



PLZ-23-22

City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: June 6, 2023

GENERAL INFORMATION

APPLICANT	Amanda Hodierno, on behalf of David Sloop of SC Midtown, LLC
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single-family – 3) to CD-RM-26 (Conditional District – Residential Multi-family – 26) with the following conditions:
CONDITIONS	1. Permitted uses shall be limited to a maximum of 72 multi-family dwelling units
LOCATION	401 Muirs Chapel Road and 4900 Kenview Street
PARCEL ID NUMBER(S)	7844272672 and 7844271484
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). 269 notices were mailed to those property owners in the mailing area.
TRACT SIZE	3.45 acres
TOPOGRAPHY	Undulating
VEGETATION	Mostly wooded

SITE DATA

Existing Use	Undeveloped land
Adjacent Zoning	Adjacent Land Uses
N R-3 (Residential Single-family-3) and RM-8 (Residential Single-family-8)	Community garden and outdoor recreation and field and parking related to religious assembly, and multi-family dwellings

E	R-3 (Residential Single-family-3) and RM-12 (Residential Multi-family-12)	Cemetery and religious assembly and multi-family dwellings
S	R-3 (Residential Single-family-3) and CD-RM-26	Cemetery and undeveloped land and single-family and multi-family dwelling units
W	R-3 (Single-family residential-3) and RM-8 (Residential Multi-family-8)	Undeveloped land and single family dwellings and multi-family dwellings

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned R-3 (Residential Single-family - 3). This has been the zoning on the property since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned RS-12 (Residential Single-family).
CD5045	April 24, 2018	Properties farther south than the subject lots, 303 Muirs Chapel Road, and 4803 and 4809 Kenview Street were rezoned from R-3 to CD-RM-26 with the following conditions: <ol style="list-style-type: none"> 1. Use limited to a maximum of 72 residential dwelling units; 2. Except for the road frontages along Kenview Street and Muirs Chapel Road, a minimum six feet tall opaque fence shall be installed along all exterior property line where permitted; 3. A minimum of five bicycle racks shall be installed within the development; 4. Vehicular access to or from any properties abutting the western property line is prohibited.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Requested (CD-RM-26)
Max. Density:	3 units per acre	26 units per acre
Typical Uses	Typical uses in the R-3 district include single family residential of up to 3 dwelling units per acre.	Permitted uses shall be limited to a maximum of 72 multi-family dwelling units

**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 within an overlay zoning district.

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 South Buffalo Creek – Non-Watersupply Watershed Watershed

Floodplains N/A

Streams N/A

Other: If >1acre is disturbed and the BUA is increased, site must meet Phase 2 requirements, Water Quality and Water Quantity Control must be addressed for the entire site. State and Corps permits will be required for any stream crossing and or wetland disturbance. Site is also located within the PTI 5 mile statue radius. No BMP/SCM that holds a normal pool elevation is allowed without engineer’s documentation stating why this type of water quality device must be utilized.

Utilities (Availability)

Water and sewer are available on Kenview St and Muirs Chapel Rd. Private developer will need to complete the extensions in accordance with City of Greensboro’s 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 Cemeteries / Religious Assembly uses: Type C buffer yard, with an average width of 15’, a minimum width of 10’, and a planting rate of 2 canopy trees, 3 understory trees, and 17 shrubs per 100 l.f.

Adjacent to vacant property / Multi-Family uses: 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 3.45 acres, 5% of parcel size to be dedicated in critical root zone for Tree Conservation

Transportation

Street Classification: Muirs Chapel Road – Minor Thoroughfare.
Kenview Street – Local Street.

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

Traffic Counts: Muirs Chapel AADT = 16,000 (NCDOT, 2019).

Trip Generation: N/A.

Sidewalks: Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does not currently exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 9 (West Market Street) is within 0.50 mi of subject site, along W. Market Street.

Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-RM-26 (Conditional District – Residential, Multi-Family – 26 du/ac)** zoning district, as conditioned, would allow land uses that are compatible with the general character of the area.

GSO2040 Comprehensive Plan Policies

The **GSO2040** Future Land Use Map designates this location as **Residential**. The requested **CD-RM-26 (Conditional District – Residential, Multi-Family – 26 du/ac)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** future land-use designations. The Future Built Form Map designates the location as **Urban General**.

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.

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 Community Center as described in the Future Built Form Map in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

Future Built Form Map

Place Types: Areas that have a consistency of character, identity or purpose and that are most often bounded by corridors, natural features, or parks that create transition or separation from other neighborhoods that may not share the same characteristics.

Urban General should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.

6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

CONFORMITY WITH OTHER PLANS

City Plans

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

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 properties are approximately 3.45 acres of undeveloped land. North of the request contains a community garden with fields and outdoor recreation related to the nearby religious assembly use, zoned R-3. There are also multi-family dwellings northward of the properties. East of the properties is religious assembly and a cemetery, zoned R-3, and multi-family dwellings further east, zoned RM-18. South of the properties the cemetery area continues along with undeveloped land and single-family residential, zoned R-3. There are multifamily dwellings located farther south, zoned CD-RM-26. West of the request is undeveloped land and single-family dwellings, zoned R-3, and multi-family dwelling units, zoned RM-8).

The proposed rezoning request supports the Comprehensive Plan's Filling in Our Framework Big Idea for arranging our land uses for where we live, work, attend school, and other activities for a more livable Greensboro. Additionally, this proposal supports the Creating Great Places Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

The GSO2040 Comprehensive Plan's Future Land Use Map designates this property as Residential. The Residential designation includes both single and multifamily residential. Other uses should generally be in the scale of a Neighborhood or 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 Future Built Form Map designates this area as Urban General which should reflect some of the following characteristics:

- Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
- 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.
- Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
- Cut-through traffic is minimized.
- Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
- 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 CD-RM-26, as conditioned, would limit uses to a maximum of 72 multi-family dwelling units. The proposed residential development allows an appropriate transition between adjacent religious assembly uses and existing residential uses. Care should be taken with respect to building orientation, building materials, building height, and visual buffers to ensure this appropriate transition to the lower density uses on adjacent properties.

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

Staff Recommendation

Staff recommends **approval** of the requested **CD-RM-26 (Conditional District – Residential Multifamily - 26)** zoning district.