



**Z-14-07-001**

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

**Zoning Commission Hearing Date: July 14, 2014**

**GENERAL INFORMATION**

**APPLICANT** Khalilullah AKeefe

**HEARING TYPE** Rezoning Request

**REQUEST** **CD-LI** (Conditional District-Light-Industrial) to **CD-C-L** (Conditional District-Commercial-Low)

**CONDITIONS** 1. Uses limited to all uses permitted in the C-L district **except** any use that requires a drive through facility and no convenience stores with fuel pumps.

**LOCATION** **3501 Associate Drive**, generally described as north of US 29 North and west of Associate Drive.

**PARCEL ID NUMBER(S)** **7876859753**

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

**TRACT SIZE** ~0.86 Acres

**TOPOGRAPHY** Undulating

**VEGETATION** None

**SITE DATA**

<b>Existing Use</b>	warehousing
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N CD-LI (Conditional District-Light-Industrial)	Industrial operations
E CD-LI (Conditional District-Light-Industrial)	Industrial operations
W CD-LI (Conditional District-Light-Industrial)	Industrial operations

S C-M (Commercial-Medium)

Retail establishment

**Zoning History**

Case #	Date	Request Summary
PL(Z) 85-9 1985	March 18,	Rezoning request from R-120S (Residential Single-Family) to CD-LI (Conditional District-Light-Industrial) with the following conditions: 1) Use limited to offices, warehouses, and/or a business park; 2) No access from Wilcox Drive; 3) There will be a 10 foot landscape buffer planted in trees and shrubs around entire perimeter abutting residential property; 4) No building will be closer than 65 feet to residential zoning line; 5) No building will exceed 25 feet in height above grade within 65 feet of residential zoning line; 6) Building height may be increased 1 foot for every 2 feet of additional setback away from residential zoning line, with a maximum building height of 40 feet above grade.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CD-LI)	Requested (CD-C-L)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations have little or no adverse effect upon adjoining properties.	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 North Buffalo Creek Watershed

Floodplains >2000ft

Streams N/A

Other: If >1acre 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**

n/a

**Landscaping Requirements**

Adjoining Light Industrial - Type C Yard – average width 15'; 2 canopy trees per 100', 3 understory trees per 100', 17 shrubs per 100'.

Adjoining Commercial use – 5' wide Vehicular Use Area buffer yard between any drives or parking and adjacent property line; 2 understory trees per 100', 18 evergreen shrubs per 100'.

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

Associate Dr. and O. Henry Blvd. - 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**

.86 ac.

1% of lot size - for redevelopment or change of LUC 2 or greater.

1% of disturbed area - for site changes greater than 3,000 sq. ft.

**Transportation**

Street Classification: Associate Drive – Local Street.  
US 29 – Collector Street  
N O’Henry Boulevard - Freeway

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

Traffic Counts: None available.

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: No.

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 (3-5 d.u./acre)**. 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, 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 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**

**Low Residential:** 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 is 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.

##### **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 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.

#### ***Sustainability Action Plan***

##### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

##### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

**Element 3)** Waste Reduction and Recycling:

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

**Element 6)** Education and Outreach:

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### **Other Plans**

N/A

### **STAFF/AGENCY COMMENTS**

#### **Community Development**

Applicant is strongly encouraged to discuss this proposed rezoning, and development with owners of surrounding properties, and with representatives of the Wilcox Neighborhood, within which the subject site is located.

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 Progress Zone (state).

#### **Planning**

The 0.86-acre subject property is currently developed as a warehouse and wholesaling facility. The properties to the north of the subject site are zoned CD-LI (offices and warehouses). West of the request the zoning transitions from CD-LI (industrial operations) to R-3 (single family dwellings) fronting Country Ridge Road. The property south of the subject property is zoned C-M (retail) fronting North O'Henry Boulevard and RM-12 (multifamily dwellings). East of the request the zoning transitions from CD-LI (industrial) to Office (offices) and RM-12 (multifamily dwellings) fronting North O'Henry Boulevard.

The applicant has requested to rezone the site to CD-C-L (Conditional District-Commercial-Low) to allow retail operations to expand beyond the 30% gross floor area permitted currently as an accessory use to the wholesale and warehousing facility.

The property is currently designated as Low Residential on the Generalized Future Land Use map (GFLUM), which is intended to include single-family neighborhoods as well as other compatible housing types that can be accommodated within a three to five units per acre density range. Per City Council adopted policy, any rezoning request of less than one acre and does not result in new structures is considered consistent with the GFLUM designation.

The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development

goal to promote a diversified economy. The requested Commercial-Low (C-L) zoning district, with its limited scale and intensity of uses, also limits potential negative impacts for residential uses in the general area.

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.