



PL(Z)24-16

City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: August 20, 2024

GENERAL INFORMATION

APPLICANT	Michael Goins for Renaissance Church Cate City, Inc.
HEARING TYPE	Annexation and Original Zoning Request
REQUEST	County RS-40 (Residential Single-family) to City CD-O (Conditional District - Office)
CONDITIONS	<ol style="list-style-type: none">1. Uses. Permitted uses shall be limited to the following: Forestry and Crops; Daycare Centers; Elementary/Secondary Schools; Medical, Dental, and Related Offices; Religious Assembly; Parks and Open Areas; Office Use Group; Accessory Uses and Structures (Customary); and Temporary Construction Office. No elevated structures will be permitted on the parcels identified as 5800 Scotland Road and 5810 Marion Elsie Drive (Lot 24 and Lot 25 as shown on Plat Book 7, Page 154).2. Buffers. (a) The applicant shall erect an opaque fence no less than 6 feet in height adjacent the western and northern boundaries of tax parcel 156251 (5806 Scotland Road) and 8 feet in height adjacent the northern and eastern boundaries of tax parcel 156252 (5804 Scotland Road); (b) except for vegetation necessary to be removed for parking, bioretention cells, and drainage swale on tax parcel 156284 (5810 Marion Elsie) and tax parcel 232721 (5800 Scotland Road) and to construct a fence adjacent the northern and eastern boundaries of tax parcel 156252 (5804 Scotland Road), all vegetation on tax parcels 156284 and 232721 shall remain natural and undisturbed; (c) the applicant shall increase the street planting yard along the southern boundary of tax parcel 156250 from 10 feet to 20 feet in width, with a planting rate of 2 canopy trees and 8 evergreen trees per 100 linear feet. Evergreen trees used will not be less than 6 feet in height at time of planting and have a mature height of no less than 20 feet.

3. Lighting. Except for walls facing W. Gate City Blvd., internally illuminated wall signs shall be cut off no later than 11:00 p.m.
4. Signage. Freestanding signage shall be prohibited on Scotland Road, Queen Alice Road, and Marion Elsie Drive.
5. Hours. Office uses shall not be accessible to the public between the hours of 9:00 p.m. to 7:00 a.m.
6. Transportation. The applicant shall design access to Scotland Road to prohibit right-in and left-out movements.
7. The subject property shall be developed in conjunction with the portion of 5909 W. Gate City Boulevard that was annexed by the Greensboro City Council on September 9, 2023.

LOCATION Portion of 5909 West Gate City Boulevard (formerly portion of Marion Elsie Drive)

PARCEL ID NUMBER(S) 156247

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). **53** notices were mailed to those property owners in the mailing area.

TRACT SIZE 0.257 acres total

TOPOGRAPHY Generally flat

VEGETATION Wooded

SITE DATA

Existing Use Undeveloped – Former road right of way for Marion Elsie Drive

	Adjacent Zoning	Adjacent Land Uses
N	County RS-40 (Residential Single-family)	Single-family dwellings
E	County RS-40 (Residential Single-family)	Single-family dwellings and public street right-of-way
S	City CD-O (Conditional District - Office)	Religious assembly and offices uses that are under construction

W City CD-O (Conditional District - Office) Religious assembly and offices uses that are under construction

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 RS-40	(City CD-O)
Max. Density:	0.91 units per acre	N/A
Typical Uses	Primarily intended to accommodate single-family detached dwellings in areas without access to public water and sewer. The minimum lot size of this district is 40,000 square feet.	Permitted uses shall be limited to the following: Forestry and Crops; Daycare Centers; Elementary/Secondary Schools; Medical, Dental, and Related Offices; Religious Assembly; Parks and Open Areas; Office Use Group; Accessory Uses and Structures (Customary); and Temporary Construction Office. No elevated structures will be permitted on the parcels identified as 5800 Scotland Road and 5810 Marion Elsie Drive (Lot 24 and Lot 25 as shown on Plat Book 7, Page 154) shall be limited to Single-family Detached Dwellings; Single-family Detached Dwellings, Zero Lot Line; Duplexes; Townhouses; Twin Homes; Multi-family Dwellings; Multi-family (Elderly).

**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 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 Lower Randleman Lake WS-IV, Watersupply Watershed, Bull Run and Hickory Creek sub-basins

Floodplains N/A

Streams N/A

Other: Site must meet current watershed requirements, Water Quality and Water Quantity Control must be addressed for the entire development. Water Quality must treat the first 1” of rainfall. Water Quantity Control must reduce the 2yr & 10yr 24hr storms to pre-development levels. Maximum BUA for High Density Development is 50% with sewer All BUA must be treated by a State approved water quality BMP/SCM.

Utilities (Availability)

Sewer is available on Queen Alice Rd and water is available. on Scotland 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

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 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: 5’ wide 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.

On lots of record that existed prior to July 1, 1992 that are less than 55,000 square feet in area, no development is required to landscape more than 15% of the site.

If unopen portion of Marion Elsie Dr remains unopened, then no landscaping will be required along that portion of the property line, per 30-10-1.3 (C).

Tree Conservation:

For 0.257 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification: West Gate City Boulevard – Major Thoroughfare.
 Marion Elsie Drive – Local Street.
 Scotland Road – Collector Street.

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

Traffic Counts: West Gate City Boulevard AADT = 16,000 vpd (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 CD-O (Conditional District – Office)** zoning district 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 **City CD-O (Conditional District – Office)** zoning district would allow uses that are generally consistent with those currently on the property and described in the **Commercial and Residential** future land use designations. The **GSO2040** Future Built Form Map designates this location as **Urban General**. The subject property is located in 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 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.

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. Development should focus on industrial uses first.

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.

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.

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

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.

Other Plans

N/A

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed original zoning and development with the surrounding community.

Staff Annexation Analysis

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 stated that infrastructure is in place to provide City services to this location. 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 0.257 acres and contains undeveloped land that was formerly unopened right of way for Marion Elsie Drive. North of the request contains single-family dwellings, zoned County RS-40 (Residential Single-family). East of the request contains single-family dwellings and public street right-of-way, zoned County RS-40 (Residential Single-family). South and west of the request contains religious assembly and offices uses that are under construction, zoned City CD-O (Conditional District - Office).

The proposed original zoning request supports the Comprehensive Plan's Growing Filling In Our Framework goal to ensure every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates the subject 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 subject property was formerly a portion of unopened right of way for Marion Elsie Drive. Before this property could be annexed, the County had to close this portion of Marion Elsie Drive. According to North Carolina General Statute 160A-299(C), when right of way is closed the land is split along the centerline of the former road and becomes the property of the owners on both sides. The portion of the former Marion Elsie Drive right of way that came under the applicant's (Renaissance Church Cate City, Inc.) control has since been combined with a larger piece of property located to the south and already zoned CD-O as of September of 2023. This original zoning request is to bring the closed portion of Marion Elsie Drive, currently owned by Renaissance Church Cate City, Inc., into the same zoning classification as the remainder of the applicant's property to the south and west.

The proposed CD-O zoning district, as conditioned, limits permitted uses to the following: Forestry and Crops; Daycare Centers; Elementary/Secondary Schools; Medical, Dental, and Related Offices; Religious Assembly; Parks and Open Areas; Office Use Group; Accessory Uses and Structures (Customary); and Temporary Construction Office. The uses permitted in the proposed CD-O zoning district are compatible with existing commercial, civic, and residential 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 CD-O (Conditional District – Office)** zoning district.