

**Z-20-06-003**

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

**Zoning Commission Hearing Date: June 15, 2020**

**GENERAL INFORMATION**

|                            |   |
|----------------------------|---|
| <b>APPLICANT</b>           | Huin Rmah and Enok Hole   |
| <b>HEARING TYPE</b>        | Rezoning Request  |
| <b>REQUEST</b>             | R-5 (Residential Single-family - 5) to CD-C-M (Conditional District – Commercial - Medium)  |
| <b>CONDITIONS</b>          | 1. Uses limited to Automobile Sales and Service, Automobile, boat, and motorcycle repair service, minor and major, a Laundromat and Office uses.  |
| <b>LOCATION</b>            | 3606-B, 3608, 3612, and 3612-yy North Church Street   |
| <b>PARCEL ID NUMBER(S)</b> | 7866763951, 7866773050, 7866770036, and 7866774145  |
| <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>82</b> notices were mailed to those property owners in the mailing area. |
| <b>TRACT SIZE</b>          | 6 Acres   |
| <b>TOPOGRAPHY</b>          | Slopes to the back of the property  |
| <b>VEGETATION</b>          | Wooded toward the rear of the property.   |

**SITE DATA**

|                     |                                     |  |
|---------------------|-------------------------------------|--|
| <b>Existing Use</b> |                                     | Vacant Land and a Single-family Dwelling       |
|                     | <b>Adjacent Zoning</b>              | <b>Adjacent Land Uses</b>                      |
| N                   | R-5 (Residential Single-family - 5) | Single-family dwellings and Religious Assembly |
| E                   | R-5 (Residential Single-family - 5) | Single-family Dwellings                        |
| W                   | R-5 (Residential Single-family - 5) | Single-family Dwellings                        |
| S                   | R-5 (Residential Single-family - 5) | Single-family Dwellings                        |

**Zoning History**

| Case # | Date | Request Summary   |
|--------|------|---|
| N/A    | N/A  | The subject property is currently zoned R-5 (Residential Single-family - 5). This has been the zoning on the property since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned RS-9 (Residential Single-family). |

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

| Zoning District<br>Designation: | Existing<br>(R-5)  | Requested<br>(CD-C-M)   |
|---------------------------------|--|---|
| Max. Density:                   | 5 dwellings per acre   | N/A   |
| Typical Uses                    | Typical uses in the R-5 district include single family residential of up to 5 dwelling units per acre. | Uses limited to Automobile Sales and Service, Automobile, boat, and motorcycle repair service, minor and major, a Laundromat and Office uses. |

*\*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**

The subject site is not located within an overlay zoning district.

The subject site is not:

- Located in a City of Greensboro Historic District or Heritage Community
- Designated as a Guilford County Landmark Property
- Recognized as a State of North Carolina Historic Site
- Listed in the National Register of Historic Places
- Located in a National Register Historic District

**Environmental/Soils**

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

Floodplains >2000LF

Streams Perennial stream is onsite and requires a 50ft stream buffer will be required measured from top of bank on each side.

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)**

Water and sewer are 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 uses: 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 land: Vehicular Use Area buffer yard (see Parking Lots, below).

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

**Transportation**

Street Classification: North Church Street – Major Thoroughfare.  
Wind Road – Local Street.

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

Traffic Counts: North Church Street AADT = 15,000 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 not exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 3 (North Elm Street) is adjacent to subject site, along N Church Street.

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-M (Conditional District – Commercial - Medium)** zoning, as conditioned, would allow land uses that are incompatible with the general character of the area.

#### **GSO 2040 Comprehensive Plan Policies**

The GSO 2040 Future Land Use Map designates this location as **Residential**. The requested **CD-C-M (Conditional District – Commercial - Medium)** zoning district, as conditioned, would allow uses other than those specifically described in the **Residential** future land-use designation. In accordance with the **Residential** future land-use designation, proposed non-residential uses should generally be in the scale of a **Neighborhood Scaled** or **District Scaled Activity Center**. The subject parcel is not located within an activity center. The GSO Future Built Form Map designates the subject site as **Urban General**.

