



**Z-13-02-001**  
**Planning & Community Development**  
**Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: February 11, 2013**

**GENERAL INFORMATION**

**APPLICANT** Johnny and Kendra Brown

**HEARING TYPE** Rezoning

**REQUEST** **RM-18** (Residential Multi-family) to **CD-C-M** (Conditional District-Commercial Medium)

**CONDITIONS** 1. Uses: All uses allowed in the CM **except** bars, nightclubs and brewpubs, convenience stores with fuel pumps, any use which contains a drive-thru, ABC stores, pawnshops and sexually oriented businesses.

**LOCATION** 2411 East Bessemer Avenue, northwestern intersection of Rollins Street and East Bessemer Avenue.

**PARCEL ID NUMBER(S)** **7875609894**

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

**TRACT SIZE** ~0.15 Acres

**TOPOGRAPHY** Generally flat with a slight slope to the north

**VEGETATION** Grass

**SITE DATA**

**Existing Use** Vacant two-story dwelling

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RM-18 (Residential-multi-family)	Residential dwelling
E	C-M (Commercial-Medium)	Barber shop and Hair salon
W	C-M (Commercial-Medium)	Vacant lot
S	C-M (Commercial-Medium)	H&L Used Cars, automotive shop and a dwelling

**Zoning History**

Case #	Date	Request Summary
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This property has been zoned RM-18 (Residential multi-family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was also zoned RM-18 (Residential multi-family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(RM-18)</b>	Requested <b>(CD-C-M)</b>
Max. Density:	18.0 units per acre or less	N/A
Typical Uses	Primarily intended to accommodate limited multi-family and similar residential uses at a density of 18.0 units per acre or less.	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.

*\*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 - N/A  
Watershed

Floodplains N/A

Streams N/A

Other: >1acre is disturbed site must meet Phase 2 requirements, water quality & water quantity must be addressed.

**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 not located within the Airport Overlay District.

**Landscaping Requirements**

On lots of record that existed prior to July 1, 1992 that are less than 55,000 square feet in area, no development is required to landscape more than 15% of the site.

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

North Property Line - 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 – Applicable at time of Development  
Acreage Requirements**

.15 ac      1% of lot size

**Transportation**

Street Classification:      Bessemer Avenue – Minor Thoroughfare.  
   Rollins Street – Local Street.

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

Traffic Counts:                   Bessemer Avenue ADT – 9,243 (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 14 (Bessemer Avenue / Phillips Avenue) within 0.12 miles of the subject site, along English Street and GTA Route 10 (East Market Street) within 0.17 miles of the subject site, along Bessemer Avenue.

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-C-M** (Conditional District-Commercial Medium) 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-C-M** (Conditional District – Commercial Medium) 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 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.

**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 4)** Support Existing Communities:

**Goal F) Promote** neighborhood and economic development by fulfilling target area commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

**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.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s): Historically Under-utilized Business (HUB) Zone Tax Credits (federal), New Markets Tax Credits (federal), Energy Efficiency & Conservation Block Grants (federal), Urban Progress Zone (state).

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Staff Analysis**

The 0.15-acre subject property currently consists of a vacant single-family dwelling unit. The subject site is adjoined to the north by RM-18 (Residential Multi-family) zoning and the adjoining southern, eastern and western properties are C-M (Commercial-Medium) zoning districts. The immediate area is developed with varying densities and intensities of commercial, office, residential and professional service uses. Specifically, to the north are RM-18 residential uses, to the east is a barber and beauty shop, to the south is a mix of automotive retail and commercial services and to the west are vacant and occupied commercial zoned properties.

The applicant's interest to rezone the property to CD-C-M (Conditional District-Commercial Medium) is to allow the redevelopment of the existing structure for a coffee shop. This zoning request will also allow all other uses in the C-M zoning district **except** bars, nightclubs and brewpubs, convenience stores with fuel pumps, any use which contains a drive-thru, ABC stores, pawnshops and sexually oriented businesses.

The applicant intends to develop this site using the existing structure and changing the use to a possible retail or restaurant establishment.

This request, as conditioned, does implement measures to protect adjacent residential uses from potential negative impacts of development that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

Approving this request will help encourage "home-grown" and community-based businesses and entrepreneurs. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Staff finds this rezoning 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-C-M** (Conditional District-Commercial Medium) zoning district.