



**Z-12-10-003**  
**Planning & Community Development**  
**Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: October 8, 2012**

**GENERAL INFORMATION**

**APPLICANT** George Venters for Gene and Betty Petty

**HEARING TYPE** Rezoning

**REQUEST** **CD-RM-8** (Conditional District-Residential Multi Family) and **R-3** (Residential-Single Family) to **CD-C-M** (Conditional District-Commercial Medium).

**CONDITIONS** 1. Uses: A 6-foot tall opaque fence shall be installed and maintained along the northern property boundary adjacent to the residential use and along the eastern property line adjacent to the existing City park.

**LOCATION** **3411 and 3501 Groometown Road**, generally described as east of Groometown Road and north of Ailanthus Street.

**PARCEL ID NUMBER(S)** **7842471170 and 7842461981**

**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). **41** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~2.42 Acres

**TOPOGRAPHY** Generally flat

**VEGETATION** Residential landscaping

**SITE DATA**

**Existing Use** Single-family dwelling and an undeveloped parcel.

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-RM-5 (Conditional District-Residential Multi Family)	Multi-family dwellings
E	PNR (Parks and Natural Resource Area)	Hester Park

W	R-3 (Residential-Single Family)	Undeveloped
S	R-3 (Residential-Single Family)	Single-family dwelling

**Zoning History**

Case #	Date	Request Summary
2260	04/09/1990	<p>The northern portion of the subject site (currently zoned as CD-RM-8) was rezoned by the Zoning Commission on April 9, 1990 from CD-R-90 (Conditional District-Residential-90) to CD-R-90 (Conditional District-Residential-90) with the following conditions:</p> <ol style="list-style-type: none"> <li>1) Uses: Congregate Care facility and accessory uses.</li> <li>2) Size: Thirty-two (32) units maximum; maximum of one story in height, maximum of twenty (20) parking spaces which shall include , within that number, four (4) spaces for employees.</li> <li>3) Curb Cut: Curb cut shall be limited to one.</li> <li>4) Setback: The setback for buildings and parking shall be forty feet (40') from Groometown Road, with landscaping within the setback.</li> <li>5) Buffer: A ten foot (10') landscaped buffer along the northern property line, using existing trees and shrubs, shall be maintained and supplemented with additional plantings. This buffer is to remain undisturbed except for required utilities. A twenty foot (20 ') landscaped buffer along the eastern and southern property lines shall be maintained using existing trees and shrub: and supplemented with additional plantings. The buffer shall provide a visual screen. All buffers are to remain undisturbed except for required utilities.</li> </ol>

The CD-R-90 (Conditional District-Residential-90) zoning designation was reclassified as CD-RM-8 (Conditional District-Residential Multi Family) upon the adoption of the Unified Development Ordinance (UDO) on July 1, 1992.

2184      06/13/1988    The northern portion of the subject site (currently zoned as CD-RM-8) was rezoned by the Zoning Commission on June 13, 1988 Residential 120-S to CD-R-90 (Conditional District-Residential-90) with the following conditions:

1. Uses: Limited to a day care center and accessory uses.
2. Curb cuts limited to two.
3. Bushes and shrubs will be maintained as a visual buffer to the property owned by R. A. Mundy known as 3501 Groometown Road.
4. Existing trees and shrubs on northern boundary line will be retained.
5. Removal of existing buildings on property
6. Setback for buildings and parking shall be 40 feet from Groometown Road with landscaping within said setback.

The CD-R-90 (Conditional District-Residential-90) zoning designation was reclassified as CD-RM-8 (Conditional District-Residential Multi Family) upon the adoption of the Unified Development Ordinance (UDO) on July 1, 1992.

The southern portion of the subject site (currently zoned as R-3) has been zoned **R-3** (Residential-Single Family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned **RS-12** (Residential-Single Family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CD-RM-8)	Existing (R-3)	Requested (CD-C-M)
Max. Density:	8 dwelling units per acre or less	3 dwelling units per acre or less	N/A
Typical Uses	Primarily intended to accommodate duplexes, twin homes, townhouses, cluster housing, and similar residential uses.	Primarily intended to accommodate low density single-family detached residential development.	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The subject site is located within the Greensboro Urban Loop Scenic Corridor Overlay District 2 (SCOD-2). See the Scenic Corridor Overlay Districts Design Manual for full details.