#### **GSO 2040 Written Policies**

**Filling In Our Framework, Goal A** – Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

**Strategy 1** – Encourage higher density, mixed-use, walkable infill development.

**Strategy 2** – Ensure mixed use projects both strengthen and add value to the Community.

**Creating Great Places, Goal A** – Greensboro's citywide network of unique neighborhoods offer residents of all walks of life a variety of quality housing choices.

**Strategy 1** – Protect and enhance the unique character of every neighborhood.

**Becoming Car Optional, Goal A** – Greensboro has unrivaled pedestrian, biking, transit and road networks that provide safe, comfortable, and convenient transportation options.

**Strategy 2** – Encourage new development that is compatible with the intended use of the adjacent roadway.

**Prioritizing Sustainability, Goal A** – Greensboro advances environmental stewardship, taking care of our natural resources and the natural systems that support all living things.

**Strategy 1** – Promote resilient, efficient and environmentally beneficial patterns of land use.

**Prioritizing Sustainability, Goal B** – Greensboro embraces social equity, ensuring all residents benefit from fair and just treatment in the distribution of public services and have a voice in governance.

**Strategy 3** – Promote a just, ethical, and respectful community.

**Prioritizing Sustainability, Goal C** – Greensboro builds economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

**Strategy 2** – Cultivate a diverse range of industry sectors and scales of operation in the local economy to help minimize the impacts of major fluctuations within any single sector.

**Building Community Connections, Goal C** – Greensboro treasures its history, honors its role in the civil rights movement, and celebrates its diversity through engagement and inclusion.

**Strategy 2** – Embrace a broad definition of diversity, protect vulnerable populations, and continue our tradition of being a safe haven for refugees and immigrants.

**Building Community Connections, Goal E** – Everyone does their part to maintain stable, attractive, and healthy places to live and raise families.

**Strategy 1** – Build upon successful community initiatives to improve housing conditions while encouraging community involvement and participation.

**Growing Economic Competitiveness, Goal E** – Greensboro promotes homegrown businesses, supports entrepreneurship, cultivates industry leaders, and welcomes major corporations and institutions.

**Strategy 2** – Provide entrepreneurs at all stages of the business life cycle with connections to education, financing, and other resources and assets that support their growth.

## **GSO 2040 Map Policies**

### **Future Land Use Map**

**Residential:** Includes both single and multi-family residential. Other uses should generally be in the scale of a Neighborhood or a District Scaled Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

**Neighborhood Scaled and District Scaled Activity Centers** should reflect these characteristics:

1. Development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A community-scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.
2. Development adjacent to residential neighborhoods, parks, or other low intensity uses gives consideration to light, traffic, noise, and other potential impacts of the development.
3. Buildings and uses are easy to access on foot or by bike. These Centers include safe paths, bike racks, benches and other amenities for non-motorized travelers.
4. These Centers coordinate adjacent site designs and public improvements to provide comfortable sidewalk space for pedestrian movement, curb "bump-out" extensions, street trees/lighting/furniture, sidewalk cafés, and an active pedestrian-friendly environment.

**Future Built Form Map**

**Urban General** should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

**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 and with representatives of the Spicewood Neighborhood, (the boundaries of which, as identified by said neighborhood, the subject site is located adjacent to).

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).

### Staff Analysis

The 6 acre subject property currently contains a single-family dwelling and vacant land. North of the request are single-family dwellings and a religious assembly use, zoned R-5. East, south, and west of the request are single-family dwellings, zoned R-5.

The Comprehensive Plan's Future Land Use Map currently designates this property as Residential. The Residential designation includes both single and multi-family residential. Other uses should generally be in the scale of a Neighborhood or a District Scaled Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences. The subject parcels are long and narrow making it such that the site cannot be developed in a manner that orients the buildings to the corridor.

The Comprehensive Plan's Future Built Form Map currently designates this property as Urban General. Applicable characteristics of the Urban General classification include, but are not limited to the following:

3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.

The proposed CD-C-M request, as conditioned, does not limit the potential negative impacts of the development on the surrounding neighborhood. The location of this request represents an encroachment into an established lower density residential area. The established pattern of land uses in this area go from the higher intensity commercial corridor focused along Pisgah Church Road and then quickly transitions to low density single-family uses along North Church Street south of Wind Road. The introduction of new commercial zoning at this location would be inconsistent with the established patterns of uses along this segment of North Church Street.

This request is inconsistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO 2040) and is incompatible 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.