



# PLZ-23-25

City of Greensboro Planning Department  
Zoning Staff Report

City Council Hearing Date: June 20, 2023

## GENERAL INFORMATION

<b>APPLICANT</b>	Lomax Investments for Lomax Investments, GrantDot Development, LLC, and UMAR Services, Inc.
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	R-3 (Residential Single Family – 3) and CD-O (Conditional District - Office) to CD-O (Conditional District - Office)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. The maximum building square footage of all development shall be 45,000.</li><li>2. Building height shall be limited to a maximum of 43 feet.</li><li>3. No drive-through use shall be permitted except for any such drive-through use associated with a “built-in” pharmacy that may operate out of the property’s principal structure.</li><li>4. Plantings within the required “Type B” buffer along the southern property lines shall be of evergreen material.</li></ol>
<b>LOCATION</b>	5307, 5307 Near, 5313, and 5317 West Friendly Avenue and 722 and 724 Muirs Chapel Road
<b>PARCEL ID NUMBER(S)</b>	7845024325, 7845023413, 7845022403, 7845020433, 7845022201, and 7845021371
<b>PUBLIC NOTIFICATION</b>	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). <b>87</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	4.01 acres
<b>TOPOGRAPHY</b>	Relatively flat
<b>VEGETATION</b>	Wooded
<b><u>SITE DATA</u></b>	
Existing Use	Single-family dwellings

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-3 (Single-family Residential – 3) and CD-O (Conditional District – Office)	Offices and single family dwellings
E	R-3 (Single-family Residential – 3)	Single family dwellings
S	R-3 (Single-family Residential – 3)	Single family dwellings
W	RM-12 (Residential Multifamily -12) and CD-RM-18(Conditional District Multifamily – 18)	Multifamily dwellings and City water tower

**Zoning History**

Case #	Date	Request Summary
CD5257	September 21, 2021	<p>A portion of the subject property was rezoned from R-3 (Single-family Residential - 3) to CD-O (Conditional District - Office) with the following conditions:</p> <ol style="list-style-type: none"> <li>1. The maximum building square footage of all development shall be 40,000 square feet.</li> <li>2. Overnight Accommodations not associated with medical office uses are prohibited.</li> <li>3. Hours of operation shall be limited to no later than 11:00 p.m., except any such restriction on hours of operation shall not include those specific Overnight Accommodations permitted pursuant to Condition 2 and any required activities associated therewith.</li> <li>4. Building height shall be limited to up to 43 feet excluding architectural design features, rooftop equipment (e.g., HVAC equipment and the like) and any other non-structural components (e.g., screening materials).</li> <li>5. No drive-through use shall be permitted except for any such drive-through use associated with a “built-in” pharmacy that may operate out of the property’s principal structure.</li> <li>6. Any new vegetation within required buffer areas will be of an evergreen material.</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (R-3)	Existing (CD-O)	Requested (CD-O)
Max. Density:	3 dwelling units/acre	N/A	N/A

Typical Uses	Typical uses in the R-3 district include single family residential of up to 3 dwelling units per acre	No drive-through use shall be permitted except for any such drive-through use associated with a “built-in” pharmacy that may operate out of the property’s principal structure. Overnight Accommodations not associated with medical office uses are prohibited	No drive-through use shall be permitted except for any such drive-through use associated with a “built-in” pharmacy that may operate out of the property’s principal structure.
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*\*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 New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

The subject site is not:

- Designated as a Guilford County Landmark Property
- Recognized as a State of North Carolina Historic Site
- Located in a National Register Historic District

The subject site is:

- Located in the Guilford College-New Garden Heritage Community. Heritage Area designation is available for a neighborhood or area that played an important role in Greensboro’s history but that is not eligible for listing in the National Register of Historic Places due to the removal of or changes to the historic properties in the area. Heritage Community recognition is commemorative and educational and has no effect on property rights, zoning, or taxation. There are no regulations and the boundaries are general rather than precise.
- The house at 5307 West Friendly Avenue, is listed in the National Register of Historic Places. The proposed zoning will not affect its historic status.

**Environmental/Soils**

Water Supply Watershed Site drains to South Buffalo Creek – Non-Watersupply Watershed

Floodplains N/A

Streams N/A

Other: If >1 acre is disturbed and the BUA is increased, site must meet current Stormwater Phase 2 requirements for Water Quality & Water Quantity control. All new BUA must be treated by a State approved water quality device. Any existing BUA that would drain to the device must be treated to the maximum extent practicable. Site is within the PTI 5 statute mile radius. No BMP/SCM is

allowed that holds a normal pool elevation unless engineering documentation is provided.

**Utilities (Availability)**

Water and sewer are available on W Friendly Ave and Muirs Chapel Rd. 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 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 l.f.

