



PLZ-22-49

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

City Council Hearing Date: December 20, 2022

GENERAL INFORMATION

APPLICANT	BCS Holdings, LLC for Judy and William Aydellette
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single-family - 3) to PI (Public and Institutional)
CONDITIONS	N/A
LOCATION	A portion of 3234 Horse Pen Creek Road
PARCEL ID NUMBER(S)	7847039334
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). 120 notices were mailed to those property owners in the mailing area.
TRACT SIZE	0.56 acres
TOPOGRAPHY	Generally flat
VEGETATION	Sparsely wooded

SITE DATA

Existing Use		Single-family dwelling
	Adjacent Zoning	Adjacent Land Uses
N	CD-PI (Conditional District-Public and Institutional)	Indoor and outdoor recreation facility (YMCA)
E	R-3 (Residential Single-family-3)	Single-family dwellings
S	CD-PI (Conditional District-Public and Institutional)	Outdoor recreation (YMCA)
W	CD-PI (Conditional District-Public and Institutional)	Indoor and outdoor recreation (YMCA)

Zoning History

Case #	Date	Request Summary
2008-12	June 30, 2008	The subject property is currently zoned R-3 (Residential Single-family - 3). This has been the zoning on this property since June 30, 2008. Prior to the adoption of the LDO, this property were zoned County RS-12 (Residential Single Family-12)

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District	Existing	Requested
Designation:	(R-3)	(PI)
Max. Density:	3 dwellings per acre	N/A
Typical Uses:	Typical uses in the R-3 district include single family residential of up to 3 dwelling units per acre.	Typical uses in the PI district include various mid and larger scale institutional uses such as medical campuses, colleges/universities and large religious assembly uses.

**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****Airport Overlay District & Noise Cone**

The subject site is located within the Airport Overlay District B (AOD B) / 60 decibel level noise cone of the Piedmont Triad International Airport. The Airport Overlay District is intended to be limited to industrial and other uses that are compatible with airport operations, and to limit residential uses to very low densities near the Piedmont Triad International Airport in order to minimize the negative effects of aircraft noise on homes. Recent updates to the Airport Overlay continue to prohibit any residential uses on lots less than 40,000 square feet in size in AOD-A, but does allow new residential uses of greater intensities in AOD-B with specific development standards. All development within the Airport Overlay District must comply with the following:

1. All permit applications, site plans and other plans proposing buildings, signs and other structures with a height of 50 feet or more must be accompanied by written documentation from the Piedmont Triad Airport Authority indicating that the proposal complies with all applicable airport regulations. No permit or other plan approval may be granted without such written documentation.

New Residential uses within AOD-B must also meet the following standards:

a. Public Notification of Potential Aircraft Noise Impacts

Public notification of the potential aircraft noise impacts made to prospective purchasers of property within the Airport Overlay District shall be made in accordance with the following requirements

- i. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the Airport Overlay

District and is subject to both day and nighttime aircraft overflights and to aircraft noise that may increase in the future and that you may find to be objectionable dependent upon the use and location of the property.

- ii. In accordance with the N.C. Residential Property Disclosure Act in Section 47E of the North Carolina General Statutes, all landowners and their agents shall provide a public notification statement to all prospective purchasers through a written disclosure statement.
- iii. A public notification statement shall appear on the recorded final plat for all subdivisions of land within the district. In addition, the subdivision owner shall provide public notice to all prospective lot purchasers through a written disclosure statement.

b. Noise Level Reduction Design

New residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials, construction standards or other industry accepted measures so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the Planning Department shall certify that the measures used to construct the residential use will achieve at least a 30 dB noise level reduction

Environmental/Soils

Water Supply Watershed Site currently drains to Greensboro WS-III, Watersupply Watershed, site drains to Horse Pen Creek

Floodplains: N/A

Streams: N/A

Other: Site must address current watershed requirements for Water Quality and Water Quantity Control. Maximum BUA per watershed is 70%BUA with sewer and Low Density is 24%BUA with sewer. Site is within the 5 statute mile radius of the PTI airport. No SCM/BMP is allowed that holds a normal pool elevation unless supporting engineering documentation is provided. All new BUA must be treated by a State approved water quality BMP/SCM.

Utilities (Availability)

Water is available on Horse Pen Creek Road. Sewer is available approximately 630 feet south 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

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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: Type B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 linear feet.

Adjacent to Public or Institutional uses: 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 .56 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification: Horse Pen Creek Road –Minor Thoroughfare.
Piermont Drive – Local Street.

Site Access: All access(es) 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 and shall be installed per the Streets Design Standards Manual. Sidewalk does currently exist along the frontage of this property.

Transit in Vicinity: Yes. GTA Route 8 (Battleground Avenue, is within ½ mile of the subject site, along Battleground Avenue).

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 **PI (Public and Institutional)** zoning district 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 **Residential**. The requested **PI (Public and Institutional)** zoning district would allow uses that are generally consistent with those described in the **Residential** Future Land Use designation. When located in areas designated by the Future Land Use Map as Residential, uses other than single family residential and multi-family residential 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. The GSO 2040 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.

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.

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.

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 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.

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.

Activity Centers: Ranging in size from a corner business at the intersection of two collector roads to regional shopping centers, activity centers attract people and are often the focus of community, civic, and social or commercial activity. Location, accessibility, size, and the extent and diversity of activities within an activity center influence the nature of economic development opportunities, potential impacts on nearby uses, and the way in which it is enjoyed by the community.

Neighborhood and District Scaled Activity Centers should reflect these characteristics:

1. Development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.
2. Development adjacent to residential neighborhoods, parks, or other low intensity uses gives consideration to light, traffic, noise, and other potential impacts of the development.
3. Buildings and uses are easy to access on foot or by bike. These Centers include safe paths, bike racks, benches and other amenities for non-motorized travelers.
4. These Centers coordinate adjacent site designs and public improvements to provide comfortable sidewalk space for pedestrian movement, curb “bump-out” extensions, street trees/lighting/furniture, sidewalk cafés, and an active pedestrian-friendly environment.

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

Staff's Rezoning Analysis

The approximately 0.56 of an acre subject property currently contains a single-family dwelling. North and south of the property is used for indoor and outdoor recreation (YMCA), zoned CD-PI. East of the property are single-family dwellings, zoned R-3. West of the property is indoor and outdoor recreation (YMCA), zoned CD-PI.

The proposed rezoning request supports the Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro. The request also supports the Building Community Connections goal with everyone doing their part to maintain stable, attractive, and healthy places to live and raise families.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates these properties as Residential which 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 subject properties are currently designated Urban General on the Future Built Form Map which should reflect characteristics such as some of the following:

- Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
- Cut-through traffic is minimized.
- New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.

- The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting. New sidewalks contribute to the completion of a sidewalk network.

The Neighborhood and District Scaled Activity Centers should reflect such characteristics as development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.

The proposed PI zoning district generally allows mid and larger scale institutional uses such as medical campuses, colleges/universities and large religious assembly uses. This request is intended to facilitate parking for the adjacent YMCA facility.

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 **PI (Public and Institutional)** zoning district.