



Z-16-06-004

City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: July 18, 2016

GENERAL INFORMATION

APPLICANT	Mark E. Funderburk on behalf of Funderburk Properties Inc
HEARING TYPE	Rezoning Request
REQUEST	C-M (Commercial-Medium) to CD-LI (Conditional District-Light Industrial)
CONDITIONS	1. Uses shall be limited to all uses within the Vehicle Sales and Service use group and industrial scale contractor and maintenance yard.
LOCATION	614 Elwell Avenue
PARCEL ID NUMBER(S)	7885014092
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). 48 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~0.65 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	Commercial

SITE DATA

Existing Use	Vehicle sales and service	
	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	C-M (Commercial-Medium)	Personal and professional services and retail

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property has been zoned C-M (Commercial-Medium) since the adoption of the Land Development Ordinance (LDO) July 1, 2010. Prior to the LDO the subject property was zoned GB (General Business).

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (C-M)	Requested (CD-LI)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service and office uses.	Conditioned uses include vehicle sales and outdoor storage.

District Summary *

**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 Other watershed, North Buffalo

Floodplains N/A

Streams N/A

Other: Maximum BUA for watershed is 24% for Low Density development. All new BUA for the site must meet watershed requirements Water Quality and Water Quantity must be addressed. All the new BUA must be treated by a State approved water quality BMP and any existing BUA treated to the maximum extent practicable.

Utilities

Potable Water Available

Waste Water Sewer will need to be extended/upgraded by the developer to serve this site. Contact Kenny Treadway for an infrastructure feasibility 336-373-2897.

Airport Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Street Yard: Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

Buffer Yard: Adjacent to single family residential: Type A buffer yard, with an average width of 45', a minimum width of 35', and a planting rate of 4 canopy trees, 10 understory trees, & 33 shrubs per 100 linear feet.

Adjacent to commercial uses: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, & 17 shrubs per 100 linear feet.

Adjacent to vacant property: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line

On lots of record that existed prior to July 1, 1992 that are less than 55,000 sq. ft., no development is required to landscape more than 15% of the site.

Parking lot: Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians 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.

**Tree Conservation
Acreage**

Requirements

.65 ac. 1% of lot size.

Transportation

Street Classification: Elwell Avenue – Collector Street.
East Bessemer – Minor Thoroughfare.

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

Traffic Counts: None Available.

Trip Generation: No.

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 10 (East Market Street) is within 0.12 mi of subject site, along Huffine Mill Road.
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-LI (Conditional District – Light Industrial)** zoning, with current and anticipated conditions, 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 designates this location as **Low Residential (3-5 d.u./acre)**. The requested **CD-LI (Conditional District – Light Industrial)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** 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. The Growth Strategy Map indicates that the subject site is located within the East 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 4B: Target capital investments to leverage private 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.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

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 5E: Improve the aesthetic quality of publicly owned and maintained 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 7A: Target city investment and regulatory policies for economic development.

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 (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.

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

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.

Balanced Economic Development: A Strategic Plan for East Greensboro

Retail Opportunities:

Adaptive Reuse of Retail – The presence of significant "Big Box" vacancy in the E. Cone Boulevard should be addressed. A program on identifying adaptive reuse opportunities should be implemented with the following categories as the primary focus:

- City and County Government facilities
- Churches
- Early Childhood Development
- For profit educational facilities

- Library
- Medical Facility
- Interior Design Center

Target Retailers – Retailer [categories] which should be considered as top prospect for the East Greensboro Study area include:

- Grocery stores
- Home décor centers
- Sporting goods
- Maternity & baby apparel and supplies
- Tools and hardware
- Apparel
- Home appliances
- Discount stores
- Warehouse club stores
- Fast casual restaurants

Heath Community Strategic Plan

Plan Goals:

- Increase Traffic Safety
- Improve the Community Spirit In the Neighborhood
- Reduce Code Violations
- Improve Adjacent Land Uses
- Improve Maintenance to Streets, Stormwater Facilities, and Creeks
- Bring in Economic Development
- Improve Public Safety

Highest Priorities:

- Future Sidewalk Needs
- Reduce Speed Limits Where Appropriate
- Local Economic Development
- Improve Heath Park
- Provide Safe Activities for Neighborhood Youth
- Educate Rental Property Owners Regarding Their Responsibilities
- Explore Options for Community Activities
- Look for Funding Grant Sources

Secondary Priorities:

- Speeding Enforcement and Education
- Educate Residents About Minimum Housing Standards
- Identify Persistent Offenders of Housing, Junked Cars, and Lot Maintenance
- Apply for a NeighborWoods Grant
- Coordinate Neighborhood Associations

Other Plans

n/a

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed rezoning and development 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),
- Historically Under-utilized Business Zone tax credits (federal),
- Urban Development Investment Incentives (local),
- Economic Development Impact Zone 1 (local).

Staff Analysis

This 0.65-acre subject site is currently used for vehicle sales and services, with limited outdoor storage. The proposed request would allow expanded outdoor storage options for larger industrial scale vehicles and equipment. North, east and west of the request are single-family dwellings (zoned R-5). South of the request the use transitions to personal services and retail (zoned C-M).

The Generalized Future Land Use Map designates this site as Low Residential. The Low Residential category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3 to 5 dwelling units per gross acre. Per City Council adopted policy, the request is exempt from a plan amendment because it is less than one acre in size.

The request, as advertised, limits potential uses only. Current LDO screening provisions for new outdoor storage areas are not applicable to this location due to the existing vehicle storage area. Potential impacts of the additional storage of industrial scale equipment at this site relative to adjacent residential properties were initially concerning to staff. However, the applicant has agreed to add an additional condition that any outdoor storage area located adjacent to the eastern property line shall be screened with a minimum 8 foot tall opaque fence. Additionally, an existing opaque six foot tall fence along the northern property line shall be maintained. This additional condition addresses staff's compatibility concerns and adds protection for adjacent residential properties. The request also 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 healthy and diversified economy.

Based on this information staff has concluded that this request, as currently proposed, is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally incompatible with the existing development and trend in the surrounding area.

Staff Recommendation

Staff recommends **approval** of the requested **CD-LI** (Conditional District-Light Industrial) zoning district.