



**Z-12-12-005**  
**Planning & Community Development**  
**Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: December 10, 2012**

**GENERAL INFORMATION**

**APPLICANT** Sara Clark for Bank of Atlanta

**HEARING TYPE** Rezoning

**REQUEST** **CD-O** (Conditional District-Office) to  
**CD-O** (Conditional District-Office)

**CONDITIONS**

1. Uses: Limited to **advertising office; auditor; business management consulting; data processing; economic, sociologic, and educational research; collection agency, real estate and insurance agent; noncommercial research; professional services such as lawyer, accountant, bookkeeper, engineer, and architect; sales office; travel agency; utility company office, medical, dental, and related office, day care center and** rehabilitation and counseling services.
2. **Any use with a drive thru service is prohibited.**
3. Applicant will preserve the existing building.

*(bold and underline denotes added conditions)*

**LOCATION** **2607 East Wendover Avenue**, generally described as north of East Wendover Avenue and west of Waugh Street.

**PARCEL ID NUMBER(S)** **7875728010**

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

**TRACT SIZE** ~2.54 Acres

**TOPOGRAPHY** Slopes to the west

**VEGETATION** Institutional landscaping

**SITE DATA**

**Existing Use** Vacant day care center

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-5(Residential-Single Family)	Single-Family dwelling units
E	RM-18(Residential Multi-Family)	Single-family dwellings, a day care center and a place of religious assembly
W	RM-18(Residential Multi-Family)	Drainage way/open space
S	CD-C-M (Conditional District-Commercial-Medium)	Auto Parts Store

**Zoning History**

Case #	Date	Request Summary
3768	08/09/2012	This property was rezoned by the City Council from RM-18 to CD-O with the following conditions: <ol style="list-style-type: none"> <li>1. Uses: Limited to rehabilitation and counseling services.</li> <li>2. Applicant will maintain the existing building for the intended use.</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CD-O)	Requested (CD-O)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate office, institutional, supporting service and other uses.	Primarily intended to accommodate office, institutional, supporting service and other uses.

\*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 - Site drains to North Buffalo Creek subbasin Watershed

Floodplains N/A

Streams N/A

Other: Existing Built Upon Area (BUA) is grandfathered. If >1ac disturbance is proposed and an increase in Built Upon Area, site must meet Phase 2 requirements. New BUA must be treated and any existing BUA must be treated to the maximum extent practicable by a State approved BMP.

**Utilities (Availability and Capacity)**

Potable Water Water is available and capacity is in line with request

Waste Water Sewer is available and capacity is in line with request

**Airport Overlay District**

The subject property is not located within the Airport Overlay District.

**Landscaping Requirements**

E. Wendover Ave. - Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

Tillery Dr. - Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

East Property Line against Single Family - Type B Yard – average width 25’; 3 canopy trees per 100’, 5 understory trees per 100’, 25 shrubs per 100’

East Property Line against Commercial – NA

North Property Line against Single Family - Type B Yard – average width 25’; 3 canopy trees per 100’, 5 understory trees per 100’, 25 shrubs per 100’

West Property Line – NA

**Parking Lot Landscaping**

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

**Required Landscaping**

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

<b>Table 10–4: Location of Parking Lot Planting Areas</b>		
<b>Size of Parking Lot Planting Area (sq. ft.)</b>	<b>Number of Trees In Planting Area</b>	<b>Max. Distance from Parking Space (feet)</b>
200-499	1	100 (1)
500-899	3	130
(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance		

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

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 used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements  
Acreage**

**Requirements**

2.54 ac.

5% of lot size

**Transportation**

Street Classification: East Wendover Avenue – Major Thoroughfare.  
Tillery Drive – Local Street.

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

Traffic Counts: East Wendover Avenue ADT = 30,000 (GDOT, 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. Sidewalk does not exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 10 (East Market Street) within 0.05 miles of the subject site, along Waugh Street and GTA Route 14 (Bessemer Avenue/Phillips Avenue) within .23 miles of the subject site, along N English Street.

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-O** (Conditional District-Office) 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 (GFLUM) designates this location as **Low Residential (3-5 d.u./acre)**. The requested **CD-O** (Conditional District-Office) zoning district is generally inconsistent with this GFLUM designation, however per City Council adopted policy, a GFLUM amendment is not required for zoning requests that are less than one acre, or that do not involve a significant physical change resulting 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.

**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 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.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

**Consolidated Plan 2010-2014: Plan for a Resilient Community**

**Principle 1)** Provide More Transportation Choices:

**Goal B)** Improve access to destinations, especially via alternate modes (public transit,

walking, and bicycling); including the critical first and last miles of journeys.

**Principle 3) Enhance Economic Competitiveness:**

**Goal F)** Provide opportunities for job training, mentoring, education and job creation.

**Principle 6) Value Communities and Neighborhoods:**

**Goal E)** Work at the neighborhood level to reconnect neighborhoods to jobs and services, promote "Desirable Infill Development" and redevelop major corridors to strengthen adjacent neighborhoods.

**Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:**

**Goal A)** Promote more efficient land development patterns.

**Community Development**

Applicant is strongly encouraged to discuss this proposed rezoning and change of use with owners of adjacent properties and representatives of the Textile Drive / Waugh Street Neighborhood, within which the subject site is located.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal),
- Energy Efficiency and Conservation Block Grants (federal),
- Recovery Zone Bonds under the American Recovery and Reinvestment Act (federal),
- Historically Under-utilized Business Zone tax credits (federal).

**STAFF ANALYSIS AND RECOMMENDATION**

**Staff Analysis**

The 2.54-acre subject site consists of a vacant day care center and is generally located north of East Wendover Avenue and west of Waugh Street. Adjoining the subject site to the east is a place of religious assembly, single-family dwellings and a child day care center; to the west is a drainage way, to the north is a single-family dwelling and to the south across East Wendover Avenue is an auto parts store.

This property was rezoned in August, 2010 with one condition limiting use of the site to only rehabilitation and counseling service. The applicant now intends to reuse the site as a child day care center, necessitating this rezoning request to permit that use.

This request is not contradictory to the intent and purpose of the zoning code and will be compatible with the development trend in the general area especially along East Wendover Avenue. Approving this request will help provide a use which is a good fit in or near residential areas without impacting the overall mix of uses found in this vicinity nor will it negatively impact the adjacent residential uses.

Consistent with the economic development goal of the Comprehensive Plan, this request, if approved will help 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.

Staff finds this original zoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **CD-O** (Conditional District-Office) zoning district.