



Z-11-10-003

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

Zoning Commission Hearing Date: October 10, 2011

GENERAL INFORMATION

APPLICANT Charlotte D. Dillon
HEARING TYPE Rezoning
REQUEST **BP** (Business Park) to
R-3 (Residential-Single Family)
CONDITIONS None
LOCATION **717 Brigham Road**, generally described as south of Pleasant Ridge Road and west of Brigham Road.
PARCEL ID NUMBER(S) **7816326118**
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). **20** notices were mailed to those property owners in the mailing area.
TRACT SIZE ~9.15 Acres
TOPOGRAPHY Generally flat
VEGETATION Wooded

SITE DATA

Existing Use	Forestry
Adjacent Zoning	Adjacent Land Uses
N R-3 (Single-Family Residential)	Single-Family dwelling
E BP (Business Park)	Undeveloped
W R-3 (Single-Family Residential)	Single-Family dwelling
S R-3 (Single-Family Residential)	Single-Family dwelling

Zoning History

Case #	Date	Request Summary
2963	8/13/2001	This property was rezoned from RS-40 (Single-Family Residential) to CP (Corporate Park) with no conditions in 2001. The CP (Corporate Park) zoning designation was subsequently changed to BP (Business Park) in 2010 with the adoption of the LDO (Land Development Ordinance).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (BP)	Requested (R-3)
Max. Density:	N/A	3 dwelling units per acre
Typical Uses	Primarily intended to accommodate office complexes, warehouse, research and development, and assembly uses on large sites in a planned, campus-like setting that emphasizes natural characteristics and landscaping. The district may also contain retail and service uses which customarily locate within planned employment centers.	Primarily intended to accommodate low density single-family detached residential development.

**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

The subject property is partially located within the NC Highway 68 Overlay District, which requires a 30-foot street planting yard, screening of parking and loading areas, and limited signage. There is also a provision contained in the ordinance that prohibits corrugated metal as a finishing material for buildings.

Environmental/Soils

Water Supply Watershed – Site drains to Upper Randleman water supply watershed WSIV, East Fork Deep River sub-basin

Floodplains – N/A

Streams – Possible drainage feature onsite. Feature must be identified. If High Density development is proposed a 100ft undisturbed buffer will be required. If proposed development is Low Density, a 50ft buffer will be required.

Other: If High Density development is proposed, all new BUA must be treated by a water quality device (BMP). If Low Density development is proposed, a scoresheet must be provided for water quality.

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

Not Applicable.

Tree Preservation Requirements

Acreeage

Requirements

9.15 ac. Not applicable.

Transportation

Street Classification Brigham Road – Collector Street.

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. 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 construct sidewalk.

Transit in Vicinity No transit in the area.

Traffic Impact Study No TIS required per TIS Ordinance.

Street Connectivity N/A

Other N/A

IMPACT ANALYSIS

Land Use Compatibility

The proposed R-3 (Residential-Single Family) 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 Industrial / Corporate Park. While the requested R-3 (Residential-Single Family) zoning district is not consistent with this GFLUM designation, City Council policy states that if the request does not involve a significant physical change or new or expanded structures a GFLUM amendment is not required.

Connections 2025 Written Policies

Land Use Goal 4.3 (Growth at the Fringe) - Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

Policy 4G - Improve the quality and patterns of development through incentives and regulatory guidelines.

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

POLICY 7C.1 - Ensure that adequate land is zoned and has infrastructure available for the various stages of business development.

Connections 2025 Map Policies

Industrial/Corporate Park - This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans

Airport Area Plan

The Airport Area Plan Update which was endorsed by City Council in June 2002 shows this property to be located within the city's jurisdiction and therefore the City's policies apply to it directly.

Staff/Agency Comments

Community Development

No additional comments.

Planning

The subject site proposed for R-3 zoning district directly adjoins R-3 zoned properties to the south, west and north and a BP (Business Park) zoned property to the east, with properties in general proximity to the site being zoned LI (Light Industrial) and BP. The R-3 zoned lots consist primarily of individual single-family detached dwellings on medium to large lots while

the BP zoned property immediately adjacent to this site is undeveloped.

The subject site was rezoned from RS-40 (Residential-Single Family) to CP (Corporate Park) in 2001 to facilitate potential development of some type of corporate park use. The current owner of the property is requesting to rezone the property to R-3 (Residential-Single Family), similar to several adjacent properties, until such time as development catches up with the immediate area to warrant a change in use of the property for some type of Industrial/Corporate Park use.

This site is designated Industrial/Corporate Park on the City's Generalized Future Land Use Map. This designation specifically discourages new residential development, though pre-existing residential uses may be present in or adjacent to these areas. Though the applicant's stated intent is to leave this property undeveloped at this time, without any conditions restricting uses the requested R-3 zoning district could potentially accommodate up to 27 single-family residential dwellings at a density of 3 dwelling units per acre. Such development would be in direct conflict with the Industrial/Corporate Park designation for this site.

Staff has determined this request is inconsistent with the Comprehensive Plan's Goal to promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and economic development for all segments of the community. Specifically this request is inconsistent with Comprehensive Plan Policies 7C and 7C.1 to ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development and adequate land is zoned and has infrastructure available for the various stages of business development. Though this property is argued by the applicant to have been rezoned to Business Park prematurely (it has continued to be vacant despite attempts to sell the property for Business Park development), changing the current zoning designation to single family zoning is in direct conflict with the City's stated land use goals and policies for this area.

Staff has made a determination that this request is inconsistent with the intent and purpose of the zoning code specifically as it is in conflict with the Comprehensive Plan (Connections 2025) for this area in terms of establishing land development trends in conflict with future land use designation and policies.

STAFF RECOMMENDATION

Staff recommends **denial** of the requested **R-3** (Residential-Single Family) zoning district.