



Z-23-10-004

City of Greensboro Planning Department
Zoning Staff Report

Planning and Zoning Commission Hearing Date: October 16, 2023

GENERAL INFORMATION

APPLICANT	Nicole D. and Hatfield C. Charles
HEARING TYPE	Rezoning Request
REQUEST	CD-RM-8 (Conditional District – Residential Multi-family - 8) to CD-C-N (Conditional District – Commercial - Neighborhood)
CONDITIONS	<ol style="list-style-type: none">1. Permitted uses shall be limited to a Daycare Center or Office Uses (without a drive-through facility).2. A minimum 6 foot tall opaque fence shall be installed along the eastern property line extending from the front building line of the existing principal building to the southeast corner of the property.3. The property shall only be open to the public between the hours of 6:00 a.m. and 9:00 p.m.4. There shall be no new parking between the front of the existing principal building and the front property line5. Freestanding signage shall be limited to one freestanding sign with a maximum 5 feet in height and maximum 25 square feet in size. The freestanding sign can only be illuminated from an external source.6. There shall be no accessory structures (excluding fences) located between the front of the existing principal building and the front property line.7. The existing principal structure shall remain and shall not be expanded closer to the front property line.8. Maximum building height shall not exceed 30 feet in height.
LOCATION	325 Erwin Street
PARCEL ID NUMBER(S)	7863369732
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). 152 notices were mailed to those property owners in the mailing area.

TRACT SIZE 0.33 acres

TOPOGRAPHY Generally Flat

VEGETATION Sparse vegetation

SITE DATA

Existing Use		Office Use
Adjacent Zoning		Adjacent Land Uses
N	C-M (Commercial-Medium) and R-5 (Residential Single-Family-5)	Car wash and undeveloped land and single family dwellings
E	R-5 (Residential Single Family - 5)	Single-family dwellings
S	R-5 (Residential Single-Family-5)	Single-family dwellings
W	C-M (Commercial-Medium)	Retail sales

Zoning History

<u>Case #</u>	<u>Date</u>	<u>Request Summary</u>
CD5348	September 20, 2022	<p>The subject property was rezoned from R-5 (Residential Single-family - 5) to CD-RM-8 (Conditional District – Residential Multi-family - 8) with the following conditions:</p> <ol style="list-style-type: none"> 1. Permitted uses shall be limited to a Daycare Center or a Single Family Dwelling. 2. A minimum 6 foot tall opaque fence shall be installed along the eastern property line extending from the front building line of the existing principal building to the southeast corner of the property. 3. The property shall only be open to the public between the hours of 6:00 a.m. and 9:00 p.m. 4. There shall be no new parking between the front of the existing principal building and the front property line 5. Freestanding signage shall be limited to one freestanding sign with a maximum 5 feet in height and maximum 25 square feet in size. The freestanding sign can only be illuminated from an external source. 6. There shall be no accessory structures (excluding fences) located between the front of the existing principal building and the front property line. 7. The existing principal structure shall remain and shall not be expanded closer to the front property line. 8. Maximum building height shall not exceed 30 feet in height.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District	Existing	Requested
Designation:	(CD-RM-8)	(CD-C-N)
Max. Density:	8 units per acre for residential uses	N/A
Typical Uses	Permitted uses shall be limited to a Daycare Center or a Single Family Dwelling.	Permitted uses shall be limited to a Daycare Center or Office Uses (without a drive-through facility).

**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: Site must address Water Quantity Control for the entire site for any additional development.

Utilities (Availability)

Water and sewer are available on Erwin Street. 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 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 commercial (same land 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.

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.

Tree Conservation:

For 0.33 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

- Street Classification: Erwin Street – Local Street.
Randleman Road – Major Thoroughfare.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: None available.
- 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 13 (Randleman Road) is within 200 ft. of the subject site, along Randleman Road.
- 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-C-N (Conditional District - Commercial – Neighborhood)** 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** and adjacent to a **Commercial** corridor. The requested **CD-C-N (Conditional District - Commercial – Neighborhood)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** future land use designation. The **GSO2040** Future Built Form Map designates this location as **Urban Central**, as being adjacent to a **Reinvestment Corridor** and 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 A – Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

Strategy 1 – Encourage higher density, mixed-use, walkable infill development.