**Environmental/Soils**

Water Supply - Site drains to South Buffalo Creek Watershed

Floodplains N/A

Streams N/A

Other: Site is within the Twin Lakes subbasin. Detention will be required for any new development of this site. If >1acre is disturbed, site must meet Phase 2 requirements. If Jordan new development rules apply, >0.5 disturbed, site must meet Nitrogen and Phosphorus reduction requirements.

**Utilities (Availability and Capacity)**

Potable Water Water is available and capacity is in line with request

Waste Water Sewer is available and capacity is in line with request

**Airport Overlay District**

The subject property is not located within the Airport Overlay District.

**Landscaping Requirements**

Groometown Rd and Ailanthus St. - Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

North property line - Type B Yard – average width 25’; 3 canopy trees per 100’, 5 understory trees per 100’, 25 shrubs per 100’

East property line – NA

**Parking Lot Landscaping**

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

**Required Landscaping**

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward

satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

<b>Table 10–4: Location of Parking Lot Planting Areas</b>		
<b>Size of Parking Lot Planting Area (sq. ft.)</b>	<b>Number of Trees In Planting Area</b>	<b>Max. Distance from Parking Space (feet)</b>
200-499	1	100 (1)
500-899	3	130
(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance		

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

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 used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements  
Acreage Requirements**

2.24 ac 5% of lot size however there does not appear to be any existing trees on the property.

**Transportation**

Street Classification: Groometown Road – Major Thoroughfare,  
Ailanthus Street – Private Street.

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

Traffic Counts: Groometown Road ADT = 9,497 (GDOT, 2009).

Trip Generation: 24 Hour = 1,516, AM Peak Hour = 123,  
PM Peak Hour = 111.

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 Groometown Road frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: Yes, required per TIS Ordinance. Please see the end of this staff (TIS) report for the Executive Summary of the TIS.

Street Connectivity: N/A.

Other: N/A.

## **IMPACT/POLICY ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-C-M** (Conditional District-Commercial Medium) zoning would allow land uses that are incompatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map (GFLUM) designates this location as **Major Parks / Open Space** and **Low Residential (3-5 d.u./acre)**. As the requested **CD-C-M** (Conditional District-Commercial Medium) zoning district is generally inconsistent with this GFLUM designation, the applicant has concurrently submitted a request to amend the GFLUM designation on the subject site to **Mixed Use Commercial** which, if approved, would resolve this inconsistency.

### **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 4C** - Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

**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 5F** - Implement and improve design standards governing the appearance of development from public roadways.

**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 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**

**Major Parks / Open Space:** This designation applies to existing large scale parks and protected open spaces of citywide significance which are expected to remain as open space in perpetuity.

**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.

**Mixed Use Commercial:** This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

"The change in Land Use Classification is needed to allow mixed use commercial activities on the proposed parcels. The change in Land Use Classification will be of benefit to the surrounding neighborhoods and public park by providing commercial and other services that will be conveniently located in a centralized location to serve those areas that will be compatible with the primary uses that will be utilized on a daily basis."

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

"A petition has been submitted to rezone the parcels from CD-RM-8 to CD-C-M to allow for a mixture of commercial uses on the property. In association with the change in zoning for the parcels, the change in Land Use Classification is necessary to allow the proposed uses within the proposed zoning district. The change in Land Use Classification will provide economic opportunities for the citizens of the area as well as convenient commercial and other services in a centralized location."

**COMPREHENSIVE POLICY PLAN ANALYSIS****Need for Proposed Change**

The proposed GFLUM amendment from **Major Parks / Open Space** and **Low Residential (3-5 d.u./acre)** to Mixed Use Commercial is needed to resolve the inconsistency that would result from the requested change in zoning from **CD-RM-8** and **R-3** to **CD-C-M**.

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

See required Traffic Impact Study.

**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 commented on the associated GFLUM amendment from the existing Low Residential and Major Parks/Open Space to Mixed Use Commercial that is necessitated by this rezoning request at their September 19, 2012 meeting. The Planning Board commented that this proposed change was inappropriate as Mixed-Use Commercial is too broad a category to introduce to a spot that is surrounded by low and moderate density residential. Commercial uses could introduce unwelcome impacts into the area, such as glare from commercial-grade parking lot lights. The Board further stated that this site is too far from the existing area designated as Mixed-Use Commercial to the south for this to be a good transition. The Planning Board suggested that a higher-density residential designation could be more appropriate.

