



PLZ-20-04

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

City Council Hearing Date: February 18, 2020

GENERAL INFORMATION

APPLICANT	Marsh Prause on behalf of Kotis Properties, Inc. for Loretta H. Brown and WAW Properties, LLC
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single-family – 3) to CD-C-L (Conditional District - Commercial - Low)
CONDITIONS	1. All uses permitted in the C-L zoning district except: Cemeteries, Junked Motor Vehicles (accessory use), and Satellite Dishes/TV and Radio Antennae Towers (accessory structures). 2. Where permitted, an opaque fence no less than six feet in height shall be installed and maintained along property lines adjacent to single-family residential uses. 3. The minimum building setback from the northern boundary of the site shall not be less than 25 feet. 4. The maximum gross floor area per building shall be limited to 22,000 square feet. 5. The maximum building height shall be limited to thirty (30) feet.
LOCATION	4100, 4108, and 4110 Lawndale Drive and 4201 Lake Jeanette Road
PARCEL ID NUMBER(S)	7856454767, 7856454975, 7856464008, and 7856465059
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 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). 83 notices were mailed to those property owners in the mailing area.
TRACT SIZE	2.32 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	Wooded

SITE DATA

Existing Use

Vacant land and a single-family residence

Adjacent Zoning

Adjacent Land Uses

N	R-3 (Residential Single-family)
E	R-3 (Residential Single-family)
W	R-3 (Residential Single-family)
S	R-3 (Residential Single-family)

Single-family dwellings
Single-family dwellings
Single-family dwellings
Single-family dwellings

Zoning History

Case #	Date	Request Summary
Z-11-05-005	4/11/2011	A request was made, but ultimately withdrawn, to rezone the subject parcels from R-3 (Residential Single-family – 3) to CD-C-N (Conditional District – Commercial Neighborhood) with the following condition: 1. Uses: Limited to a child day care center and offices for personal and professional services.
2007-08-M	8/13/2007	A request was made, but ultimately withdrawn before the City Council meeting, to rezone the subject parcels from RS-15 (Residential Single-family) to CD-GO-M (Conditional District – General Office – Moderate Intensity) with the following conditions: 1. Uses: All uses permitted in the GO-M zoning district except those uses requiring drive-thru service. 2. The front façade of any building shall be constructed of primarily brick, stone, stucco, textured masonry and/or glass. 3. The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces. 4. The maximum height of any building shall be one above ground story. 5. Interior pedestrian circulation between principal buildings, and between principal buildings and public streets, shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition, walkways may be defined by painted cross-hatched areas.
2007-04-M	4/9/2007	A request was made, but ultimately denied, to rezone the subject parcels from RS-15 (Residential Single-family) to CD-GB (Conditional District – General Business) with the following conditions: 1. All permitted uses in the General Business zoning district except Land Clearing and Inert Debris Landfills, Nursing or Convalescent Homes, Psychiatric Hospitals, Automobile Repair Services (Major and Minor), Automobile Towing and Storage Services, Car Washes, Equipment Repairs, Funeral Homes or Crematoriums, Convenience Stores with Fuel Pumps, Fuel Sales, Motor Vehicle Sales (new and used), Motorcycle Sales, Gasoline Service Stations, and any use requiring drive-thru service. 2. The front façade of any building shall be constructed of primarily brick, stone, stucco, textured masonry and/or glass.

3. The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.
4. The maximum height of any building shall be two above ground stories.
5. Interior pedestrian circulation between principal buildings, and between principal buildings and public streets, shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition, walkways may be defined by painted cross-hatched areas.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District	Existing	Requested
Designation:	(R-5)	(CD-C-L)
Max. Density:	5 units per acre	N/A
Typical Uses:	Typical uses in the R-5 district include single family dwellings with a density of up to 5 units per acre.	All uses in the C-L district except for Cemeteries, Junked Motor Vehicles (accessory use), and Satellite Dishes/TV and Radio Antennae Towers (accessory structures)

**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

N/A

Environmental/Soils

Water Supply Watershed Site drains to Greensboro Watersupply Watershed WS-III, Lake Jeanette sub-basin

Floodplains N/A

Streams N/A

Other: Site must address water quality and water quantity control. Maximum High Density development with sewer is 70%BUA. Site is located within the PTI 5 mile statue radius and therefore no BMP/SCM that holds a normal pool is allowed unless engineering documentation is provided.