Strategy 2 – Ensure mixed use projects both strengthen and add value to the Community.

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

Goal E – Greensboro promotes homegrown businesses, supports entrepreneurship, cultivates industry leaders, and welcomes major corporations and institutions.

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 Central should reflect these characteristics:

1. Development is consistent with adopted neighborhood plans and their design guidelines.
2. New development should be compatible with the existing development pattern, as described in the “Existing Built Form” section: Short blocks and a grid-based street pattern;
 - Fine-grained zoning designations with a wide variety of uses are found closer to each other;
 - A range of residential building types, from detached, single-family houses, to Missing Middle Housing, to mid-rise multi-family in close proximity to each other; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors;
 - Buildings on lots that are close to the width of a residential lot, rather than a uniform building along the entire block face;
 - Buildings close to each other and to the street; and
 - Connected sidewalks that form a walkable network.
3. There is benefit from and support from the viability of public open spaces, plazas, public art, and cultural resources.
4. Safety and crime prevention is integrated into building and site design by orienting windows and doorways to streets overlooking semi-public and shared spaces. Parking is oriented behind buildings, so buildings are built to the street with unobstructed windows for visual surveillance on the sidewalk and street.
5. Front doors and porches build community and neighborhood vitality and encourage neighbor interaction.
6. Exterior building materials are durable, sustainable, and contribute to the unique character of the surrounding buildings and existing neighborhood.
7. Equitable and ample access to walking, bicycling, transit and ride sharing is provided.

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.

Reinvestment Corridors reflect these additional characteristics:

1. Consistency with adopted corridor plans.
2. Uses that support or provide access to employment are prioritized.
3. Existing buildings are adapted for reuse.
4. Neighborhood support services are accommodated.
5. Specific deficiencies, such as lack of access to healthy food, health services, and social services are eliminated.

6. Barriers to reinvestment are reduced.
7. Displacement is avoided for creative and activity-producing uses such as artist studios, work/live spaces, and galleries.

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 the surrounding community.

Staff Analysis

The subject property is approximately 0.33 acres and currently contains a residence and home based daycare. North of the subject property contains a car wash, undeveloped land, and single family dwellings, zoned C-M and R-5. East and south of the subject property contain single-family dwellings, zoned R-5. West of the subject property contains retail sales, zoned C-M.

The proposed rezoning request supports the GSO2040 Comprehensive Plan's Filling in Our Framework strategies to ensure revitalized sites will be of high quality and complement existing neighborhood character to encourage higher density, mixed-use, and walkable infill development. The proposed rezoning also supports the Growing Economic Competitiveness goal of promote homegrown businesses, support entrepreneurship, cultivate industry leaders, and welcome major corporations and institutions.

The GSO2040 Comprehensive Plan's Future Land Use Map designates the majority subject property as Commercial and a small portion is designated 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 GSO2040 Comprehensive Plan's Future Built Form Map currently designates the property as Urban Central within an Urban (Mixed-use) Corridor and a Reinvestment Corridor.

The Urban Central place type should reflect the following characteristics:

1. Development is consistent with adopted neighborhood plans and their design guidelines.
2. New development should be compatible with the existing development pattern, as described in the "Existing Built Form" section: Short blocks and a grid-based street pattern;
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- 6. Barriers to reinvestment are reduced.
- 7. Displacement is avoided for creative and activity-producing uses such as artist studios, work/live spaces, and galleries.

The proposed CD-C-N, as conditioned, limits uses to a Daycare Center or Office Use (without a drive-through facility). The proposed uses are generally considered appropriate transitional uses to buffer more intense commercial uses from the lower density residential uses found to the east and northeast of the subject property. The request also includes conditions to limit potential negative impacts on surrounding properties. Care should be taken with respect to visual buffers to ensure an appropriate transition to the lower density residential 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-C-N (Conditional District - Commercial – Neighborhood)** zoning district.