



# Z-18-08-003

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

**Zoning Commission Hearing Date: September 17, 2018**

### GENERAL INFORMATION

<b>APPLICANT</b>	Michael S. Fox for Marshton Enterprises, LLC
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	R-5 (Residential Single-family - 5) to CD-C-L (Conditional District – Commercial Low)
<b>CONDITION</b>	1. All uses permitted in the C-L zoning district EXCEPT the following: All agricultural uses; all residential uses; Animal Shelters; Cemeteries, all educational facilities; all government facilities; all social service facilities; all overnight accommodations; Convenience Stores with Fuel Pumps; Caretaker Dwellings; Junked Motor Vehicles; Recycling Collection Points; Satellite Dishes/TV and Radio Antennae Towers; Swimming Pools; Land Clearing & Inert Debris Landfills, Minor; Portable Storage Units; and Temporary Wireless Telecommunication Facilities.
<b>LOCATION</b>	A portion of 1603 West Friendly Avenue
<b>PARCEL ID NUMBER(S)</b>	7854975017
<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>39</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	0.26 Acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	Commercial
<b><u>SITE DATA</u></b>	
<b>Existing Use</b>	Parking Lot

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	PUD (Planned Unit Development)	Parking Lot
E	R-5 (Residential Single-family – 5)	Multifamily
W	C-M (Commercial Medium)	Personal Services/Vet
S	R-5 (Residential Single-family – 5)	Single Family Residence

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned R-5 (Residential Single Family) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned RS-7 (Residential Single Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(R-5)</b>	Requested <b>(CD-C-L)</b>
Max. Density:	5.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Conditioned to all uses in the C-L district except agricultural, residential, animal shelters, cemeteries, educational facilities, governmental facilities, social service facilities, overnight accommodations, convenience stores with fuel pumps, caretaker dwellings, junked motor vehicles, recycling collection points, satellite dishes/TV and radio antennas towers, swimming pools, land clearing and inert debris landfills, portable storage units and temporary wireless telecommunication facilities.

*\*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**

Subject site is located within the West Friendly Avenue Visual Corridor Overlay Zone and the Central Business Overlay Zone, which prohibit the establishment of new outdoor advertising signs therein.

**Environmental/Soils**

Water Supply Watershed Site drains to N. Buffalo Creek, non-watersupply watershed

Floodplains <2000LF

Streams N/A

Other: Site must meet current Watershed requirements for Water Quantity Control.

**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 C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, and 17 shrubs per 100 linear feet.

Adjacent to vacant property or multi-family: 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 0.26 acres, 1% of parcel size in critical root zone to be dedicated for Tree Conservation.

**Transportation**

- Street Classification: West Friendly Avenue – Major Thoroughfare.  
Westover Terrace – Collector Street.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: West Friendly Avenue ADT = 20,000 (GDOT, 2015).
- 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 exist along the frontage of this property.
- Transit in Vicinity: Yes, GTA Routes 1 (West Wendover Avenue), 7 (Friendly Avenue), 8 (Battleground Avenue), and 9 (West Market Street) are adjacent to subject property, along West Friendly 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-C-L (Conditional District – Commercial – Low)** 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 **Low Residential (3-5 d.u./acre)**. The requested **CD-C-L (Conditional District – Commercial – Low)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation, however, per City Council adopted policy, a GFLUM amendment is not required for re-zoning requests that are less than one acre in size, or that do not involve a significant physical change resulting in new or expanded structures.

**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**

**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**

#### ***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 adjacent properties and with representatives of the adjacent Westerwood Neighborhood, located to the north of the subject site.

**Staff Analysis**

This .26 acre request is to rezone an existing parking lot associated with nearby commercial service uses to commercial zoning with conditions. North of the request is a parking lot (zoned PUD). East of the request is a converted single family residence containing multiple dwelling units (zoned R-5). South of the request are single family residences (zoned R-5). West of the request are restaurant and service uses (zoned C-M).

The Comprehensive Plan's Future Land Use Map designates this area as Low Residential. This designation is intended for primarily single residential development with a density of 3-5 dwelling units per acre. Per Council adopted policy, any rezoning request less than one acre in size does not trigger the need for a Plan amendment.

Under the previous Unified Development Ordinance (in effect from 1992-2010) there was a provision to allow the construction of parking lots in residential zoning if tied to an adjacent (and appropriately zoned) commercial use and if the lot did not extend into the residential zoning more than 150 feet. Under the current Land Development Ordinance (in effect as of 2010) this is no longer allowed a change in zoning is needed so that the parking lot can provide parking for new commercial uses on the adjacent lot. The Commercial Low district in general allows lower intensity commercial and service uses at the edges of residential areas and this request includes a condition prohibiting many of the uses generally allowed in the C-L district.

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-C-L** (Conditional District-Commercial Low) zoning district.