



**Z-10-04-001**

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

**Zoning Commission Hearing Date: April 12, 2010**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Lee Boyd For Jathan LLC DBA Home-Land Residential Services
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>RS-15</b> (Residential-Single Family) to <b>CD-LO</b> (Conditional District-Limited Office)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses: Limited to all uses permitted in the Business, Professional and Personal services sub-category of the Limited Office zoning district and Child Day Care Center, (15 or less).</li><li>2. Exterior lighting shall be located, angled, shielded, and/or limited in intensity so as to cast no direct light upon adjacent streets or properties.</li><li>3. Digital signage (electronic copy changeable sign) shall be prohibited.</li><li>4. All free-standing signage shall be limited to 6 feet in height and shall be of monument style.</li><li>5. Building shall be of residential design in appearance, with features such as sloped roof that resembles single-family home construction.</li></ol>
<b>LOCATION</b>	<b>2323 Fleming Road</b> , generally described as the west side of Fleming Road and south of Old Acre Court
<b>PARCEL ID NUMBER (S)</b>	<b>00-11-0694-0-0924-00-016</b>
<b>PUBLIC NOTIFICATION</b>	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). <b>41</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.48 acres
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Overgrown residential landscape

**SITE DATA**

**Existing Use** Abandoned single-family dwelling unit

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	RS-15 (Residential-Single Family)	Single-Family dwellings
E	RS-12 (Residential-Single Family)	Single-Family dwellings
W	PI (Public and Institutional)	Cornerstone Baptist Church
S	PI (Public and Institutional)	Cornerstone Baptist Church

**Zoning History**

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

This property was annexed into the City as part of the 2008 City-initiated annexation and assigned a City RS-15 original zoning designation.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(RS-15)</b>	Requested <b>(CD-LO)</b>
Max. Density:	2.5 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 low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas.

*\*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 Greensboro Watersupply Watershed, Brush Creek
Floodplains	N/A
Streams	N/A
Other:	If site is Low Density, a Scoresheet is required for Water Quality. If site is High Density, then a BMP is 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 D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
South	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

**Tree Preservation Requirements**

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

**Transportation**

Street Classification:	Fleming Road – Minor Thoroughfare.
Site Access:	All access must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Fleming Road ADT = 14,113 (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:	No transit in the area.
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-LO** (Conditional District-Limited Office) 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 **Low Residential (3-5 units per acre)**. The requested **CD-LO** (Conditional District-Limited Office) zoning district is consistent with this GFLUM designation per adopted Council policy.

### **Connections 2025 Written Policies**

*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.

### **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.

## **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 the northern boundary of the subject site. Applicant is strongly encouraged to discuss this proposed rezoning and development with representatives of the Cardinal Neighborhood (or applicable sub-set thereof), within which it is located.

## Planning

The 0.48-acre subject parcel, which is located at the west side of Fleming Road and south of Old Acre Court, consists of an abandoned single-family dwelling unit. To the west and south of the subject site is the Cornerstone Baptist Church, to the north and east are single-family dwellings. The applicant intends to redevelop the site for any of the uses permitted in the business, professional and personal services sub-category of the Limited Office zoning district and Child Day Care Center, (15 or less). Notable uses in the business, professional and personal services sub-category of the Limited Office zoning district includes, but are not limited to:

- Accounting, Auditing, or Bookkeeping
- Administrative or Management Services
- Economic, Socio., or Educational Research
- Engineering, Architect or Survey Services
- Finance or Loan Offices (no drive-thru)
- Insurance Agencies (no on-site claims insp.)
- Law Offices
- Medical, Dental, or Related Offices
- Medical or Dental Laboratories
- Noncommercial Research Organizations
- Real Estate Offices
- Rehabilitation or Counseling Services
- Child Day Care center
- Stock, Security, or Commodity Brokers and
- Travel Agencies

The proposed **CD-LO** (Conditional District-Limited Office) zoning would allow land uses that are compatible with the general character of the area in that:

- the subject site is adjoined by a similar but higher intensity (institutional) use to the south and west.
- the applicant has committed to redeveloping the site with a building that will have a residential design in appearance, with features such as sloped roof that resembles single-family home construction. This will neither significantly disrupt nor alter the residential character of the neighborhood.
- This request is not contradictory to the intent and purpose of the Zoning Code in that the LO zoning district is primarily intended to accommodate low intensity medical, professional, administrative, and government office uses on small to mid-sized sites near residential areas, which is consistent with the request under review.
- This request will help create a smoother zoning transition pattern between the higher intensity commercial uses to the south and the less intense residential uses to the north

Staff believes that this request will not negatively impact the overall mix of uses found in this vicinity nor will it negatively impact the adjacent residential uses. Approving this request, will help encourage “home-grown” and community-based businesses and entrepreneurs. 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.

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 trend in the surrounding area.

**STAFF RECOMMENDATION**

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