**CONFORMITY WITH OTHER PLANS****City Plans*****Consolidated Plan 2010-2014: Plan for a Resilient Community*****Principle 1) Provide More Transportation Choices:**

**Goal A)** Promote transportation and development patterns and types that contribute to decreased household transportation costs.

**Principle 3) Enhance Economic Competitiveness:**

**Goal F)** Provide opportunities for job training, mentoring, education and job creation.

**Principle 6) Value Communities and Neighborhoods:**

**Goal E)** Work at the neighborhood level to reconnect neighborhoods to jobs and services, promote "Desirable Infill Development" and redevelop major corridors to strengthen adjacent neighborhoods.

**Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:**

**Goal A)** Promote more efficient land development patterns.

**Community Development**

Applicant is strongly encouraged to discuss this proposed rezoning, GFLUM amendment, and development with adjacent property owners and representatives of the nearby Sedgfield and Kings Mill neighborhoods, situated to the west of the subject site.



## **STAFF ANALYSIS AND RECOMMENDATION**

### **Staff Analysis**

The subject site is generally located east of Groometown Road and north of Ailanthus Street. The subject site currently consists of a single-family dwelling, a shed and an undeveloped parcel.

The immediate vicinity is generally developed with varying densities and intensities of residential, recreational and commercial uses. Specifically, to the north are multi-family dwelling units, to the west is an undeveloped parcel, to the east is a recreational facility (Hester Park) and to the south are single-family dwellings. Further south of the single-family dwellings are commercial uses at the intersection of Groometown Road and West Vandalia Road.

Changing this property from its current zoning and future land use designations to allow commercial uses is premature and out of character with the established residential use patterns along this stretch of Groometown Road. The introduction of commercial uses beyond the established commercial node at Groometown and Vandalia/Wayne Roads would “leapfrog” over intervening single family uses north of the existing commercial shopping center. This is inconsistent with the adopted policies of the Comprehensive Plan and the Land Development Ordinance that orderly transitions in land use. Staff would also note that a section of the Urban Loop is located in close proximity to the subject site, there is no access to the loop at this location.

While the Comprehensive Plan calls for the need 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 speaks to the need to implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood’s livability, architectural or historical character, and reinvestment potential, including protection against incompatible commercial encroachments into residential neighborhoods.

This request, as proposed and conditioned, is inconsistent with the intent and purpose of the Zoning Code and the Comprehensive Plan (Connections 2025). It is also not compatible with the existing development patterns in the surrounding area and could bring significant negative impacts to the surrounding residential uses.

### **Staff Recommendation**

Staff recommends **denial** of the requested **CD-C-M** (Conditional District-Commercial Medium).

**ADDITIONAL INFORMATION****Dollar General Site – Transportation Impact Study**

Prepared for Gladon forest Equity, LLC

August 30, 2012

**EXECUTIVE SUMMARY**

This report summarizes the findings of the Transportation Impact Study (TIS) that was prepared as part of the rezoning request for a proposed site that is located at the intersection of Groometown Road and Ailanthus Street in Greensboro, North Carolina. The scope of the TIS was determined through coordination with the Greensboro Department of Transportation (GDOT).

The conceptual plan indicates that the site will initially consist of a 9,026 square foot Dollar General store, which is anticipated to be built out by the year 2013. However, the site is large enough to accommodate an additional land use adjacent to the Dollar General. While the potential land use and construction is currently unknown, a conservative approach was taken [per GDOT's direction] for the purpose of the rezoning request and this analysis assumed a 3,500 square foot fast-food restaurant with drive-through window.

Access to the site is proposed via a full access on Groometown Road [located approximately 230 feet north of Ailanthus Street] and a full access on Ailanthus Street [located approximately 260 feet east of Groometown Road]. The approximate distances are measured from center to center.

The following table summarizes the trip generation for the proposed development.

