



# Z-18-03-007

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

Zoning Commission Hearing Date: March 19, 2018

### GENERAL INFORMATION

<b>APPLICANT</b>	Society for Prevention of Cruelty to Animals of the Triad for Greensboro RE Holdings, LLC.
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	O (Office) and RM-18 to CD-LI (Conditional District – Light Industrial) with the following condition
<b>CONDITIONS</b>	1. Uses limited to Office uses, Veterinary Services, Pet Grooming, Kennels, and an Animal Shelter. Permitted temporary uses limited to Arts and Craft Shows and Carnival and Fairs.
<b>LOCATION</b>	510 Banner Avenue
<b>PARCEL ID NUMBER(S)</b>	<b>0022793</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>27</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	6.25 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Institutional

### SITE DATA

**Existing Use** Vacant assisted living facility

#### **Adjacent Zoning**

N O (Office)  
E LI (Light Industrial)  
W R-5 (Residential Single-Family)

#### **Adjacent Land Uses**

Place of Religious Assembly  
Warehouse/Distribution  
School

S O (Office) Single-family dwelling and undeveloped  
 R-5 (Residential Single-Family)

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned O (Office) and RM-18 (Residential Multifamily) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned GO-M (General Office Moderate) and RM-18 (Residential Multifamily) respectively.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (O)	Requested (CD-LI)
Max. Density:	12.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate office, institutional, supporting service and other uses.	Conditioned to allow Office uses, Veterinary Services, Pet Grooming, Kennels, and an Animal Shelter.

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Land Development Ordinance for all applicable 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 S. Buffalo Creek, non-watersupply watershed

Floodplains A portion of the lot is in the FEMA floodway Zone AE and in the FEMA 1% SFHA. Currently, no structures are located in the FEMA floodway or in FEMA 1% SFHA.

Streams South Buffalo Creek Tributary 4

Other: If >1acre is disturbed and the BUA is increased, site must meet Phase 2 requirements – water quality and water quantity control must be addressed.

**Utilities (Availability)**

Potable Water Available

Waste Water Available

**Airport Overlay District & Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

**Street Yards:**

Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

**Buffer Yards:**

Adjacent to single-family residential: Type B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 l.f.

Adjacent to vacant property, educational facility, or commercial uses: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

**Parking Lots:**

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

**Tree Conservation:**

For 6.25 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation.

**Transportation**

Street Classification: Banner Avenue – Collector Street.  
Apache Street – Collector Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None Available.

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. Sidewalk does not exist along the frontage of this property.
- Transit in Vicinity: Yes, GTA Route 5 (Gorrell Street) is adjacent to subject property, along Banner Avenue.
- Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)
- Street Connectivity: N/A.
- Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **CD-LI (Conditional District – Light Industrial)** zoning, as conditioned, 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 Residential**. The requested **CD-LI (Conditional District – Light Industrial)** zoning district, as conditioned, is generally inconsistent with the **Mixed Use Residential** GFLUM designation, however the applicant has concurrently submitted a request (CP 18-01) to amend the GFLUM designation on the subject site to **Industrial/Corporate Park** which, if approved, would resolve this inconsistency. The Growth Strategy Map designates the subject site as being within the McConnell Road Reinvestment Area.

**Connections 2025 Written Policies**

- Land Use Goal 4.1 – Growth Strategy:** Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.
- Policy 4A:** Remove present impediments to infill and investment in urban areas.
- Policy 4B:** Target capital investments to leverage private investment in urban areas.
- Policy 4C:** Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.
- Policy 4D:** Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

- Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.
- Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Housing and Neighborhoods, Goal 6:** 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 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**Economic Development, Goal 7:** 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:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

**Connections 2025 Map Policies**

**Mixed Use Residential:** This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

**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.

**Comprehensive Plan Amendment History**

Case #	Date	Request Summary
n/a	n/a	n/a

**Applicant Stated Reasons for Request**

“Changing zoning to industrial zoning to allow for animal shelter, which is not consistent with mixed use residential which is what is planned now.”

**Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application**

“This location is adjacent to industrial planning and it make sense to incorporate this area into industrial as well.”

### **COMPREHENSIVE PLAN POLICY ANALYSIS**

#### **Need for Proposed Change**

The requested **CD-LI (Conditional District – Light Industrial)** zoning district, as conditioned, would allow uses that are incompatible with the subject site’s current GFLUM designation as **Mixed Use Residential**. If approved, the requested GFLUM amendment (**CP 18-01**) to **Industrial Corporate Park** would resolve this inconsistency.

#### **Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service).**

n/a

#### **Implications, if any, the Amendment may have for Other Parts of the Plan**

n/a

#### **Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3)**

n/a

### **PLANNING BOARD COMMENTS**

The Planning Board reviewed GLFUM amendment request CP-18-01 associated with this rezoning request during its meeting on February 21, 2018. The Planning Board commented that the change was a logical extension of the existing Industrial/Corporate Park designation. The board expressed concerns about the established residential neighborhoods in the area, but that the area needed new businesses and quality jobs, especially to attract millennials, and that there are uses in this designation that were not harmful to adjacent residential areas. The board noted that this area is an entryway into the City from the east, and that the area needs more economic growth. The board added that transit was important to the area and should be considered as an addition to any new development.

### **CONFORMITY WITH OTHER PLANS**

#### **City Plans**

##### ***Sustainability Action Plan***

##### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro’s Comprehensive Plan, Development Ordinance and other related plans.

##### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

**Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

**Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

**Other Plans**

n/a

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal),
- Historically Under-utilized Business Zone tax credits (federal),
- Urban Development Investment Incentives (local), and
- Economic Development Impact Zone 1 (local).

**Staff Analysis**

The 3.25-acre subject property is currently a vacant assisted living facility. North of the request is a place of religious assembly (zoned O). East of the request are warehouse/distribution uses (zoned LI). South and east of the request are a school, single-family dwelling and undeveloped property (zoned R-5 and O).

The Comprehensive Plan's Future Land Use Map currently designates this area as Mixed Use Residential, which applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. As part of the request the applicant has requested a change to the Industrial/Corporate Park designation which 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.

The proposed CD-LI, as conditioned, limits the scale and intensity of development to limit potential impacts on surrounding uses while allowing uses only found in an industrial setting. The proposed rezoning request supports both the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development goal to promote a healthy and diversified economy.

The request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and 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.