



Z-11-01-002

**Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: February 14, 2011

GENERAL INFORMATION

APPLICANT	Tom James for North Elm Investors, LLC
HEARING TYPE	Rezoning
REQUEST	CD-C-H (Conditional District-Commercial-High) to CD-C-M (Conditional District-Commercial-Medium)
CONDITIONS	<ol style="list-style-type: none">1. Uses: All uses allowed in the C-M zoning district except:<ol style="list-style-type: none">a. Shooting Rangesb. All eating and drinking establishments with drive-through facilitiesc. Bars, Nightclubs, and Brewpubsd. Convenience Stores with Fuel Pumpse. Sexually Oriented Businessesf. Automobile Towing and Storage Services2. Developer shall install a six foot opaque fence along adjacent properties which are zoned residential.3. At least 90% of the exterior of all buildings shall be of brick or masonry construction.4. Developer shall double the rate of the required street plantings and the required plantings in the buffers along the adjoining properties that are zoned residential.
LOCATION	3515 and 3519 North Elm Street , generally described as the west side of North Elm Street, south of Pisgah Church Road and north of Greenbriar Road.
PARCEL ID NUMBER(S)	7866463917 and 7866463724
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). 63 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~2.38 Acres
TOPOGRAPHY	Generally flat
VEGETATION	None (site under construction)

SITE DATA

Existing Use		Warehouse under construction
	Adjacent Zoning	Adjacent Land Uses
N	CD-C-H (Conditional District-Commercial-High)	SunTrust Bank
E	CD-C-H (Conditional District-Commercial-High) and RM-18 (Residential-Multi Family)	Shopping Center and Multi-Family dwellings
W	CD-C-H (Conditional District-Commercial-High) and R-5 (Residential-Single Family)	Single-Family dwellings
S	RM-18 (Residential-Multi Family)	Multi-Family dwellings

Zoning History

Case #	Date	Request Summary
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This property has been zoned CD-C-H since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned CD-SC

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-C-H)	Requested (CD-C-M)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of high intensity retail and service developments meeting the shopping and distributive needs of the community and the region, and some residential uses. The district is established on large sites which are typically located along thoroughfares to provide locations for major developments which contain multiple uses, shared parking and drives, and coordinated signs and landscaping.	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 N/A, Site Drains to North Buffalo Creek

Floodplains N/A

Streams N/A

Other: This site has a previously approved plan and therefore it is grandfathered from new more stringent requirements provided that the proposed development is consistent with the approved plan. If the proposed development can't be consistent with the approved plan then the site must meet current requirements. An underground detention system serves the IMUD, maintenance and inspection are owners association responsibility.

Utilities

Potable Water N/A

Waste Water N/A

Airport Noise Cone

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

Landscaping Requirements

In addition to the landscaping requirements established in Zoning Condition #4 above, the applicant must adhere to all landscaping requirements approved by TRC on the Preliminary IMUD Plan submitted for Patriots Place II.

Tree Preservation Requirements

Acreage	Requirements
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2.38 ac. The applicant must adhere to all Tree Preservation requirements approved by TRC on the Preliminary IMUD Plan submitted for Patriots Place II.

Transportation

Street Classification: N. Elm Street – Major Thoroughfare.

Site Access: Existing.

Traffic Counts: N. Elm Street ADT = 17,449 (2007).

Trip Generation: N/A.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 6' sidewalk with a 4' 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 is existing along the frontage of this property

Transit in Vicinity: Yes, route 3, N. Elm Street.
Traffic Impact Study: No, not required per TIS Ordinance.
(TIS)
Street Connectivity: N/A.
Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-C-M** (Conditional District-Commercial-Medium) 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 and Mixed Use Commercial. The requested **CD-C-M** (Conditional District-Commercial-Medium) zoning district is consistent with this GFLUM designation.

Connections 2025 Written Policies

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 7C.3: Identify brownfield sites and underutilized/abandoned properties and buildings and expedite opportunities for development.

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.

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.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans – N/A

Staff/Agency Comments

Community Development

The subject site is located within the North Elm Street Visual Corridor Overlay Zone. Applicant is strongly encouraged to discuss this proposal with representatives of the adjacent Spicewood Neighborhood.

Planning

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.

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-C-M** (Conditional District-Commercial-Medium) zoning district.