



PL(Z) 22-51

City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: December 20, 2022

GENERAL INFORMATION

APPLICANT	Jose Negrete Almaguer
HEARING TYPE	Annexation and Original Zoning
REQUEST	County AG (Agricultural) to City R-3 (Residential Single-family – 3)
CONDITIONS	N/A
LOCATION	5270 North Church Street
PARCEL ID NUMBER(S)	7868613348
PUBLIC NOTIFICATION	The notification area for this public hearing was 750 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). 46 notices were mailed to those property owners in the mailing area.
TRACT SIZE	0.884 Acres
TOPOGRAPHY	Generally flat, slopes from north to south
VEGETATION	Wooded around the perimeter

SITE DATA

Existing Use		Single-family dwelling
	Adjacent Zoning	Adjacent Land Uses
N	County AG (Agricultural)	Single-family dwelling
E	County AG (Agricultural)	City/County parkland
S	City CD-RM-5 (Conditional District-Residential Multi-family-5)	Multi-family dwellings
W	County AG (Agricultural)	Single-family dwelling

Zoning History

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

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District	Existing	Requested
Designation:	(County AG)	(City R-3)
Max. Density:	1 dwelling unit per lot	3 dwelling units per acre
Typical Uses	Primarily intended to provide locations for agricultural operations, farm residences, and farm tenant housing on large tracts of land. It also accommodates scattered non-farm residences on large tracts of land.	Permitted uses include all uses in the C-M zoning district except: Bar, Nightclub, and Brewpub, Mobile Food Vendor, Kennel, Sexually Oriented Business, all Self-storage facilities, and all Vehicle Sales and Service.

**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 in an overlay zoning district.

The subject site is located in the Thomas Scott House National Register Historic District, which also includes the parcels at 5230, 5274, 5300, 5302, and 5304-5310 North Church Street. The Thomas Scott House structure is located at 5300 North Church Street, which is adjacent to, and north of the subject site. From the National Register of Historic Places Inventory – Nomination Form, Statement of Significance:

The Thomas Scott House, probably erected during the early 1820s, is one of only fourteen late eighteenth and early nineteenth century brick residences known to survive in Guilford County. It is among the best-preserved members of this group, which is the most impressive, best known, and most significant collection of pre-1840 buildings in the county. These houses reflect the continuation of domestic building traditions developed primarily by English Quaker settlers in southeast Pennsylvania who came to piedmont North Carolina during the middle and late decades of the eighteenth century. Surviving examples all date from the post-frontier period, chiefly the early nineteenth century, suggesting a long survival of the Pennsylvania influence. The Scott House, erected for a Scotch-Irish Presbyterian family, is one of only two members of this group not associated with Quakers. Its history suggests that the vocabulary of building commonly associated with Quakers may have been employed by the other groups that came from the North Carolina piedmont--the Scotch-Irish and the Germans (see the Low House, Guilford County). The Scott house has a handsome corbeled brick cornice and retains most of its original interior finish, which is predominantly Federal in character. The house was probably erected by Thomas Scott (1790-1835), a member of a family that had settled in Guilford County during the eighteenth century. Scott was a prosperous farmer and apparently operated a gristmill he had inherited from his father. Scott's descendants have maintained ownership of the property to the present day.

Environmental/Soils

Water Supply Watershed Site drains to Greensboro WS-III, Water-supply Watershed, Watershed Critical Area, Tiers 2 & 3, Lake Townsend Sub-basin

Floodplains N/A

Streams N/A

Other: WCA Tier 3, Maximum High Density Development with sewer is 30% BUA, Low Density with sewer is 12% BUA. WCA Tier 2, general Density is 2.4% (No Maximum High Density option). 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 the east side of N Church St fronting the property. Sewer is available on the west side of N Church Street fronting 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

Landscaping and Tree Conservation requirements are not applicable to Single-Family residential properties.

Transportation

Street Classification: N Church Street – Major Thoroughfare.
Air Harbor Road – Minor Thoroughfare.

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

Traffic Counts: N Church Street AADT = 12,000 vpd (NCDOT, 2019).
Air Harbor Road AADT = 4,500 (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 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: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **City R-3 (Residential, Single Family – 3 du/ac)** zoning district would allow land uses that are compatible with the general character of the area.

GSO 2040 Comprehensive Plan Policies

The Future Land Use Map designates this location as **Residential**. The requested **City R-3 (Residential, Single Family – 3 du/ac) zoning district** 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**. The Growth Tiers Map designates this location as being within **Growth Tier 1**.

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 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.

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

Goal B – Greensboro's historic places are treasured, protected, and contribute to the city's unique identity.

Strategy 1 – Continue to identify and promote the historic fabric of the city.

Collaborate with museums, history experts, and community partners to create a strong heritage tourism program to promote area historic attractions.

Cultivate local community support for historic preservation by organizing and supporting education, awareness, and celebration of Greensboro's role in history with events, displays, presentations, and other tools.

Strategy 2 – Continue to protect the city's historic resources. Leverage existing policies and explore new tools to ensure that development and infrastructure improvements in new and historic residential areas near downtown complements the existing character of the area. Continue to develop tools that recognize the wide range of historic events that have occurred in Greensboro in addition to preserving its physical assets.

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 A – Greensboro is a thriving, dynamic and livable city that people love to visit and call home.

Strategy 2 – Actively celebrate the city's unique and positive attributes, like its strategic location in the state and region, and market Greensboro as a tourist destination.

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.

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.

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.

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 request with owners of surrounding properties.

Staff Annexation Analysis

The subject property request is currently located in the County and is being considered for annexation and original zoning. On September 1, 2020 the Planning and 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 stated that infrastructure is in place to provide City services to this location. The Technical Review Committee recommended approval of this annexation request at its October 21, 2022 meeting. The subject property is located within the Tier 1 Growth Area on the Growth Strategy map in the Comprehensive Plan. Since this property can be served by City utility providers, it is the City of Greensboro's policy to annex the property pending approval of the associated original zoning.

Staff Original Zoning Analysis

The subject property is approximately 0.884 acres and currently contains a single-family dwelling. North of the subject property contains a single-family dwelling, zoned County AG. East of the subject property contains City/County parkland, zoned County AG. South of the subject property contains multi-family dwellings under construction, zoned City CD-RM-5. West of the subject property contains a single-family dwelling, zoned County AG.

The proposed original zoning request supports the Comprehensive Plan's Filling in Our Framework Big Idea to 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.

The Future Land Use Map currently designates the property as Residential, which includes both single-family and multi-family. 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 GSO2040 Comprehensive Plan's Future Built Form Map designates this property as Urban General. Applicable characteristics of the Urban General classification include but are not limited to 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.

The proposed City R-3 zoning district is primarily intended to accommodate low-density single-family detached residential development of up to 3 dwelling units per acre. The uses permitted in the proposed zoning district are compatible with existing uses located on adjacent tracts.

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 **City R-3 (Residential Single-family-3)** zoning district.