



Z-14-06-004

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

Zoning Commission Hearing Date: June 9, 2014

GENERAL INFORMATION

APPLICANT	Henry Isaacson, Attorney at Law on behalf of Neffadkis Properties, Inc.
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single-Family) to CD-C-L (Conditional District-Commercial-Low)
CONDITIONS	<ol style="list-style-type: none">1. Uses shall be limited to retail sales and services without drive through facilities.2. Buildings shall not exceed one story in height inclusive of architectural features.3. The total square footage of all buildings shall not exceed 11,000 square feet.4. A 6 foot tall opaque fence shall be constructed along the southern and western property boundaries.5. Building(s) exteriors, at a minimum, shall consist of 50% brick or stone veneer and have pitched roofs.
LOCATION	4017 Yanceyville Street , generally described as the southwest intersection of Yanceyville Street and Lees Chapel Road and east of White Chapel Way.
PARCEL ID NUMBER(S)	7877005781
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). 58 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~1.5 Acres
TOPOGRAPHY	Undulating
VEGETATION	Residential

SITE DATA

Existing Use

Vacant Office

Adjacent Zoning

Adjacent Land Uses

N RM-18 (Residential Multifamily)

Convenience store without fuel pumps

E CD-C-L
CD-RM-12

Vacant
Multifamily Dwellings

W R-3

Single family dwellings

S R-3 (Residential Single Family)

Single family dwellings

Zoning History

Case #

Date

Request Summary

N/A

N/A

The property addressed has been zoned R-3 (Residential Single-Family) since July 1, 2010. Prior to implementation of the Land Development Ordinance (LDO) it was zoned RS-12.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District
Designation:

Existing
(R-3)

Requested
(CD-C-L)

Max. Density: Maximum density of 3.00 units per acre or less. N/A

Typical Uses Primarily intended to accommodate low density single family detached residential development.

Primarily intended to accommodate low density shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods.

**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 Watershed

Floodplains ➤ 2000 Ft

Streams Perennial stream is on site. Jordan Buffer rules apply, a 50ft stream buffer measured from top of bank each side is required. See LDO Table 12-5 for Allowances & Structures allowed within buffer zones 1 & 2.

Other: If >1ac is disturbed, site must meet current Phase 2 requirements. Water quantity and water quality must be addressed. The 1yr 24hr storm must be reduced to predevelopment conditions. The 1 inch storm must be treated.

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

Lee's Chapel & Yanceyville Rd. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

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

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.

Parking Lot Landscaping

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

 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		

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

1.5 ac.

5% of lot size.

Transportation

Street Classification: Yanceyville Street – Major Thoroughfare.
Lees Chapel Road – Major Thoroughfare.

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

Traffic Counts: Yanceyville Street ADT = 13,068 (GDOT, 2013).
Lees Chapel Road ADT = 22,152 (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 Yanceyville Street frontage of this property.

Transit in Vicinity:	Yes, GTA Routes 15 (Yanceyville Street / Brightwood School Road) is adjacent to the subject site, along Yanceyville 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-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 **Moderate Residential (5-12 d.u./acre)**. The requested **CD-C-L (Conditional District-Commercial, Low)** zoning district, as conditioned, is generally consistent with the **Moderate Residential (5-12 d.u./acre)** 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 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

Moderate Residential (5-12 d.u./acre): This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

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 C) Promote healthy lifestyles and complete, livable 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 this proposed rezoning, and change of use 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).

Planning

The 1.5 acre parcel is currently vacant. North of the request, across Lees Chapel Road, is zoned RM-18 and contains a convenience store without fuel pumps, single family dwellings, multifamily dwellings, and a place of religious assembly. South and west of the request is zoned R-3 (Residential Single-Family) and contains single family dwellings. East of the request the zoning transitions from a vacant parcel zoned CD-C-L (Conditional District-Commercial-Low) at the corner of Yanceyville Street and Lees Chapel Rd to CD-RM-12 (Conditional District-Residential Multi-Family) along Yanceyville Street and contains multifamily dwellings.

The applicant has requested to rezone the site to CD-C-L (Conditional District-Commercial-Low). The C-L district is primarily intended to accommodate low density shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods. As conditioned, the site will be limited to retail sales and services without drive-through facilities; will not exceed one story in height; and shall not exceed 11,000 total square feet. The applicant has also added a condition requiring a minimum of 50% brick or stone veneer and pitched roofs.

The Generalized Future Land Use map designates the site as Moderate Residential. The Moderate Residential category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings. Per City Council adopted policy, Generalized Future Land Use Map amendments are not required if a rezoning request is for neighborhood-oriented non-residential or mixed uses in residentially designated areas under certain zoning districts which includes the Commercial-Low zoning district. Additionally rezoning requests to neighborhood oriented non-residential districts must limit public assembly spaces to neighborhood scale, maximum height 50 feet, total square footage for all buildings to a maximum of 20,000 square feet, and incorporate similar architectural features and clear pedestrian connections to adjacent residential development.

Approving this request will address the Comprehensive Plan's Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas, including Center City, commercial, and industrial areas. It will also address the Economic Development goal to promote a healthy and diversified economy.

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-L** (Conditional District-Commercial-Low) zoning district.