**Parking Lots:**

Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

**Tree Conservation:**

For 4.01 acres, 5% of parcel size to be dedicated in critical root zone for Tree Conservation.

**Transportation**

Street Classification: West Friendly Avenue – Major Thoroughfare.  
Muirs Chapel Road – Minor Thoroughfare.  
Foxwood Drive – Local Street.

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

Traffic Counts: West Friendly Avenue AADT = 27,500 (NCDOT, 2019).  
Muirs Chapel Road AADT = 11,500 (NCDOT, 2019).

Trip Generation: 24 Hour = 1,669; AM Peak Hour = 113; PM Peak Hour = 166.

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 Friendly Avenue frontage of this property.

- Transit in Vicinity: Yes, GTA Route 7 (Friendly Avenue) is adjacent to subject, along West Friendly Avenue.
- Traffic Impact Study: Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the TIS.
- (TIS)
- Street Connectivity: N/A.
- Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **CD-O (Conditional District – Office)** zoning, as conditioned, would allow land uses that are compatible with the general character of the area.

**GSO2040 Comprehensive Plan Policies**

The Future Land Use Map designates this location as **Commercial** and **Residential**. The requested **CD-O (Conditional District – Office)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Commercial** and **Residential** future land-use designations. The Future Built Form Map designates the location as **Urban General**. The Future Built Form Map also identifies the subject site as being partially located within an **Urban Mixed Use Corridor**.

**GSO2040 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.

**Strategy 2** – Invest in building and maintaining quality, accessible public recreation centers, libraries, neighborhood park facilities and other services to sustain livable neighborhoods.

**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.

**Strategy 3** – Work towards providing housing for all residents of Greensboro.

**Goal B** – Greensboro’s historic places are treasured, protected, and contribute to the city’s unique identify.

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

**Strategy 2** – Continue to protect the city’s historic resources.

**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 B** – Greensboro’s cultural identity – our museums, libraries, arts communities, festivals and events - is a source of pride and shared experience.

**Strategy 1** – Strengthen sustainable support for arts and culture that creates an environment for artists and cultural organizations to flourish.

**Strategy 2** – Locate public art strategically in neighborhoods throughout Greensboro to create unique and memorable public spaces.

**Goal C** – Greensboro treasures its history, honors its role in the civil rights movement, and celebrates its diversity through engagement and inclusion.

**Strategy 1** – Actively celebrate Greensboro’s rich history.

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

**Goal A** – Strategic public investment in historically underserved areas of Greensboro attracts private investment and sets the stage for revitalization without displacing existing residents.

**Strategy 1** – Work with City funded economic development partners to address the needs of economically distressed areas.

**Strategy 2** – Support the addition of a variety of housing types and price points in coordination with investment in historically underserved areas.

**Strategy 3** – Create land use plans that involve neighborhood residents and other stakeholders and coordinate public and private investment, and use a variety of tools and funding sources to leverage incentives and finance transformative projects in areas of disinvestment.

### **GSO2040 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.

Commercial: includes retail sales, wholesale sales, personal service businesses, professional service businesses, restaurants, entertainment, hotels and hospitality, commercial assembly halls, and event spaces. These can be either linear commercial corridors or larger centers of commercial development or a combination of both. Some include residential uses as well, and represent an opportunity for denser development, particularly in conjunction with enhanced transit service and mobility hubs.

**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.

**Corridors:** Corridors are the linear commercial and office developments typically along collector or arterial roadways. They include properties directly fronting on the road and may include properties having primary access to or in immediate proximity to the road. The character and function of the road and the uses within a corridor are highly correlated.

Urban (Mixed-Use) Corridors reflect these additional characteristics:

1. Consistency with adopted corridor plans.
2. Cross easements are provided for vehicular and pedestrian access.
3. They meet the existing need and convenience of the surrounding community.
4. Visual clutter and confusion caused by sign proliferation is minimized while maintaining safe and efficient wayfinding for both pedestrians and vehicles.
5. Landscaping, sidewalks, lighting, fencing, and building features are located so as to guide pedestrian movement on or through the site. On-site and on-building lighting at entrances and along walkways is maintained at safe lighting levels.

**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.

### **Staff Analysis**

The subject area contains 4.01 acres and currently contains single family dwellings. North of the request are single family dwellings and office uses, zoned R-3 and CD-O. East and south of the request are single family dwellings, zoned R-3. West of the request is a City of Greensboro water tower and multifamily dwellings zoned RM-12 and CD-RM-18.

