



Z-08-09-006

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

Zoning Commission Hearing Date: September 8, 2008

**GENERAL INFORMATION**

<b>APPLICANT</b>	Marc L. Isaacson for Candy Apple Country Club, LLC.
<b>HEARING TYPE</b>	Zoning Commission
<b>REQUEST</b>	<b>RM-8</b> (Residential- Multi Family) to <b>CD-LB</b> (Conditional District-Limited Business)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1) Uses: No drive-thru uses permitted. No drug store or convenience store permitted</li><li>2) Any building on the property shall be not more than one story (plus storage area) and building exterior shall be at least 75% brick building materials.</li><li>3) Freestanding signage shall be limited to one monument sign not higher than 12 feet in height</li></ol>
<b>LOCATION</b>	4001 Bell Orchard Drive; generally described as the northwest corner of Bell Orchard Drive and Pisgah Church Road)
<b>PARCEL ID NUMBER (S)</b>	<b>00-00-0555-0-0001-00-008</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City 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). 92 notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~1.74 acres
<b>TOPOGRAPHY</b>	Slopes northwards
<b>VEGETATION</b>	Institutional landscaping in part

**SITE DATA**

<b>Existing Use</b>	Kids 'R' Kids School	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RS-12(Residential-Single Family)	Single-Family dwelling unit
E	RM-18 (Residential-Multi Family) and RS-12(Residential-Single Family)	Vacant commercial property
W	CD-LO (Conditional District-Limited Office) and RS-5 (Residential-Single Family)	Office building and single-family dwelling units
S	RS-9 (Residential-Single Family)	Hillcrest Baptist Church

**Zoning History**

Case #	Date	Request Summary
2607	8/11/97	This property was rezoned from RS-9 to RM-8 by City Council In 1997

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(RM-8)</b>	Requested <b>(CD-LB)</b>
Max. Density:	8 dwelling units per acre	N/A
Typical Uses	Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses.	Primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses, which serve nearby neighborhoods.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual 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, Lake Jeanette Subbasin. Max. BUA 70%
Floodplains	N/A
Streams	N/A
Other:	N/A

**Utilities**

Potable Water  
Waste Water

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

Location	Required Planting Yard Type and Rate
North	Type B Yard – avg. width 30'; 3 canopy trees per 100'; 5 understory trees per 100'; 25 shrubs per 100'
South	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

**Tree Preservation Requirements**

Acreage	Requirements
1.74 Ac.	All trees 4" or greater DBH which are located within the required planting yards

**Transportation**

Street Classification	Pisgah Church Road – Major Thoroughfare, Baylor Street – Collector Street.
Site Access	Existing.
Traffic Counts:	Pisgah Church Road ADT = 20,940(2007).
Trip Generation:	N/A.
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. There are no sidewalk projects in this area. There is existing sidewalk along the frontage of Pisgah Church Road.
Transit in Vicinity	Yes, route 3, N. Elm Street.
Traffic Impact Study (TIS)	No not required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-LB** (Conditional District-Limited Business) zoning 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 **Mixed Use Commercial**. The requested **CD-LB** zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Economic Development Goal: 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.2: Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

### **Connections 2025 Map Policies**

Mixed Use Commercial: This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

Visual Enhancement Corridor: Visual Enhancement Corridors are thoroughfares that

carry large amounts of traffic and would benefit from public physical improvements to address visual character. These improvements could include public/private

## **CONFORMITY WITH OTHER PLANS**

**City Plans - N/A**

**Other Plans - N/A**

## **Staff/Agency Comments**

### **Planning**

This 1.74 acre parcel is the current site for the Kids 'R' Kids Learning Center. Although the current use is a permitted use in the RM-8 zoning district, the applicant intends to rezone the property to a commercial zoning designation. Up till now the applicant has made no representation as to altering the structure on the site or changing the current use.

This area of the City consists mostly of developed land with varying densities and intensities of residential, institutional and commercial uses. To the north of the subject site is a single-family dwelling unit, to the south is the Hillcrest Baptist Church, to the east is a vacant commercial building and to the west is an office building and single-family residential units. In the immediate vicinity is the Village at North Elm, banks, restaurants and other commercial and institutional uses. The subject site is located within an existing activity center. Such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages.

The requested CD-LB is not contradictory to the zoning code and also the current use is generally compatible with existing developments and trends in the surrounding neighborhood especially with this site being very close to residential units, churches, restaurants and other commercial uses.

This rezoning request if approved will help promote a diverse mix of uses, housing types, and densities in the general area without impacting the overall mix of uses found in this vicinity. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is generally compatible with the existing development and trend in the surrounding area.

### **Water Resources**

N/A

**Housing and Community Development**

Long term quality of life for residents of the adjacent single family home to the north of this site would be greatly enhanced by appropriate use of constructed and/or vegetated buffering along the northern boundary of the site. Applicant is strongly encouraged to discuss this proposal with representatives of the Bellwood Village Neighborhood.

**STAFF RECOMMENDATION**

**PLANNING**

Staff recommends **Approval** of the requested **CD-LB** (Conditional District-Limited Business) zoning district.