



PL(Z) 23-02
City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation

City Council Hearing Date: February 21, 2023

GENERAL INFORMATION

APPLICANT	Marc Isaacson on behalf of Michael Landsburg of Greensboro Land Development Partners OZ II, LLC
HEARING TYPE	Annexation, Original Zoning, and Rezoning Request
REQUEST	County AG (Agricultural) and City R-3 (Residential Single-family – 3) to City CD-HI (Conditional District – Heavy Industrial)
CONDITIONS	1. Permitted uses shall be limited to all uses permitted in the HI zoning district except: Cemeteries, Amusement and Water Parks, Dry Cleaning Pickup/Drop-off with Drive Through Facilities; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; Taxidermists; and Termite and Pest Control.
LOCATION	3923, 3927, and 3929 Presbyterian Road (Formerly known as 3820-Y, 5006, and 5006-R1 East Lee Street)
PARCEL ID NUMBER(S)	220403, 115790, and 118023
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). 112 notices were mailed to those property owners in the mailing area.
TRACT SIZE	18.1 Acres
TOPOGRAPHY	Undulating
VEGETATION	Wooded
<u>SITE DATA</u>	
Existing Use	Undeveloped

	Adjacent Zoning	Adjacent Land Uses
N	County AG (Agricultural), City R-3 (Residential Single-family - 3), City PUD (Planned Business Development)	Undeveloped land, single-family dwellings, and I-85
E	City CD-HI (Conditional District – Heavy Industrial)	Industrial Uses
S	City CD-HI (Conditional District – Heavy Industrial)	Industrial Uses
W	County AG (Agricultural)	Undeveloped land

Zoning History

Case #	Date	Request Summary
N/A	N/A	A portion of the subject property is not currently located in the City’s jurisdiction.
3344	June 30, 2005	The property addressed 3927 Presbyterian Road was annexed and zoned City R-3 (formerly RS-12) from County AG.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (County AG)	Existing (City R-3)	Requested (City CD-HI)
Max. Density:	1 lot per 40,000 sq. ft.	3 units per acre	N/A
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.	Primarily intended to accommodate low-density single-family detached residential development of up to 3 dwelling units per acre.	Permitted uses shall be limited to all uses permitted in the HI zoning district except: Cemeteries, Amusement and Water Parks, Dry Cleaning Pickup/Drop-off with Drive Through Facilities; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; Taxidermists; and Termite and Pest Control.

**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 partially (approximately the eastern eight-tenths of 5006 E. Lee Street) located within the East Lee Street Visual Corridor Overlay Zone, which prohibits the establishment of new outdoor advertising signs therein.an overlay zoning district.

The subject site is partially (approximately the northern nine-tenths of 3820-Y E. Lee Street) 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 Lake MackIntosh Watersupply Watershed, WS-IV, Little Alamance Creek sub-basin

Floodplains FEMA Floodway, FEMA 1% and 0.2% Annual Chance Flood Hazard Areas are onsite. Any disturbance within the FEMA Floodplain requires a Floodplain Development Permit. Any structures within the FEMA Floodway will require an engineer’s ‘No Rise’ certification to show that there will not be a rise in the Base Flood Elevation of the stream.

Streams Blue Line and possible Non-Blue Line streams onsite must be identified. If stream is either Intermittent or Perennial, feature will have a 50ft stream buffer measure 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: 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. 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 and any existing BUA that would drain to the BMP/SCM to the maximum extent practicable. Site has already been TRC approved.

Utilities (Availability)

Water is available on Maddux Ct and Youngs Mill Road. A sewer outfall runs through 5006 E Lee St. 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:

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 agriculture 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 l.f.
Adjacent to vacant property: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

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 0.32 acres, 1% of parcel size in critical root zone to be dedicated for Tree Conservation.

Transportation

Street Classification: Presbyterian Road – Collector Street.

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

Traffic Counts: Presbyterian Road AADT = 850 (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 a portion of the frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required.
(TIS)

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **City CD-HI (Conditional District – Heavy Industrial)** zoning district, as conditioned, 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 CD-HI (Conditional District – Heavy Industrial)** zoning district, as conditioned, would allow uses that are generally inconsistent with those described in the **Residential** Future Land Use designation. If this annexation and original zoning request is approved, the Future Land Use designation for the subject site is considered to be amended to **Industrial** in order to ensure an appropriate fit between future land use designation and zoning. The GSO 2040 Future Built Form Map designates this location as **Exurban**; if this original zoning and annexation request is approved, the subject site is considered to be re-designated to the **Planned Industrial District** place type. The Growth Tiers Map identifies the subject site as being located within **Growth Tier 2**.

