



**Z-14-02-002**

**Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

---

**Zoning Commission Hearing Date: February 10, 2014**

**GENERAL INFORMATION**

**APPLICANT** Chancer McLaughlin on behalf of the Redevelopment Commission of Greensboro

**HEARING TYPE** **Quasi-Judicial**

**REQUEST** **Special Use Permit** to establish an Urban Farm in the R-5 (Residential Single-Family) zoning district.

**CONDITIONS**

1. No livestock
2. The maximum height of any structure shall not exceed one story

**LOCATION** **A portion of 2110 Phillips Avenue, 1305 and 1307 Lombardy Street, generally** described as south of Phillips Avenue, east of Barto Place, and west of Lombardy Street.

**PARCEL ID NUMBER(S)** **7875845634, 7875848568, & 7875848684**

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

**TRACT SIZE** ~6.28 Acres

**TOPOGRAPHY** Undulating

**VEGETATION** Undeveloped

**SITE DATA**

**Existing Use** Vacant

**Adjacent Zoning**

**Adjacent Land Uses**

N C-L (Commercial-Low), O (Office), and C-M (Commercial-Medium)

Convenience store with fuel pumps, child day care facility and automobile service station

E	RM-12 (Residential Multi-family)	Single-family dwellings
W	CD-C-M (Conditional District-Commercial-Medium) and R-5 (Residential Single-Family)	Retail and single-family dwellings
S	R-5 (Residential Single Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property 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-9 (Residential Single-Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(R-5)</b>	Requested <b>(SUP for an Urban Farm)</b>
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 development.	A Special Use permit is requested for an Urban Farm in the R-5 (Residential Single-Family) zoning district.

*\*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 North Buffalo Creek no watersupply watershed

Floodplains >2000ft

Streams: FEMA Limited Study stream and a separate potential stream onsite (must be identified). The FEMA Limited Study stream has a 'Non Encroachment' area associated with it. No structures or obstructions may be placed within the Non Encroachment area unless an Engineer's No-Rise calculation report has been executed. The No-Rise report must show that a no rise in the Base Flood Elevation would take place. The FEMA stream and any intermittent or perennial streams on the site require a 50ft stream buffer. Per Jordan Lake stream buffer requirements, we highly recommend no disturbance to take place within the 50ft stream buffer. See City LDO Chp. 30-12-3.9 Table 12-5 for Activities and Structures allowed within the stream buffer.

Other: If greater >1ac is disturbed, site must meet Phase 2 requirements. Water Quality & Water Quantity 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**

Philips Ave. and Lombardy Street - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

Adjoining Single Family - Type C Yard – average width of 15'; 2 canopy trees per 100'; 17 shrubs

Adjoining Commercial (C-L; C-M; O) – Type C Yard – average width of 15'; 2 canopy trees per 100'; 17 shrubs

**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**

3.0 ac.

5% of lot size

**Transportation**

Street Classification: Phillips Avenue – Minor Thoroughfare.  
Lombardy Street – Collector Street.  
Barto Place – Local Street

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

Traffic Counts: Phillips Avenue ADT– 4,477 (GDOT, 2013).

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 Phillips Avenue frontage of this property.

Transit in Vicinity: Yes, GTA Route 10 (East Market Street) adjacent to subject site, along Lombardy Street.

Traffic Impact Study: No.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **SUP (Special Use Permit)** would allow establishment of a land use (Urban Farm) that is compatible with the existing R-5 (Residential Single-Family 5) zoning and 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 **Special Use Permit** for establishment of an Urban Farm within an existing R-5 (Residential Single-Family 5) zone is generally consistent with this GFLUM designation.

**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.

**Housing And Neighborhoods, Goal 6:** Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

**Policy 6C** - Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**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.

**Policy 7D** - Build partnerships with other entities on economic development issues.

**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.

**Community Facilities, Services, And Infrastructure, Goal 9:** Provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life, and support desired land use patterns.

**Policy 9E** - Pursue opportunities to establish community facilities as neighborhood anchors/activity centers.

### **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 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.

**Goal C:** Improve the safety of transportation systems and facilities, especially for vulnerable transportation users (children, seniors, handicapped adults, pedestrians, bicyclists).

#### **Principle 2 – Promote Equitable, Affordable Housing:**

**Goal B:** Increase housing affordability through a combination of housing assistance and reduction in overall housing related costs through efficiency factors such as: proximity to jobs, transportation, or services; energy efficiency and resource conservation standards; or reduction in housing access barriers.

#### **Principle 3 – Enhance Economic Competitiveness:**

**Goal A:** Create a proactive planning program to address existing/underutilized business areas near underserved neighborhoods and promote job location near labor force.

**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 4 – Support Existing Communities:**

**Goal E)** Build capacity of residents and community-based organizations.

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

**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 is strongly encouraged to discuss the requested Special Use Permit and proposed change of use (Urban Farm) with owners of adjacent properties and with representatives of the Textile Drive / Waugh Street Neighborhood, within which the subject site is located, and representatives of the adjacent Woodmere Park Neighborhood. Based on the proximity of the subject site to existing bicycle lanes on Phillips Avenue, and to signed Bicycle Route #3 on Sykes Avenue and Textile Drive, long term vitality of this proposed change of use would be greatly enhanced by provision of secure, accessible bicycle parking facilities.

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
- Historically Under-utilized Business (HUB) Zone Tax Credits (federal).

**Planning**

This analysis is based on information provided to staff as indicated in this report. The recommendation of staff below is only to be considered to the degree that this information is consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission and is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject properties contain 3.0 acres and are currently undeveloped. The applicant is interested in establishing an Urban Farm. "Urban Farms" require a Special Use Permit under the current provisions of the Land Development Ordinance (LDO). The surrounding properties are developed with a mix of single family development, multi-family development and some commercial development north of the subject property, along Phillips Avenue.

Per Section 30-8-10.6 of the Land Development Ordinance, Urban Farms may be allowed as the primary use of property with approval of a Special Use Permit subject to the following development standards: urban farms shall be managed and maintained in compliance with all applicable standards of this ordinance and the City Code of ordinances, including but not limited to those pertaining to: (a) nuisance abatement; (b) stormwater management; (c) site accessibility; (d) signage; (e) soil erosion and sedimentation control; (f) tree conservation; and (g) landscaping; a "use registration permit" from the city is required if the urban farm is a new use or a change in use for a zone lot; all keeping, grazing, or feeding of animals as an accessory to the urban farm shall comply with Section 30-8-11.3, Animals and Livestock; An aquaculture license, written permission and/or a capacity use permit, if applicable, from the North Carolina Department of Agriculture and Consumer Services is required of any applicant farming fish; all storage structures housing fertilizer, gas, or other chemicals shall be ventilated; if fencing is installed, such fencing shall not be opaque and shall be subject to the standards of Sec. 30-9-4; urban farms are only permitted on parcels that do not contain single family dwellings, however, a caretaker dwelling is permitted per Sec. 30-8-11.4; and the minimum lot size to establish an urban farm is 30,000 square feet.

As part of the request, the applicant has agreed to further limit the uses to exclude livestock and limit the maximum height of any structures to one story.

To be approved, this request must conform to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in that:

1. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the adjacent and nearby industrial properties and their operations.
3. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

### **STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **SUP (Special Use Permit)**.