



Z-10-11-004

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

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

**GENERAL INFORMATION**

<b>APPLICANT</b>	Thomas A. Baynes for self, Kathy O. Baynes, Walter Monroe Baynes, Elizabeth O. Baynes and Mary Sue Delle
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>R-3</b> (Residential-Single Family) and <b>C-M</b> (Commercial-Medium) to <b>CD-LI</b> (Conditional District-Light Industrial).  1. Uses: All uses allowed in the LI zoning district <b>except</b> any use with a drive-thru, convenience stores with fuel pumps, passenger terminals, all indoor recreation and all outdoor recreation.
<b>CONDITIONS</b>	
<b>LOCATION</b>	A portion of <b>4717-4733 US Highway 29 North</b> , generally described as the west side of US Highway 29 North and north of Esterwood Road.
<b>PARCEL ID NUMBER(S)</b>	<b>7887699722</b>
<b>PUBLIC NOTIFICATION</b>	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). <b>42</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.90 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Wooded

**SITE DATA**

<b>Existing Use</b>		Undeveloped
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-3 (Residential-Single Family) and C-M (Commercial-Medium)	Undeveloped
E	C-M (Commercial-Medium)	Communication tower and Reedy Fork Restaurant
W	R-3 (Residential-Single Family)	Undeveloped
S	R-3 (Residential-Single Family) and C-M (Commercial-Medium)	Reedy Fork Restaurant

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
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This property has been zoned R-3 (Residential-Single Family) and C-M (Commercial-Medium) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned RS-12 (Residential-Single Family) and HB (Highway Business) respectively.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (R-3)	Existing (C-M)	Requested (CD-LI)
Max. Density:	3 dwelling units/acre	N/A	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached residential development	Primarily intended to accommodate a wide range of retail, service, and office 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.

*\*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 Middle Reedy Fork Creek
Floodplains	N/A
Streams – N/A	N/A
Other:	If >1acre of disturbance is to take place, site must meet Phase 2 requirements

**Utilities**

Water	N/A
Sewer	N/A

**Airport Noise Cone**

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

**Landscaping Requirements**

**NA**

**Tree Preservation Requirements**

**Acreage**

**Requirements**

.90 ac. Tree preservation requirements for this project have been approved under a Tree Disturbance Permit issued to the owner on October 7, 2010.

**Transportation**

Street Classification:	US Hwy 29 – Freeway.
Site Access:	Existing.
Traffic Counts:	US 29 ADT = 39,000(2007).
Trip Generation:	N/A.
Sidewalks:	N/A.
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-LI (Conditional District-Light Industrial) 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 **Industrial / Corporate Park**. The requested CD-LI (Conditional District-Light Industrial) zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

*Growth at the Fringe Goal:* Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

*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**

*Industrial/Corporate Park:* This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

## **CONFORMITY WITH OTHER PLANS**

**City Plans – N/A**

**Other Plans - N/A**

### **Staff/Agency Comments**

**Water Resources – See above.**

### **Housing and Community Development**

No additional comments.

## **Planning**

The 0.90-acre subject site is generally located at the west side of US Highway 29 North and north of Esterwood Road. The subject site adjoins an undeveloped parcel to the north and west, a communication tower to the east and a restaurant to the south. The applicant intends to operate a propane/natural gas retail outlet from this site (*not A binding condition*).

Staff believes that this request and the proposed use will be compatible with the surrounding uses and will not negatively impact the overall mix of uses found in this general vicinity. Staff will however encourage the applicant to increase the landscape buffer above and beyond the requirements of the ordinance, especially between the subject site and the restaurant to the south.

This rezoning request, if approved, will help promote a diverse mix of uses in the general area and encourage the innovative use of underutilized properties. 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 investments.

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-LI (Conditional District-Light Industrial) zoning district.