



Z-10-04-002

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

Zoning Commission Hearing Date: April 12, 2010

GENERAL INFORMATION

APPLICANT	Alejandro Rocha Perez for Avreliano Rocha
HEARING TYPE	Rezoning
REQUEST	RS-9 (Residential-Single Family) to CD-LB (Conditional District-Limited Business)
CONDITIONS	<ol style="list-style-type: none">1. Uses: All uses allowed in the LB zoning district except Convenience Stores (with fuel pumps) and any use with a drive-thru.2. Hours of operation shall be limited to 6:00 AM thru 10:00 PM.3. Where the property abuts a designated transit stop, the developer shall provide an easement and concrete pad(s) built to GTA standards for a bus stop if one is requested by any transit authority.
LOCATION	3500, 3502 and 3504 Church Street , generally described as the northeast corner of the intersection of Church Street and Denny Road.
PARCEL ID NUMBER (S)	00-00-0412-0-0002-00-031
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). 99 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~0.85 acres
TOPOGRAPHY	Slopes to the south and east
VEGETATION	Residential landscaping

SITE DATA

Existing Use 3 vacant single-family dwelling units

	Adjacent Zoning	Adjacent Land Uses
N	RS-9 (Residential-Single Family)	Single-Family dwelling unit
E	RS-9 (Residential-Single Family)	Single-Family dwelling unit
W	RM-18 (Residential-Multi Family)	Multi-Family dwellings
S	LB (Limited Business)	What-A-Burger Restaurant

Zoning History

Case #	Date	Request Summary
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This property has been zoned RS-9 since July 1, 1992. Prior to the implementation of the Unified Development Ordinance (UDO), it was zoned RES 120 S

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (RS-9)	Requested (CD-LB)
Max. Density:	4 dwelling units per acre	N/A
Typical Uses	Primarily intended to accommodate high density and single-family detached dwellings in developments where public water and sewer service is required.	Primarily intended to accommodate moderate intensity shopping and services close to residential areas. The district is established to provide locations for businesses, which serve nearby neighborhoods. The district is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences.

**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 – N/A

Environmental/Soils

Water Supply Watershed	Site drains to North Buffalo Creek.
Floodplains	N/A
Streams	Possible stream onsite, stream must be identified but can be piped. If stream is intermittent or perennial, a 50ft buffer, measured from top of bank is required.
Other:	If more than 1 acre of disturbance is to take place, a BMP will be required for water quality.

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 D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
South	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
East	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
West	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

Tree Preservation Requirements

Acreage	Requirements
0.85 ac.	1% of lot area and be located within the required planting yard

Transportation

Street Classification:	N. Church Street – Major Thoroughfare, Denny Road – Collector Street.
Site Access:	All access must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	N. Church Street ADT = 18,071 (2007).
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. 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: (TIS)	No, not required per TIS Ordinance
Street Connectivity:	N/A.
Other:	N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-LB** (Conditional District-Limited 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 **Moderate Residential 5-12 units per acre**. The requested **CD-LB** (Conditional District-Limited Business) zoning district is consistent with residential GFLUM designations per adopted Council policy. Additionally, this site is less than one acre in size

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

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.

Housing and Neighborhoods Goal: 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 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

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

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 – N/A

Other Plans - N/A

Staff/Agency Comments

Water Resources - N/A

Housing and Community Development

Long-term quality of life for adjacent existing residential development would be greatly enhanced by installation of appropriate constructed and/or vegetated buffer along northern and eastern boundaries of the subject site. Applicant is encouraged to discuss this proposed rezoning and development with representatives of the adjacent Spicewood Neighborhood, located on the west side of North Church Street.

Planning

The 0.85-acre parcel is located at the northeast corner of the intersection of Church Street and Denny Road, a part of the city which is generally in transition from older single-family residential developments to varying densities and intensities of commercial, industrial, office uses and multi-family developments. To the south of the subject site is a restaurant, single-family dwellings to the north and east, and multi-family dwellings to the west. The location of the subject site makes it fit in the context of the LB zoning district in that it is located at the intersection of a thoroughfare and a collector street; a primary characteristic for this zoning district.

Staff believes that this request is consistent with the intent and purpose of the Zoning Code because the Limited Business zoning district is primarily intended to accommodate moderate intensity shopping and services close to residential areas. Also, the district is established to provide locations for businesses, which serve **nearby neighborhoods**. Staff would like to point out that the LB zoning district is not intended to attract passer-by traffic nor to be used as a regional commercial center as far as scale and intensity is concerned. Staff would, however, encourage a condition be added that the applicant orient the building(s) towards North Church Street.

This rezoning request if approved will help promote a diverse mix of uses in the general area especially along North Church Street. 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 the general area.

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 compatible with the existing development and trend in the surrounding area.

STAFF RECOMMENDATION

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