



PL(P)24-20

City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: September 24, 2024

GENERAL INFORMATION

APPLICANT	Marc Isaacson for Shelley Scanlon of Colfax Realty, LLC and Phyllis Kidd individually and for the Estate of Henry L. Kidd, Jr.
HEARING TYPE	Annexation and Original Zoning Request
REQUEST	County RS-40 (Residential Single-family), County LB (Limited Business), and County AG (Agricultural) to City CD-O (Conditional District - Office)
CONDITIONS	<ol style="list-style-type: none">1. Permitted uses shall be limited to: Assisted Living Facility; Nursing Home.2. No more than 125 dwelling or rooming units shall be permitted.3. Building height shall not exceed 50 feet.4. Vehicular access to Kidd Road shall be limited to emergency vehicles only.
LOCATION	9206 West Market Street and a portion of 118 Kidd Road
PARCEL ID NUMBER(S)	7806107941 and a portion of 7806223375
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). 75 notices were mailed to those property owners in the mailing area.
TRACT SIZE	20.73 acres
TOPOGRAPHY	Slopes toward the stream in the middle of the property.
VEGETATION	Wooded with large grassy areas
<u>SITE DATA</u>	
Existing Use	Single-family dwellings

Adjacent Zoning

Adjacent Land Uses

N	County RS-40 (Residential Single-family)	Undeveloped land and single-family dwellings
E	County RS-40 (Residential Single-family) and County AG (Agricultural)	Single-family dwellings
S	City R-3 (Residential Single-family – 3) and City PI (Public and Institutional)	Single-family dwellings, undeveloped land, and Colfax Elementary School
W	County RS-40 (Residential Single-family), County LB (Limited Business), City R-3 (Residential Single-family – 3) and City C-L (Commercial – Low)	Single-family dwellings, undeveloped land, and a residential office conversion use

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 Designation:	Existing County RS-40	Existing County LB	Requested (City CD-O)
Max. Density:	1.1 dwelling per acre	N/A	N/A
Typical Uses	Typical uses in the County RS-40 district include single-family dwellings with a density of not less than 1.1 units per acre.	Primarily intended to accommodate low intensity office and retail services in a rural setting, typically located at the intersection of local collectors or thoroughfares.	Permitted uses shall be limited to: Assisted Living Facility; and Nursing Home.

**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 South to Upper Randleman Lake WS-IV, West Fork Deep River sub-basin and to the North to Greensboro Watersupply Watershed, Upper Reedy Fork Creek sub-basin

Floodplains N/A

Streams Blue Line stream/pond are onsite and possible Non-Blue Line Stream features onsite. Non-Blue Line Stream features must be identified for possible stream buffers. If site drains to the South to West Fork Deep River Perennial streams require a 100’ stream buffer measured from top of bank on each side and Intermittent streams require a 50’ stream buffer measured from top of bank on each side. Show and label top of stream bank. Label zones with dimensions and restrictions within the buffer. “No BUA is allowed in the entire buffer” (see section LDO 30-12-3.9 for buffer restrictions). Show and label the different zones within the buffer (see LDO 30-12-3.9F for information about the different zones). Intermittent and Perennial streams that have no special flood hazard area must shall apply a non-encroachment area to the stream. Please show & label non-encroachment area (measured 30ft from top of bank or 5x’s the width of the channel) for intermittent & perennial streams. See the Land Development Ordinance (LDO) Flood Damage Prevention, Chp.30-12-2.3F for description of requirements.

Other: Site must meet current watershed requirements, Water Quality and Water Quantity control must be addressed. Maximum BUA for High Density Development for both watersheds is 70% with sewer. The 1yr, 2yr and 10yr 24hr storms must be reduced to Pre-Development conditions. State / Corps permits are required for any stream or wetland disturbance or crossing. All BUA must be treated by a State approved water quality BMP/SCM. Site is located within the PTI 5 mile statue radius. No BMP/SCM is allowed that holds a normal pool elevation without engineer’s documentation.

Utilities (Availability)

Water is available on Kidd Rd Sewer is available to the Northwest near 7908 Leabourne 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/same land class use: 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.

Tree Conservation:

For 20.73 acres, 10% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification: West Market Street – Major Thoroughfare.
Kidd Road – Local.

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

Traffic Counts: West Market Street AADT = 12,500 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 exist along the West Market Street 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 points to the Western Area Plan, which designates this location as **Residential**. The requested **City CD-O (Conditional District - Office)** zoning district as conditioned would allow uses that are generally consistent with described in the **Residential** future land use designation. The **GSO2040** Future Built Form Map designates this location as **Exurban**. The subject property is located in **Growth Tier 3** of the Growth Tiers Map.

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 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 2 – Meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

GSO2040 Map Policies:**Future Land Use Map**

The properties in question are located in the Western Area Plan. The future land use recommendations from that plan are described below.

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.

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.

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 3: This is the area where growth, annexation, and the extension of public facilities is anticipated beyond 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 12-year horizon.

CONFORMITY WITH OTHER PLANS

City Plans

Western Area Plan

Residential Area (R) Recommendations

R 1: New housing development should continue in a development pattern that is respectful of existing neighborhoods as well as natural, agricultural, historic, and cultural resources

R 2: Continue a less intense development pattern in the rural areas.

“New development should be compatible to existing residential neighborhoods and respectful of existing agricultural and historic properties. Less intense development patterns, similar to what exists today in the Western Area, are appropriate in the rural residential areas of the plan. Conservation subdivisions are one common method developers can use to preserve critical resources while providing a home product demanded by the market.”

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 has stated that infrastructure is in place or will be in place to provide City services to this location. The Technical Review Committee also recommended approval of this annexation request at its August 2, 2024 meeting. This property is located within the Tier 3 Growth Area on the Growth Strategy map in the Comprehensive Plan but because the extension of City utilities addresses a

need to complete an end of the line under the adopted City Water-Sewer policy it can be treated as if the property is in Growth Tier 1.

Staff Original Zoning Analysis

The combined acreage for the subject properties is approximately 20.73 acres and contains Single-family dwellings. North of the request contains undeveloped land and single-family dwellings, zoned County RS-40 (Residential Single-family). East of the request contains single-family dwellings, zoned County RS-40 (Residential Single-family) and County AG (Agricultural). South of the request contains single-family dwellings, undeveloped land and Colfax Elementary School, zoned City R-3 (Residential Single-family – 3) and City PI (Public and Institutional). West of the request contains single-family dwellings, undeveloped land, and a residential office conversion use, zoned County RS-40 (Residential Single-family), County LB (Limited Business), City R-3 (Residential Single-family – 3) and City C-L (Commercial – Low).

The proposed original zoning request supports both the Comprehensive Plan's Filling In Our Framework Big Idea to arrange our land uses for where we live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro and Creating Great Places goal to expand Greensboro's citywide network of unique neighborhoods offering residents of all walks of life a variety of quality housing choices.

The Comprehensive Plan's Future Land Use Map points to the Western Area Plan, which designates this property as Residential. The Residential designation makes the following recommendations:

R 1: New housing development should continue in a development pattern that is respectful of existing neighborhoods as well as natural, agricultural, historic, and cultural resources

R 2: Continue a less intense development pattern in the rural areas.

"New development should be compatible to existing residential neighborhoods and respectful of existing agricultural and historic properties. Less intense development patterns, similar to what exists today in the Western Area, are appropriate in the rural residential areas of the plan. Conservation subdivisions are one common method developers can use to preserve critical resources while providing a home product demanded by the market."

The Comprehensive Plan's Future Built Form Map currently designates this property as Exurban. The Exurban designation 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.

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

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.