



# Z-13-12-004

## Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: February 10, 2014

### GENERAL INFORMATION

<b>APPLICANT</b>	Hyejin Kim on behalf of Jinhee Kim
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	R-5 (Residential Single-Family) to <b>CD-C-M</b> (Conditional District-Commercial-Medium)
<b>CONDITIONS</b>	1. Uses: All uses permitted in the C-M district <b>except</b> any use with a drive through service.
<b>LOCATION</b>	<b>5002 West Market Street</b> , generally described as north of West Market Street and west of Thornton Court.
<b>PARCEL ID NUMBER(S)</b>	<b>7844153046</b>
<b>PUBLIC NOTIFICATION</b>	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). <b>70</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.33 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Residential

### SITE DATA

<b>Existing Use</b>	Single-family dwelling
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N R-5 (Residential Single Family)	Single-family dwellings
E R-5 (Residential Single Family)	Single-family dwellings
W R-5 (Residential Single Family)	Vacant

S CD-C-M (Conditional District Commercial- Commercial/Retail Center Medium)

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property addressed 5002 West Market Street has been zoned <b>R-5</b> (Residential Single-Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO) it was zoned <b>RS-9</b> (Residential Single-Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (R-5)	Requested (CD-C-M)
Max. Density:	A maximum density 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 a wide range of retail, service and office 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 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

Adjoining Single Family - Type B Yard – average width 25'; 3 canopy trees per 100', 5 understory trees per 100', 25 shrubs per 100'

West Market Street - 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:

<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**

.33 ac. 1% of lot size.

**Transportation**

- Street Classification: W Market Street - Major Thoroughfare.  
Thornton Court – Local Street.
- Site Access: All access must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: W Market Street ADT = 17,428 (GDOT, 2012).
- 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 9 (West Market Street) adjacent to subject site, along W Market Street.
- Traffic Impact Study: (TIS) No TIS required per TIS Ordinance.
- Street Connectivity: N/A.
- Other: N/A.

## **IMPACT 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 **Mixed Use Commercial**. The requested **CD-C-M (Conditional District, Commercial - Medium)** zoning district is generally consistent with this GFLUM designation. The Growth Strategy Map designates the subject site as being within the **West Market Street Reinvestment Corridor**.

### **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.

**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**

**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.

**Reinvestment Corridor:** Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

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

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

**Goal A)** Promote transportation and development patterns and types that contribute to decreased household transportation costs.

**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 E)** Focus on energy efficiency as an economic generator for small business development.

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

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

**Goal A)** Promote coordinated transportation and land use decisions for broader livability throughout Greensboro.

**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 is strongly encouraged to discuss the proposal with owners of surrounding properties.

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

- New Markets Tax Credits (federal), and
- Urban Development Investment Incentives (local).

## Planning

The 0.33 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 or vacant property) and the property south of the subject property is zoned CD-C-M (commercial/retail center).

The applicant has requested to rezone the site to CD-C-M (Conditional District-Commercial-Medium) to allow a variety of lower-traffic generator land uses, including retail, eating and drinking establishments, office and personal and professional service uses, excluding any use that requires a drive-through facility.

The property is designated as Mixed-Use Commercial on the Generalized Future Land Use map (GFLUM). The Mixed-Use Commercial 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. The proposed request is consistent with this GFLUM designation and Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

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-M** (Conditional District-Commercial-Medium) zoning district.