ITE Land Use (Code)	Independent Variable	Average Daily Traffic (vpd)	AM Peak Hour (vph)		PM Peak Hour (vph)	
			Enter	Exit	Enter	Exit
Shopping Center (820)	9,026 s.f.	388	6	4	17	17
Fast-Food Restaurant with Drive-Through Window (934)	3,500 s.f.	1,736	88	85	62	57
Pass-By Trips (Fast-Food only, 35%)		608	30	30	21	21
<b>Primary (New) Trips</b>		<b>1,516</b>	<b>64</b>	<b>59</b>	<b>58</b>	<b>53</b>

It is estimated that the proposed Dollar General store will generate a total of 388 trips (in and out) during a typical weekday, while the fast-food restaurant with drive-through window will generate an additional 1,736 total trips (in and out). However, not all of the trips generated by the fast-food restaurant will impact the transportation network. A portion of these trips will be attracted from adjacent facilities and are referred to as pass-by trips. On an average weekday, it is estimated that the Dollar General store will generate 10 trips (6 entering and 4

exiting) during the AM peak hour and 34 trips (17 entering and 17 exiting) during the PM peak hour. The fast-food restaurant will generate an additional 173 trips (88 entering and 85 exiting) during the AM peak hour and 119 trips (62 entering and 57 exiting) during the PM peak hour. With adjustments made to account for pass-by trips, the fast-food restaurant is anticipated to generate an additional 113 new trips (58 entering and 55 exiting) during the AM peak hour and 77 new trips (41 entering and 36 exiting) during the PM peak hour.

The purpose of this study is to determine the potential impact to the transportation system caused by the additional traffic generated by the development of the proposed site under the requested Commercial-Medium (C-M) zoning. In order to accomplish this objective; this study analyzed the weekday AM and PM peak hours for the existing (2012) traffic conditions, future (2014) 'no build' traffic conditions without the development of the site, and future (2014) 'build' traffic conditions with the site developed.

#### Existing Traffic Conditions

Under existing traffic conditions, the southbound left turn movement from Groometown Road onto Ailanthus Street experiences minor delays and operates at LOS A during the AM and PM peak hours. The stop-controlled westbound approach of Ailanthus Street experiences moderate overall delays and operates at LOS B.

#### Future 'No Build' Traffic Conditions

Under background traffic conditions, the southbound left turn movement from Groometown Road onto Ailanthus Street is expected to experience minor delays and operate at LOS A during the AM and PM peak hours. The stop-controlled westbound approach of Ailanthus Street is expected to experience moderate overall delays and operate at LOS B.

#### Future 'Build' Traffic Conditions

Under combined traffic conditions, the southbound left turn movement from Groometown Road onto Ailanthus Street is expected to experience minor delays and operate at LOS A during the AM and PM peak hours. The stop-controlled westbound approach of Ailanthus Street is expected to experience moderate overall delays and operate at LOS B.

Based on a review of the Right and Left Turn Lane Warrants contained in the City of Greensboro Department of Transportation's Driveway Manual, it was determined that auxiliary turn lanes were not needed at the site accesses. However, the existing center turn lane on Groometown Road at Site Access#1 will accommodate left turn movements into the site.

The southbound left turn movement from Groometown Road into Site Access#1 is expected to experience minor delays and operate at LOS A during the AM and PM peak hours. The stop-controlled westbound approach of Site Access#1 is expected to experience moderate overall delays and operate at LOS B.

As for Site Access#2, the left turn movement into Site Access #2 from Ailanthus Street is expected to experience minor delays and operate at LOS A during the AM and PM peak hours. The stop-controlled southbound approach of Site Access #2 is expected to experience minor overall delays and operate at LOS A.

Based on the findings of this study, the following proposed improvements are sufficient to accommodate the anticipated traffic volumes generated by the proposed site without any additional geometric improvements.

Site Access #1 on Groometown Road

- The northbound approach of Groometown Road is proposed to consist of a through lane and a shared through-right lane.
- Sufficient left turn storage should be provided by the existing center turn lane on the southbound approach of Groometown Road.
- The westbound approach of Site Access#1 is proposed to consist of two lanes, an exclusive left turn lane and an exclusive right turn lane.
- Based on field observations, it appears that sufficient sight distance is available at the proposed location.

Site Access #2 on Ailanthus Street

- The eastbound approach of Ailanthus Street is proposed to consist of a shared left-through lane.
- The westbound approach of Ailanthus Street is proposed to consist of a shared through-right lane.
- A one-lane approach consisting of a shared left-right lane should be sufficient for the southbound approach of Site Access #2.