The proposed rezoning request supports the Comprehensive Plan's Filling In Our Framework Big Idea to encourage higher density, mixed-use, walkable infill development. It also balances the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Comprehensive Plan's Creating Great Places Goal to protect and enhance the unique character of every neighborhood.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates the majority of the property as Commercial and Residential. The Commercial designation includes retail sales, wholesale sales, personal service businesses, professional service businesses, restaurants, entertainment, hotels and hospitality, commercial assembly halls, and event spaces. These can be either linear commercial corridors or larger centers of commercial development or a combination of both. Some include residential uses as well, and represent an opportunity for denser development, particularly in conjunction with enhanced transit service and mobility hubs.

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 property as Urban General and as being located within an Urban Mixed Use Corridor. 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.

Properties located within the Urban (Mixed-Use) Corridors should reflect these additional characteristics:

1. Consistency with adopted corridor plans.
2. Cross easements are provided for vehicular and pedestrian access.
3. They meet the existing need and convenience of the surrounding community.
4. Visual clutter and confusion caused by sign proliferation is minimized while maintaining safe and efficient wayfinding for both pedestrians and vehicles.
5. Landscaping, sidewalks, lighting, fencing, and building features are located so as to guide pedestrian movement on or through the site. On-site and on-building lighting at entrances and along walkways is maintained at safe lighting levels.

The proposed CD-O zoning designation, as conditioned, would allow a mix of office and professional service uses in immediate proximity to similar office uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure an appropriate transition to the lower density residential uses on adjacent properties.

Changes have been made to this request from the previous rezoning to preserve the structure located at 5307 West Friendly Avenue which is listed in the National Register of Historic Places. However, the Applicant/developers are strongly encouraged to integrate the previously noted historic buildings and resources with future development if possible.

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-O** (Conditional District - Office) zoning district.

**EXECUTIVE SUMMARY**

**1. Development Overview**

A TIS was conducted for the proposed Friendly Avenue Medical Office development that is to be located in the southeast quadrant of the intersection of W. Friendly Avenue and Muirs Chapel Road in Greensboro, North Carolina. Site access to the development is proposed via two (2) new full movement driveway connections [one (1) on W. Friendly Avenue and one on Muirs Chapel Road]. The development is expected to include up to 40,000 square feet of medical office space and 4,000 square feet of general office space is proposed to be completed by the end of 2023.

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2023) Traffic Conditions
- No-Build (2024) Traffic Conditions
- Build (2024) Traffic Conditions

**2. Existing Traffic Conditions**

Existing peak hour traffic volumes at the study intersection of W. Friendly Avenue and Muirs Chapel Road were determined based on traffic counts conducted on a typical weekday during the weekday AM (7:00 AM - 9:00 AM) and PM (4:00 PM - 6:00 PM) peak periods in September 2019. Peak hour traffic volumes at the intersection of W. friendly Avenue and Foxwood Drive were determined based on traffic counts conducted during the same AM and PM peak periods on a typical weekday in March 2023.

It should be noted that the 2019 traffic counts on W. Friendly Avenue were higher than the 2023 traffic counts (nearly 25% higher in the AM peak hour and 10% higher in the PM peak hour); therefore, for the purpose of performing a conservative analysis, the 2019 volumes were utilized (with no growth) at the W. Friendly Avenue/Muirs Chapel Road intersection, and the same volumes were carried through as the eastbound and westbound through movements on W. Friendly Avenue at Foxwood Drive, while utilizing the 2023 traffic volumes as the turning movements at the same intersection.

**3. Site Trip Generation**

It is estimated that the proposed development could generate up to 1,669 total site trips on the roadway network during a typical 24-hour weekday period. Of the daily traffic volume, it is anticipated that 113 trips (88 entering and 25 exiting) will occur during the weekday AM peak hour and 166 (50 entering and 116 exiting) will occur during the weekday PM peak hour.

**4. Future Traffic Conditions**

Through coordination with the City, it was determined that an annual growth rate of 2% would be used to generate projected 2024 [anticipated build out year + 1] weekday AM and PM peak hour traffic volumes. Based on coordination with the City, it was determined that no future roadway improvements or approved developments would impact the study area.

**5. Capacity Analysis Summary**

The analysis considered weekday AM and PM peak hour traffic for existing (2023), no-build (2024), and build (2024) conditions. Refer to Section 7 of the report for the capacity analysis summary performed at each study intersection.

**6. Recommendations**

Based on the findings of this study, no improvements have been identified at the study intersections. The recommended lane configurations are illustrated in Figure E-1.

**Recommended Improvements by Developer**

W. Friendly Avenue and Foxwood Drive/Proposed Site Access

- Based on the equation provided in GDOT’s Driveway Manual [page 7], 50 feet of internal protected stem should be provided.

Muir’s Chapel Road and Proposed Site Access

- Based on the equation provided in GDOT’s Driveway Manual [page 7], 25 feet of internal protected stem should be provided.



