



**Z-10-03-003**

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

**Zoning Commission Hearing Date: March 8, 2010**

**GENERAL INFORMATION**

**APPLICANT** Henry Isaacson for Tilex Partners, LLC  
**HEARING TYPE** Rezoning  
**REQUEST** **RS-12** (Residential-Single Family) and **RM-18** (Residential-Multi Family) to **CD-GB** (Conditional District-General Business)

- CONDITIONS**
1. All uses permitted in the GB zoning district **except**: Agricultural Uses; Residential Uses; Athletic Fields; Billiard Parlors; Bingo Games; Bowling Centers; Clubs or Lodges; Fortune Tellers, Astrologers; Golf Courses, Miniature; Ambulance Services; Churches; Colleges and Universities; Psychiatric Hospitals; Automobile Repair Services, Major; Automobile Repair Services, Minor; Boat Repairs; Hotels or Motels; Photo Finishing Laboratories; Taxidermists; Theater, Indoor; Tourist Homes (Bed and Breakfast); Truck & Utility Trailer Rent & Leasing, Light; Recreational Uses; Cemeteries and Mausoleums; Fraternities or Sororities (college or university); Sexually Oriented Businesses; Bus terminals; Communication or Broadcasting Facilities; Courier Service Substations; Taxi Terminals; Utility Company Offices; Utility Lines and Related Appurtenances; Utility Service Facilities (no outside storage); Manufacturing and Industrial Uses; Carnivals & Fairs; Land Clearing and Inert Debris Landfills.
  2. There shall be one access from Pisgah Church Road to the property. The access or accesses from Bell Orchard Drive to the subject property shall be determined by GDOT.
  3. Developer shall provide a connection to the adjoining property on Pisgah Church Road so that vehicles may enter and exit the subject property from North Elm Street, allowing connectivity as recommended by GDOT.

**LOCATION** **512 Pisgah Church Road, 4008 Bell Orchard Drive and 4010 Bell Orchard Drive, generally described as the northeast corner of the intersection of Bell Orchard Drive and Pisgah Church Road**

**PARCEL ID NUMBER (S)**      **00-00-0555-0-0002-00-029, 00-00-0555-0-0002-00-028 and 00-00-0555-0-0002-00-027**

**PUBLIC NOTIFICATION**      The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City 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). 91 notices were mailed to those property owners in the mailing area.

**TRACT SIZE**      ~1.38 acres

**TOPOGRAPHY**      Generally flat

**VEGETATION**      Typical residential landscaping in part

**SITE DATA**

**Existing Use**      Abandoned medical facility and a vacant parcel

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RS-12 (Residential-Single Family)	Single-Family dwelling unit
E	CD-GB (Conditional District-General Business)	McDonalds Restaurant
W	CD-LB (Conditional District-Limited Business) and RS-12(Residential-Single Family)	Kids R Kids Childcare and Preschool
S	CD-SC (Conditional District-Shopping Center)	Starbucks Coffee Shop

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
---------------	-------------	------------------------

512 Pisgah church Road has been zoned RM-18 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 90

4008 and 4010 Bell Orchard Drive had been zoned County RA-40 before been converted to City RS-12.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (RS-12)	Existing (RM-18)	Requested (CD-GB)
Max. Density:	3 dwelling units per acre	18 dwelling units per acre	N/A
Typical Uses	Primarily intended to accommodate moderate density single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate multifamily uses at a density of 18.0 units per acre or less.	Primarily intended to accommodate a wide range of retail, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

North Elm Street Visual Corridor Overlay Zone

**Environmental/Soils**

Water Supply Watershed	site drains to Greensboro Watersupply/Watershed, Lake Jeanette
Floodplains	N/A
Streams	N/A
Other:	If high density is proposed (over 24%BUA), a water quality device will be required.

**Utilities**

- Potable Water
- Waste Water

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

Location	Required Planting Yard Type and Rate
North	Type A Yard – avg. width 50'; 4 canopy trees per 100'; 10 understory trees per 100'; 33 shrubs per 100'
South	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100'

## Tree Preservation Requirements Acreage

## Requirements

1.38 Ac. All trees 4" or greater DBH which are located within the required planting yards

## Transportation

Street Classification: Pisgah Church Road – Major Thoroughfare, Bell Orchard Drive – Local Street.

Site Access: GDOT will not approve an additional access to Pisgah Church Road. Cross access between properties and alternate access to Bell Orchard Drive will be the access for this property. All access must be designed and constructed to the City of Greensboro Standards.

Traffic Counts: Pisgah Church Road ADT = 20,940 (2007).

Trip Generation: Unable to supply information at this time because a TIS has not been submitted for review and approval.

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. There is no existing sidewalk along the frontage of this development nor are there any plans for the City to build sidewalk in this area.

Transit in Vicinity: Yes, route 3, N. Elm Street.

Traffic Impact Study: Yes, typically a TIS would be required for this site. A TIS has not (TIS) been submitted at this time.

Street Connectivity: N/A.

Other: N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-GB** (Conditional District-General Business) 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 designates this location as **Mixed Use Commercial**. The requested **CD-GB** (Conditional District-General Business) zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

Reinvestment/Infill Goal: 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.

POLICY 4C.1: Establish standards for and promote new forms of compact development.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

Including protection against incompatible commercial encroachments into residential neighborhoods

Economic Development Goal: 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.2: Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

### **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.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

### **CONFORMITY WITH OTHER PLANS**

**City Plans – N/A**

**Other Plans - N/A**

### **Staff/Agency Comments**

**Water Resources - N/A**

**Housing and Community Development**

Applicant is strongly encouraged to discuss this proposal with representatives of the Bellwood Village Neighborhood, which is adjoins the subject property.

**Planning**

The subject site for this request consists of a vacant parcel and an abandoned medical facility. The subject site fronts on both Pisgah Church Road and Bell Orchard Drive. This area of the city has seen a lot of rezoning requests lately culminating in the conversion of several residential properties in the immediate vicinity to some form of commercial or office use. There are still, however, islands of residential properties existing in between the commercially zoned properties which are yet to be rezoned.

The subject site lies within the one-half mile radius (considered the limit of a comfortable walk) of an Activity Center which calls for concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typical uses in an activity center include a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages.

This request is consistent with the Comprehensive Plan policies and the general development trend in the general area and, if approved, will help promote a diverse mix of uses in the general area. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro's urban areas. New patterns and intensities of use will also be promoted to increase economic competitiveness and enhance quality of life in urban areas.

Notwithstanding the positive aspects of this development, staff will be more comfortable if the design of the site is oriented towards Pisgah Church Road with vehicular and pedestrian connectivity provided in between uses and other nearby commercial uses. Staff will also like to point out that condition #2 should be eliminated due to the fact that site access determination lies within the purview of GDOT and not the applicant.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is generally compatible with the existing development and trends in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-GB** (Conditional District-General Business) zoning district.