermittent and perennial streams that have no special flood hazard area must shall apply a non-encroachment area to the stream. Please show & label non-encroachment area (measured 30ft from top of bank or 5x's the width of the channel) for intermittent & perennial streams. 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 crossings.

Other: Maximum High Density Development with sewer is 70%BUA, Low Density with sewer is 24% BUA. Site must meet current watershed requirements, Water Quality and Water Quantity Control must be addressed for the entire development. Water Quantity Control must reduce the 1yr, 2yr & 10yr 24hr storms to pre-development levels. All new BUA must be treated by a State approved water quality BMP/SCM.

**Utilities (Availability)**

Water is available on N Church Street. Sewer is available 236 feet to the northeast of the property. Private developer will need to extend water and sewer to City of Greensboro's Water and Sewer Design Standards.

**Airport Overlay District & Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

**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: 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 yard. (See below).

Adjacent to I-840 right-of-way: A natural undisturbed buffer, with an average width of 30', and a minimum width of 25'. Existing trees must meet the planting rate of 4 canopy trees and 4 understory trees per 100 l.f., or be supplemented to achieve that rate.

**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 5.1 acres, 10% of parcel size to be dedicated in critical root zone for Tree Conservation

**Transportation**

- Street Classification: N Church Street – Major Thoroughfare.  
I-840 (Greensboro Urban Loop) – Freeway.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: N Church Street AADT = 12,000 (NCDOT, 2019).
- Trip Generation: N/A.
- 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: Yes, GTA Route 3 (North Elm Street) is within 0.45 miles of subject site, at the intersection of N Church Street and Pisgah Church Road.
- 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-RM-18 (Conditional District - Residential, Multi-Family – 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 **GSO2040** Future Land Use Map designates this location as **Residential**. The requested **CD-RM-18 (Conditional District - Residential, Multi-Family – 18 du/ac)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** future land use designation. The **GSO2040** Future Built Form Map designates this location as **Urban General**.

**GSO 2040 Written Policies**

**Filling In Our Framework** - How we arrange our land uses for where we live, work, attend school, shop and 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. Architecture and urban design should be of high quality and should complement existing development. Projects should be coordinated with transit services and offer multiple mobility options. Additionally, new services and housing should augment, not displace, existing neighborhood-scale commercial development.

**Goal B** – Greensboro attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings.

**Strategy 2** – Establish infill development guidelines that ensure revitalized sites will be of high quality and complement existing neighborhood character.

**Goal C** – People choose to live in Greensboro because every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities.

**Strategy 1** – Employ a problem prevention model to identify causes and solutions to neighborhood problems.

**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 1** - Protect and enhance the unique character of every neighborhood.

Leverage planning and permitting tools to safeguard the environment and historic buildings and places from potential negative impacts of development, redevelopment, public projects, and commercial encroachment. Encourage Placemaking projects and improvements that reinforce the distinct character of each neighborhood. Strengthen the role of homeowner and neighborhood associations in recognizing, enhancing, and celebrating the unique neighborhood character.

**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.

**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 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 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 2** – Build neighborhood association capacity to work collaboratively, assess conditions, and effect change. Strengthen neighborhood planning tools and coordinate City programs and funding initiatives to support public and private efforts to protect and improve all neighborhoods. Create and foster partnerships among and between neighborhoods to strengthen the social fabric of Greensboro.

**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.

## **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.

Residential: Includes both single-and multi-family 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.

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.

**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 Henson Park Neighborhood (the boundaries of which, as identified by said neighborhood, the subject site is located adjacent to).

**Staff Analysis**

The subject property is approximately 5.1 acres and contains single-family dwellings and undeveloped land. North of the request contains multi-family dwellings, zoned CD-RM-5. East and south of the request contain the Greensboro Urban Loop, zoned R-3. West of the request contains a school, zoned R-3 and R-5.

The proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework strategy to encourage higher density, mixed-use, walkable infill development and to ensure mixed-use projects both strengthen and add value to the Community. The request also supports the Comprehensive Plan's Creating Great Places strategy to meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

The Comprehensive Plan's Future Land Use Map designates the subject properties as Residential. The Residential designation includes both single-and multi-family 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 this properties as Urban General. 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.
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.

The proposed CD-RM-18 zoning district restricts uses to residential only and includes restrictions on building façade materials to allow compatibility with adjacent lower intensity residential uses. This rezoning request allows uses that are compatible with existing residential uses and densities in the surrounding area.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO2040) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **CD-RM-18 (Conditional District - Residential Multi-family - 18)** zoning district.