Utilities (Availability)

Water and sewer available

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: 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 2.32 acres, 5% of lot size in critical root zone to be dedicated for Tree Conservation

Transportation

Street Classification: Lawndale Drive – Major Thoroughfare.
Lake Jeanette Road – Minor Thoroughfare.

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

Traffic Counts: Lawndale Drive AADT = 15,817 (GDOT, 2017).
Lake Jeanette Road AADT = 5,790 (GDOT, 2017).

Trip Generation: 24 Hour = 1,331, AM Peak Hour = 157 trips, PM Peak Hour = 105 trips.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along the Lake Jeanette Road frontage of the subject site.

Transit in Vicinity: Yes. GTA Route 17 (Lawndale Drive) is adjacent to the subject site, along Lawndale Drive.

Traffic Impact Study: Yes, TIS required per TIA Ordinance. Please see end of this staff report
(TIS) for the Executive Summary of the TIS.

Street Connectivity: N/A.

Other: City of Greensboro sidewalk project P05058 that will install sidewalk along Lawndale frontage of this property. Construction schedule for this project has not been set for this project.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

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

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Low Residential (3-5 d.u./acre)**. The requested **CD-C-L (Conditional District – Commercial – Low)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation, however the applicant has concurrently submitted a request (CP 19-08) to amend the GFLUM designation on the subject site to **Commercial** which, if approved, would resolve this inconsistency.

Connections 2025 Written Policies

Land Use Goal 4.1 – Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4A: Remove present impediments to infill and investment in urban areas.

Policy 4B: Target capital investments to leverage private investment in urban areas.

Policy 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

Community Character, Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5E: Improve the aesthetic quality of publicly owned and maintained landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhoods, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7A: Target city investment and regulatory policies for economic development.

Policy 7C: Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A: Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Connections 2025 Map Policies

Low Residential (3-5 d.u./acre): This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

Commercial: This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

Comprehensive Plan Amendment History

Case #	Date	Request Summary
CP 07-09	03/21/07	Requested amendment from Low Residential, 3-5 d.u./acre to Mixed Use Commercial. The Planning Board commented that: • Areas along Lawndale Drive, north of Lake Jeanette are in transition; • This site is not really conducive to development called for with the current land use designation; • Area around this site is dominated by low residential uses so non-residential development is not a good fit; • Commercial uses don't fit the existing neighborhood character; • Changing the designation for this site could encourage further nonresidential development in this area that will change the character of the surrounding neighborhoods; • Most potential for change in this area is west, north and northeast of Lawndale Drive/Lake Jeanette Road intersection; • Existing areas of commercial further north and south of this site. Zoning Commission recommended denial. Request withdrawn by applicant.

- CP 07-23 07/18/07 Requested amendment from **Low Residential, 3-5 d.u./acre** to **High Residential, over 12 d.u./acre**. The Planning Board commented that:
- Location of site at intersection of two busy roadways supports change for non-residential uses;
 - Proposal for neighborhood serving office makes sense (High Residential only land use category that specifically encourages office uses);
 - Proposed change should have limited impact upon adjacent residential area.

Zoning Commission recommended approval. Request withdrawn by applicant.

Applicant Stated Reasons for Request

"Intended commercial use not compatible w/prevailing residential classification, rezoning R-3 to CD-C-L."

Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application

"The site subject to the requested map amendment comprises 2.32 largely vacant acres, lying in the "throat" formed by the intersection of two major thoroughfares, and in an area that has experienced significant commercial and multifamily development in the last ten years, including a Fresh Market-anchored shopping center, Devonshire Townhomes, a Bee Safe self-storage facility, the Greensboro Science Center, and Tall Oaks Apartments (200+ units). Moreover, the Lawndale Drive corridor in which the parcels are situated is a prime approach to a major interchange with a soon-to-be-opened segment of Greensboro's "Urban Loop" just to the north. As this area has developed at the intersection of two thoroughfares, the site is one which might have otherwise been developed with residences, but which has become very well-suited to accommodate low-intensity shopping and services close to residential areas, and to provide locations for businesses that serve nearby neighborhoods."

COMPREHENSIVE PLAN POLICY ANALYSIS

Need for Proposed Change

The requested **CD-C-L (Conditional District – Commercial – Low)** zoning district would allow uses that are incompatible with the subject site's current designation in the GFLUM as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 19-08**) to **Commercial** would resolve this inconsistency.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service).

n/a

Implications, if any, the Amendment may have for Other Parts of the Plan

n/a

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3)

n/a

PLANNING BOARD COMMENTS

The Planning Board reviewed the GLFUM amendment request (**CP 19-08**) associated with this rezoning request during its meeting on December 18, 2019. Planning Board members stated that since the site is surrounded by predominantly stable residential development, it may be more appropriate for townhomes or less intense residential development. New residential development has occurred on nearby sites, though without the same challenges as this site presents. Many of Greensboro's major thoroughfares have significant sections that are predominantly residential in character. However, it is difficult to envision how new residential development could be viable here, considering the high traffic volumes and the awkward configuration of this intersection.

With an existing node of non-residential development at Pisgah Church Road to the south, and a node likely to form around the Urban Loop interchange to the north, the need or policy justification for non-residential development at this site, is not compelling. Yet the proximity of this site to the Science Center and the Urban Loop makes it an appealing choice for retail development, from a real estate perspective. The evidence for change along the corridor is strong.

The requested Commercial future land use designation encompasses a wide range of non-residential development types, some of which are more intense than would be appropriate for this site, and which could cause significant negative impacts on surrounding properties. A limited amount of carefully designed, low-intensity commercial development on this site could avoid those impacts, but ensuring this is beyond the scope of Future Land Use map's policy guidance.

The Planning Board specifically requested that the Zoning Commission be sensitive to the concerns of, and impacts on, surrounding neighborhoods. A future land use designation that is limited to less intense non-residential development might be more appropriate.

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 and with representatives of the nearby Country Park Acres neighborhood, located to the east of the subject site.

Staff Analysis

The 2.32 acre subject property currently contains a single family dwelling and undeveloped land. North, east, south and west of the subject property contain single family dwellings.

The Comprehensive Plan's Future Land Use Map currently designates this property as Low Residential. This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of between 3 and 5 dwelling units per acre. As part of this request the applicant is requesting a change to the Commercial designation. The Commercial designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

The rezoning request is consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community. The requested CD-C-L allows limited commercial, office, and service uses at the intersection of two significant roadways, while including provisions to limit impacts on existing residential uses.

The request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the requested **CD-C-L** (Conditional District - Commercial - Low) zoning district.

Additional Information

Lawndale Drive Site – Transportation Impact Analysis

Greensboro, NC

Prepared for Kotis Properties, Inc.

January 06, 2020

Executive Summary

The proposed Lawndale Drive Site is located at the northeast quadrant of the intersection of Lawndale Drive and Lake Jeanette Road in Greensboro, North Carolina. The property has a total acreage of approximately 2.5 acres. This development is in preliminary stages of rezoning and future land uses are not exactly known at this time. Due to the uncertainty of the actual land use, this study assumed 10,890 square feet of retail space. This scenario represents the maximum land use intensity (worst case scenario) for this development under the proposed rezoning and available buildable acreage. The build-out year for this development was assumed to be 2021. A study year of 2022 (build-out plus one year) was used for analysis purposes.

