



Z-18-11-001

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

Zoning Commission Hearing Date: November 19, 2018

GENERAL INFORMATION

APPLICANT	Benjamin D. Ridings for Mema II, LLC.
HEARING TYPE	Rezoning Request
REQUEST	R-5 (Residential Single-family - 5) to CD-LI (Conditional District – Light Industrial)
CONDITIONS	<ol style="list-style-type: none"> 1. Uses shall be limited to all uses permitted in the LI district except the following: recreational uses; overnight accommodations; eating and drinking establishments; any use with drive-thru service; convenience stores with fuel pumps; taxi dispatch terminals; truck stops; car washes; park and ride facilities; flea markets; and junked motor vehicles. 2. No principal structures are permitted on the property associated with this rezoning.
LOCATION	A portion of 1703 East Wendover Avenue
PARCEL ID NUMBER(S)	7875415933
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). 71 notices were mailed to those property owners in the mailing area.
TRACT SIZE	1.93 acres of larger (3.88 acres) parcel
TOPOGRAPHY	Generally flat
VEGETATION	Wooded toward the rear of the property.

SITE DATA

Existing Use	Parking lot for adjacent office building
---------------------	--

	Adjacent Zoning	Adjacent Land Uses
N	R-5 (Single-family Residential)	Vacant land
E	R-5 (Single-family Residential)	Single-family Residences
W	R-5 (Single-family Residential)	Vacant land
S	LI (Light Industrial)	Office, Warehouse, and Religious Assembly uses

Zoning History

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned R-5 (Residential Single Family - 5) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned RS-12 (Residential Single Family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District	Existing	Requested
Designation:	(R-5)	(CD-LI)
Max. Density:	5 dwelling units per acre	N/A
Typical Uses	Typical uses in the R-5 district may include single-family uses	Uses shall be limited to all uses permitted in the LI district except the following: recreational uses; overnight accommodations; eating and drinking establishments; any use with drive-thru service; convenience stores with fuel pumps; taxi dispatch terminals; truck stops; car washes; park and ride facilities; flea markets; and junked motor vehicles.

**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 N. Buffalo Creek, Non-Watersupply Watershed Watershed

- Floodplains** Onsite & FEMA Floodway onsite. A Floodplain Development Permit is required for any disturbance within the FEMA 1% Special Flood Hazard Area. Building must either be elevated to 1 foot above the Base Flood Elevation or flood proofed. An Elevation Certificate is required for any new structures at the footing/foundation stage and final construction stage. See LDO Chp.30-12-2 Flood Damage Prevention for requirements in the FEMA Floodway and FEMA 1% Special Flood Hazard Area. Building must also be elevated or flood proofed to the FEMA 1% Future Special Flood Hazard elevation. If any structures are proposed within the FEMA Floodway, a 'No Rise' engineering calculation study will be required.
- Streams** 50ft Stream buffer measured from top of stream bank on each side is required. See LDO Chp.30-12-3.9 for stream buffer Allowances and Restrictions.
- Other:** If >1acre is disturbed *AND* the BUA is increased, site must meet current Phase 2 requirements, Water Quality and Water Quantity Control must be addressed.

Utilities (Availability)

Existing water/sewer available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping and Tree Conservation will not be applicable except in the case of redevelopment of the property, or expansions of use. In the case of redevelopment, landscaping will be required for the entire site as noted below. For expansions of use, the landscaping requirements will only be applicable adjacent to the expansion.

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 vacant property or Light Industrial uses: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

Adjacent to Religious Assembly uses: 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 Single-family Residential uses: Type A buffer yard, with an average width of 45', a minimum width of 53', and a planting rate of 4 canopy trees, 10 understory trees and 33 shrubs per 100 l.f.

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 redevelopment, 10% of parcel size in critical root zone to be dedicated for Tree Conservation. For expansions of use, 10% of disturbed area in critical root zone to be dedicated.

Transportation

Street Classification: East Wendover Avenue – Major Thoroughfare.
Gatewood Avenue – Collector Street..

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

Traffic Counts: East Wendover Avenue AADT = 39,000 vpd (NCDOT, 2017).

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: No.

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 **Low Residential (3-5 d.u./acre)**. The requested **CD-LI (Conditional District – Light Industrial)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** future land use designation, however, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests that are less than one acre in size, or that do not involve a significant physical

change resulting in new or expanded structures. The Growth Strategy Map designates the subject site as being within the East Wendover Avenue Reinvestment Corridor.

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.

Reinvestment Corridor: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

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.

Balanced Economic Development: A Strategic Plan for East Greensboro

In the Summit Gateway, anchored by North East Plaza (Compare Foods) and Summit Shopping Center (Maxway) retailers should include:

1. Facilitate an expansion of North East Plaza through the assemblage of adjacent property to add an additional anchor tenant.
2. Inquire as to the long term viability of Bob Dunn Hyundai, and a possible relocation West to the adjacent land between Bill Black Chevrolet.
3. Redevelop Bob Dunn Hyundai for a possible "Club" retailer such as Sams, BJ Wholesale, or Costco.

Phillips Avenue Redevelopment Plan

Plan Objectives

The Redevelopment Plan for this area, when carried out as hereinafter delineated, will accomplish the following objectives:

- (a) Remove structurally substandard buildings;
- (b) Eliminate blighting factors including deficient lot platting and overcrowding of structures on land;
- (c) Encourage extensive rehabilitation;

- (d) Improve traffic circulation; and
- (e) Provide recreational and open space.

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, and with representatives of the Phillips Avenue neighborhood, within which the subject site is located.

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 2 (local).

Staff Analysis

The 1.93 acre subject property currently contains a parking lot for an adjacent building on the same parcel intended for office use. The building is located on the portion of the parcel already zoned Light Industrial. North and west of the request is vacant land (zoned R-5). East of the request are single-family dwellings (zoned R-5). South of the request are office, warehouse, and religious assembly uses (zoned LI).

The Comprehensive Plan's Future Land Use Map currently designates this site as Low Residential. The Low Residential category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Zoning condition # 2 states, "No principal structures are permitted on the property associated with this rezoning." Under Council adopted policy, a Generalized Future Land Use Map amendment is not required because the request does not involve a significant physical change resulting in new or expanded structures.

Under older provisions of the Unified Development Ordinance (in effect from 1992-2010) parking areas were allowed in residential zoning as long as they were directly adjacent to and supporting nonresidential uses with nonresidential zoning and could encroach no more than 150 feet into residentially zoned areas. With the adoption of the Land Development Ordinance in 2010 this provision was eliminated. With the applicant looking to change the use in the adjacent building to office the zoning on the parking lot needed to be changed as well to be counted towards required parking.

The proposed CD-LI zoning district incorporates conditions that limit uses to all uses permitted in the LI district except the following: recreational uses; overnight accommodations; eating and drinking establishments; any use with drive-thru service; convenience stores with fuel pumps; taxi dispatch terminals; truck stops; car washes; park and ride facilities; flea markets; and junked motor vehicles. Coupled with the condition prohibiting any principal structures on the property, this limits potential negative impacts on the surrounding area.

This request is supported by the Comprehensive Plan's Economic Development goal to 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. It also is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas.

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.