



Z-11-10-001

**Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: October 10, 2011

GENERAL INFORMATION

APPLICANT Cindy Gsell for Scott Robinson

HEARING TYPE Rezoning

REQUEST **CD-C-M** (Conditional District-Commercial Medium) to **CD-LI** (Conditional District-Light Industrial)

CONDITIONS 1. Uses: Limited to auto sales and service.

LOCATION **2100, 2102, 2104 and 2106 East Cone Boulevard**, generally described as the southeast corner of the intersection of East Cone Boulevard and Cheshire Way.

PARCEL ID NUMBER(S) **7876800556 and 7876801349**

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

TRACT SIZE ~3.20 Acres

TOPOGRAPHY Slopes to the east

VEGETATION Institutional landscaping

SITE DATA

Existing Use	Vehicle sales and service
Adjacent Zoning	Adjacent Land Uses
N C-H (Commercial-High)	Various commercial establishments
E C-H (Commercial-High)	Place of religious assembly
W CD-C-M (Conditional District-Commercial-Medium)	Vehicle sales and service
S CD-LI (Conditional District-Light Industrial)	Offices and warehouses

Zoning History

Case #	Date	Request Summary
3363	05/09/2005	This property was rezoned from C-H to CD-C-M with the following conditions: 1. Uses limited to vehicle sales and service.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-C-M)	Requested (CD-LI)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations have little or no adverse effect upon adjoining properties.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro 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 North Buffalo Creek.

Floodplains – N/A

Streams – N/A

Other: >1ac of disturbance occurs, site must meet Phase 2 requirements. Quantity & Quality must be addressed

Utilities

Potable Water N/A

Waste Water N/A

Airport Noise Cone

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

Landscaping Requirements

An approved Landscape Plan for this development is on file with the City of Greensboro. Any variation from that Plan must be approved by the Urban Forester.

**Tree Preservation Requirements
Acreage**

Requirements

3.2 ac. An approved Landscape Plan for this development is on file with the City of Greensboro. Any variation from that Plan must be approved by the Urban Forester.

Transportation

Street Classification	East Cone Boulevard – Major Thoroughfare, Cheshire Way – Local Street.
Site Access	Access is existing. All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts	East Cone Boulevard ADT = 14,200 (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 is no sidewalk along the frontage of this property nor are there any plans for the City to build sidewalk in this area.
Transit in Vicinity	Yes, route 6, East Cone Boulevard.
Traffic Impact Study	No TIS required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-LI** (Conditional District-Light Industrial) 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-LI** (Conditional District-Light Industrial) zoning district is generally consistent with this GFLUM designation in that the request does not involve a significant in new or expanded structures.

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

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.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans – N/A

Staff/Agency Comments

Community Development

No additional comments.

Planning

The 3.20-acre subject site is currently being used as an automobile service center. This use is a permitted use in the existing Commercial- Medium zoning district but the site does not comply with Section 30-9-4.7(G) of the Land Development Ordinance in that an existing electric fence is not permitted in the Commercial-Medium zoning district. Section 30-9-4.7(G) specifies that low-voltage electrified fencing with a maximum of 12 volts, primary voltage, is only allowed in the **Light Industrial** and **Heavy Industrial** zoning districts, provided that:

1. an electrified fence may not exceed 10 feet in height;
2. an electrified fence must be inside of or enclosed by a non-electrified fence or wall with a minimum height of 6 feet;
3. the entire electrified fence must be separated from the non-electrified fence or wall by a minimum distance of at least 6 inches at the closest point; and
4. the electrified fence must be identified by a warning sign displayed at the rate of at least one sign per 50 linear feet of fencing.

The applicant is taking a proactive step to remedy this issue by way of this rezoning request to the Light Industrial zoning district, where an electric fence is permitted. As conditioned, this request will not change the existing use nor allow any other new use on the site, with the exception of vehicle sales and service.

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.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **CD-LI** (Conditional District-Light Industrial) zoning district.