Trip Generation

Based on trip generation rates and equations published in Trip Generation (Institute of Transportation Engineers, 10th Edition), this development has a trip generation potential of 1,331 daily trips with 157 trips in the AM peak and 105 trips in the PM peak. Note that this is a “worst case scenario” for this development under proposed rezoning, and actual site trips may be less.

Capacity Analysis

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify any transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. Three (3) intersections were included in the study:

- Lawndale Drive at Benton Lane/ Proposed Site Access 1
- Lawndale Drive at Lake Jeanette Road
- Lake Jeanette Road at Country Park Road/ Proposed Site Access 2

Analysis was carried out for two (2) build out scenarios: Scenario 1 considered a full access on Lawndale Drive opposite Benton Lane and a full access on Lake Jeanette Road opposite Country Park Road; Scenario 2 considered only a full access on Lawndale Drive opposite Benton Lane.

Based on the capacity analysis, recommendations have been given where necessary to mitigate the impacts of future traffic. Under both scenarios, a northbound right turn lane into the site access with 100 feet of storage and appropriate taper along Lawndale Drive has been recommended to accommodate traffic entering the site at the intersection of Lawndale Drive at Benton Lane/ Proposed Site Access 1. Also, separate left and shared through-right lanes should be provided for vehicles exiting the site at this proposed access opposite Benton Lane.

Comparison of Scenario 1 and Scenario 2

Table A shows the level of service benefits of providing an additional access on Lake Jeanette Drive. Therefore, the additional full access on Lake Jeanette Road is recommended, as analyzed in Scenario 1.

Table A - Comparison of Scenarios 1 and 2 (Future Build with Improvements)						
Intersection of Lawndale Drive at Benton Lane / Site Access 1	AM Peak			PM Peak		
	Westbound Approach					
	Scenario 1	Scenario 2	+/-	Scenario 1	Scenario 2	+/-
Level of Service	C	C		D	D	
Delay (sec)	17.2	19.4	2.2	27.8	34.0	6.2
Site Access 1 Egress Volume (veh)	45	60	15	42	56	14

Throat Distance

The internal throat distances for the site accesses were reviewed based on the throat distance equation found in the Greensboro Department of Transportation (GDOT) Driveway Manual. Based on the number of vehicles entering Site Access 1 during the AM and PM peaks (73 and 38 vehicles, respectively with Scenario 1 and 97 and 51 vehicles, respectively with Scenario 2), a minimum throat distance of 50 feet and 75 feet will be required. For Site Access 2, with 25 vehicles entering in the AM peak and 13 vehicles entering in the PM peak during Scenario 1, a minimum throat distance of 25 feet will be required.

Conclusion

This TIA was performed in order to assess transportation impacts of the proposed site as well as background traffic. Recommendations have been given to accommodate these impacts. The analysis documented here indicates that with the recommended improvements in place, the proposed site is not expected to have a detrimental effect on transportation capacity and mobility in the study area. The recommended improvements for the development are summarized in Table B and are shown in Figures A and B for Scenarios 1 and 2 respectively. The exact layout of the site will need to be coordinated during the site plan review process. Please note that the access points to the site is recommended to be designed according to Greensboro Department of Transportation (GDOT) standards

Table B - Recommended Improvements		
Study Intersections	Scenario 1	Scenario 2
Lawndale Drive at Benton Lane/ Proposed Site Access 1	- Construct a northbound right turn lane along Lawndale Drive with 100 feet of storage plus appropriate taper. - Provide separate shared through-right and left egress lanes to accommodate the exiting site traffic. - The site access should be designed in accordance with GDOT standards.	- Construct a northbound right turn lane along Lawndale Drive with 100 feet of storage plus appropriate taper. - Provide separate shared through-right and left egress lanes to accommodate the exiting site traffic. - The site access should be designed in accordance with GDOT standards.
Lawndale Drive at Lake Jeanette Road	No improvements are recommended.	No improvements are recommended.
Lake Jeanette Road at Country Park Road/ Proposed Site Access 2	The site access should be designed in accordance with GDOT standards.	No improvements are recommended.