



**PLZ-20-07**

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

**City Council Hearing Date: March 17, 2020**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Ismael Mahamadou
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	RM-18 (Residential Multi-family - 18) to CD-C-M (Conditional District – Commercial - Medium)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses limited to Auto Sales.</li><li>2. The side and rear property lines shall be bounded by an opaque privacy fence. The only side not bounded by an opaque fence may be the street front.</li><li>3. All auto storage and sales shall be conducted inside the opaque fence.</li></ol>
<b>LOCATION</b>	2806 East Wendover Avenue
<b>PARCEL ID NUMBER(S)</b>	7875816429
<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>105</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	0.33 Acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	Partially wooded

**SITE DATA**

**Existing Use** Auto Sales

**Adjacent Zoning**

**Adjacent Land Uses**

N RM-18 (Residential Multi-family – 18) Vacant lot

E	RM-18 (Residential Multi-family – 18)	Single-family residential and auto repair
W	RM-18 (Residential Multi-family – 18)	Single-family residential
S	RM-18 (Residential Multi-family – 18)	Single-family residential

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned RM-18 (Residential Multi-family - 18) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned RM-18 (Residential Multi-family - 18).

**ZONING DISTRICT STANDARDS****District Summary \***

Zoning District Designation:	Existing (RM-18)	Requested (CD-C-M)
Max. Density:	18 dwelling units per acre	N/A
Typical Uses	Typical uses in the RM-18 district include various residential uses with a maximum density of 18 dwelling units per acre.	Uses limited to Auto Sales.

*\*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

Floodplains N/A

Streams N/A

Other: If >1 acre 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)**

Water is available.

Sewer will need to be extended.

**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 use: 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 daycare or to vacant property: 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 .33 acres, 1% of disturbed area to be dedicated in critical root zone for Tree Conservation for expansions of use, or 10% of parcel size dedicated in critical root zone for redevelopment.

**Transportation**

Street Classification: East Wendover Avenue – Major Thoroughfare.  
Holt 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 = 34,500 (NCDOT, 2018).

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 a portion of the frontage of this property.
Transit in Vicinity:	Yes, GTA Routes 10 (East Market Street) is within 600' of the subject property, along Waugh Street.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

### **IMPACT/POLICY ANALYSIS**

#### **Land Use Compatibility**

The proposed **CD-C-M (Conditional District – Commercial – Medium)** zoning, as conditioned, would allow land uses that are not 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-M (Conditional District – Commercial – Medium)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation. 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.

#### **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 with owners of surrounding properties and with representatives of the nearby Textile Drive / Waugh Street neighborhood, located to the north of the subject site.

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), and
- Economic Development Impact Zone 1 (local).

**Staff Analysis**

The 0.33 acre subject property currently contains an unpermitted Auto Sales use. North of the request is vacant land, with single-family residential uses further north, zoned RM-18. East of the request are an auto service use and single-family residences, zoned RM-18. South of the request are single-family residences, zoned RM-18. West of the request are single-family residences, zoned RM-18.

The Comprehensive Plan's Future Land Use Map currently designates this property as Low Residential. This designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within density range of 3-5 dwelling units per acre.

The proposed CD-C-M request, as conditioned, introduces a use that is not compatible with the surrounding land uses. Though there are other nonresidential uses in the immediate area, they are all considered nonconforming uses with restrictions to ensure those types of uses are not expanded in the future. Additionally, the proposed conditions do not protect existing adjacent single-family residences from negative impacts of the requested use. The proposed rezoning request does not support the broader Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas nor the Comprehensive Plan's Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods, including protections against incompatible commercial encroachments.

The request is inconsistent 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 **denial** of the requested **CD-C-M** (Conditional District Commercial - Medium) zoning district.