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

Strategy 1 - Maintain, inventory, and market key underutilized sites and structures to private industry and developers. Focus strategic public investment in adjacent community services, facilities, and infrastructure to attract maximum private investment. Reinforce economic development initiatives by coordinating them with federal and state funding directed to the revitalization of existing neighborhoods.

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

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.

Strategy 4 – Enhance proactive stormwater and flood hazard mitigation efforts to address impacts from more frequent high duration and high intensity storm events including measures to protect critical community assets, manage floodplains, reduce property loss, ensure business continuity, and improve public safety.

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. Use the Growth Tier Map and policies to evaluate infrastructure investments when making capital investments and land use decisions. Furthermore, design resilient infrastructure systems able to withstand and quickly recover from natural disasters and other emergencies.

Strategy 2 – Cultivate a diverse range of industry sectors and scales of operation in the local economy to help minimize the impacts of major fluctuations within any single sector.

Strategy 3 – Enhance economic resiliency through strong partnerships and a deep reserve of social capital.

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.

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

Goal B – Increase and preserve the inventory of developable sites compatible with corporate and industrial uses.

Strategy 1 – Work with community partners to ensure that the appropriate sites on Greensboro's periphery are designated as Industrial on the Future Land Use map.

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.
- Goal E** – Greensboro promotes homegrown businesses, supports entrepreneurship, cultivates industry leaders, and welcomes major corporations and institutions.
- Strategy 1** – Work cooperatively with local and regional economic development and entrepreneurial entities to leverage relationships and maximize impact with our collective resources.
- Strategy 2** – Provide entrepreneurs at all stages of the business life cycle with connections to education, financing, and other resources and assets that support their growth.
- Goal F** – Greensboro attracts and retains a diverse pool of talented individuals, especially young adults, who have a wide variety of skill sets.
- Strategy 1** – Market professional development opportunities to young professionals, skilled and unskilled tradespeople, artisans, and craftspeople.

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.

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.

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.

Exurban Includes areas outside of Greensboro city limits, but within Growth Tiers 2 and 3. These areas are generally undeveloped or are developed in a form that reflects a rural context. When such sites designated as Exurban are annexed into the City of Greensboro, they are considered to be re-designated to one of the other Place Types, as appropriate, to reflect an urban context.

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.

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 2: This is the area where growth, annexation, and the extension of public facilities is anticipated in 6 to 12 years, and where premature, fragmented, leapfrog, or inefficient development shall be discouraged by the City and County. Annexations will be discouraged until the full complement of City services can be efficiently provided, which is currently projected beyond the 6-year horizon.

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, rezoning and development with owners of surrounding properties.

The subject site is located (or partially located, as denoted by *) within the area(s) eligible for the following economic development incentive or assistance program(s):

- Opportunity Zone Tax Credits (federal); and
- Economic Development Impact Zone 2 (local).

Staff Annexation Analysis

Part of the subject property is currently located in the County. 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 has 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 December 22, 2022 meeting. This property is located within the Tier 2 Growth Area on the Growth Strategy map in the Comprehensive Plan. The City of Greensboro’s Water and Sewer policy states that properties within Growth Tier 2 may be annexed if all required City service can be provided to the site. This site may not be annexed unless the original zoning request is also approved.

Staff Original Zoning Analysis

The subject property is approximately 18.1 acres and is undeveloped. North of the subject property contains undeveloped land, single-family dwellings, and I-85, zoned County AG (Agricultural), City R-3 (Residential Single-family - 3), City PUD (Planned Business Development). East and south of the subject property contain industrial uses, zoned City CD-HI (Conditional District – Heavy Industrial). West of the subject property contains undeveloped land, zoned County AG.

The proposed original zoning and rezoning requests support the Comprehensive Plan’s Growing Economic Competitiveness Big Idea to build a resilient economy with the goal of increasing and preserving the inventory of developable sites compatible with corporate and industrial uses.

The Comprehensive Plan’s Future Land Use Map currently designates the subject property as Residential. If this annexation and original zoning request is approved, the Future Land Use

designation for the subject site is considered to be amended to Industrial in order to ensure an appropriate fit between future land use designation and zoning.

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 Comprehensive Plan's Future Built Form Map currently designates the subject property as a Planned Industrial Site where employment or employment support uses only are permitted. Applicable characteristics of the Planned Industrial Site classification include but are not limited to the following:

- 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.
- They have a demonstrated tolerance for noise, trucking, and other off-site impacts.
- They are sufficiently supported by roadways, rail lines, and other infrastructure.
- 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.

The proposed City CD-HI zoning district allows uses that are complimentary to uses already in existence in the surrounding area. Care should be given to orient development to limit potential negative impacts of noise, traffic, and light trespass on adjacent residential uses.

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 CD-HI (Conditional District – Heavy Industrial)** zoning district.