



Z-13-11-001

Planning Department
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: November 18, 2013

GENERAL INFORMATION

APPLICANT Shehzad Quamar, Grab N Go #7

HEARING TYPE Rezoning Request

REQUEST R-5 (Residential Single-family) to **CD-C-L** (Conditional District-Commercial-Low)

CONDITIONS

1. Uses: All uses permitted in the C-L zoning district **except** drive-through facilities.
2. A privacy fence will be installed along the rear eastern portions of the lot's property lines adjacent to residential zoning.

LOCATION **1101 Martin Luther King Jr. Drive**, generally described as south of Ross Avenue, west of Omaha Street, and east of Martin Luther King Jr. Drive.

PARCEL ID NUMBER(S) **7864801531**

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

TRACT SIZE ~0.16 Acres

TOPOGRAPHY Undulating

VEGETATION Residential

SITE DATA

Existing Use	Single-family dwelling
Adjacent Zoning	Adjacent Land Uses
N R-5 (Residential Single Family)	Single-family dwellings

E	R-5 (Residential Single Family)	Single-family dwellings
W	R-5 (Residential Single Family)	Single-family dwellings
S	CD-C-L (Conditional District Commercial-Low)	Undeveloped

Zoning History

Case #	Date	Request Summary
N/A	N/A	The property addressed 1101 Martin Luther King Jr. Drive has been zoned R-5 (Residential Single-Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO) it was zoned RS-7 (Residential Single-Family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-5)	Requested (CD-C-L)
Max. Density:	A maximum of 5.0 units per acre or less.	N/A
Typical Uses	Primarily intended to accommodate Low-density single-family detached residential developments.	Primarily intended to accommodate low intensity shopping and services close to residential areas.

**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 South Buffalo Creek 4

Floodplains >2000ft

Streams N/A

Other: If >1ac is disturbed, site must meet current Phase 2 requirements. Water quantity and water quality must be addressed.

Utilities

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 Noise Cone

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

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.

Adjoining Vacant Land – NA

MLK, Jr. Dr and Ross Ave. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

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:

Table 10–4: Location of Parking Lot Planting Areas		
Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
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

.16 ac. 1% of lot size.

Transportation

- Street Classification: Martin Luther King Jr. Drive – Minor Thoroughfare.
Ross Avenue – Collector Street.
Omaha Street – Local Street.
- Site Access: All access must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: Martin Luther King Jr. Drive ADT = 5,250 (GDOT, 2011).
- 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 exist along the Martin Luther King Jr Drive frontage of this property.
- Transit in Vicinity: Yes, GTA Route 13 (Martin Luther King Jr. Drive) adjacent to subject site, along Martin Luther King Jr. Drive.
- Traffic Impact Study: No TIS required per TIS Ordinance.
(TIS)
- Street Connectivity: N/A.
- Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-C-L (Conditional District, Commercial – Low)** 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**. The requested **CD-C-L (Conditional District, Commercial - Low)** zoning district is generally inconsistent with this GFLUM designation, however, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests that are less than one acre.

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 4A - Remove present impediments to infill and investment in urban areas.

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

Community Character, Goal 5.2 - Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5F - Implement and improve design standards governing the appearance of development from public roadways.

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.

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

Ole Asheboro Redevelopment Plan

The subject site is located within the Ole Asheboro Redevelopment Area. The proposed requested rezoning and proposed development/change of use on the site appear to be consistent with the goals and objectives of the Ole Asheboro Redevelopment Plan.

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 C) Promote Healthy Lifestyles and Complete, Livable 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.

Other Plans

N/A

STAFF/AGENCY COMMENTS

Community Development

Applicant has attended a recent meeting of the Ole Asheboro Neighborhood Association and has discussed the proposed rezoning and development with those present. No opposition to the proposal as presented was expressed. Applicant is strongly encouraged to discuss the proposal with owners of surrounding properties.

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),
- Urban Progress Zone tax credits (state), and
- Urban Development Investment Incentives (local).

Planning

The 0.16 acre subject property is currently developed as a vacant single-family dwelling. The properties to the north, west and east of the subject site are zoned R-5 (single family dwellings) and the property south of the subject property is zoned CD-C-L (undeveloped).

The applicant has requested to rezone to CD-C-L (Conditional District-Commercial-Low) to allow a variety of lower intensity retail, restaurant, office and personal and professional service uses consistent with the current zoning on the adjacent vacant parcel and existing retail business located further south.

The proposed request is consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods. Though this property is designated Low Residential on the Generalized Future Land Use Map, adopted Council policy encourages small neighborhood serving uses to support surrounding residential development. As conditioned the request implements 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 also help encourage "home-grown" and community-based businesses and entrepreneurs and promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship and for-profit and non-profit economic development for all segments of the community.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **CD-C-L** (Conditional District-Commercial-Low) zoning district.