



**Z-13-05-003**  
**Planning & Community Development**  
**Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: May 13, 2013**

**GENERAL INFORMATION**

**APPLICANT** Felix Semper

**HEARING TYPE** Rezoning

**REQUEST** **RM-12** (Residential Multi-family) **to CD-C-L**  
(Conditional District-Commercial Low)

**CONDITIONS** 1. Uses: All uses in the C-L district **except** any use which contains a drive-through; bars, nightclubs, and brewpubs and recycling collection points.

**LOCATION** 3509 Old Battleground Road, west of Old Battleground Road, north of Westridge Road and south of British Lake Drive

**PARCEL ID NUMBER(S)** **7856054537**

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

**TRACT SIZE** ~0.86 Acres

**TOPOGRAPHY** Generally flat

**VEGETATION** Residential landscaping

**SITE DATA**  
**Existing Use** Single-family dwelling

|   | <b>Adjacent Zoning</b> | <b>Adjacent Land Uses</b> |
|---|------------------------|---------------------------|
| N | RM-12 (Multi-family)   | Multi-family Apartments   |
| E | LI (Light Industrial)  | Industrial                |
| W | RM-12 (Multi-family)   | Multi-family Apartments   |
| S | RM-12 (Multi-family)   | Multi-family Apartments   |

**Zoning History**

Case #            Date

Request Summary

This property has been zoned RM-12 (Residential multi-family) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned RM-12 (Residential multi-family).

**ZONING DISTRICT STANDARDS**

**District Summary \***

|                 |  |  |
|-----------------|--|--|
| Zoning District | Existing<br><b>(RM-12)</b>   | Requested<br><b>(CD-C-L)</b>   |
| Designation:    |  |  |
| Max. Density:   | 12.0 units per acre or less  | N/A  |
| Typical Uses    | Primarily intended to accommodate multi-family and other residential uses at a density of 12.0 units per acre or less. | Primarily intended to accommodate low intensity shopping and services close to residential areas. The district is established to provide locations for businesses which serve nearby neighborhoods and is typically located near the intersection of collectors or thoroughfares in areas which are otherwise developed with residences. |

*\*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**

n/a

**Environmental/Soils**

Water Supply - N/A, site drains to Greensboro Watersupply Watershed, Horsepen Watershed Creek

Floodplains N/A

Streams N/A

Other: Site must meet current watershed requirements. Built Upon Area (BUA) must be treated by a State approved water quality device. Water quality and water quantity must be addressed.

**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**

On lots of record that existed prior to July 1, 1992 that are less than 55,000 square feet in area, no development is required to landscape more than 15% of the site. Note that the requirements listed below will have to be reduced per the provision listed above.

Old Battleground Rd. - 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 – Type B Yard – average width 25'; 3 canopy trees per 100', 5 understory trees per 100', 25 shrubs per 100'.

West Property Line - Type B Yard – average width 25'; 3 canopy trees per 100', 5 understory trees per 100', 25 shrubs per 100'.

**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 – Applicable at time of Development  
Acreage Requirements**

.86 ac      1% of lot size

**Transportation**

Street Classification: Old Battleground Road – Collector Street.  
Westridge Road – Collector Street.  
British Lake Drive – Collector Street.

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

Traffic Counts: Old Battleground Road ADT – 8,550 (GDOT, 2007)

|                             |   |
|-----------------------------|---|
| 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 8 (Battleground Avenue) is adjacent to subject site, along Old Battleground Road.  |
| 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-L (Conditional District-Commercial Low)** zoning 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 (GFLUM) designates this location as **Mixed Use Commercial**. The requested **CD-C-L (Conditional District – Commercial Low)** zoning district is generally consistent with this GFLUM designation.

### **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 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.

### **Connections 2025 Map Policies**

**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.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Consolidated Plan 2010-2014: Plan for a Resilient Community***

**Principle 1)** Provide More Transportation Choices:

**Goal B)** Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

**Principle 3)** Enhance Economic Competitiveness:

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

**Principle 4)** Support Existing Communities:

**Goal F) Promote** neighborhood and economic development by fulfilling target area commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

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

**Goal C)** Promote Healthy Lifestyles and Complete, Livable 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 and change of use with owners of adjacent properties.

The proximity of the subject site to the Atlantic & Yadkin Greenway creates an excellent opportunity to enhance the long-term viability of the proposed new use through providing convenient, secure bicycle parking on the site.

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Staff Analysis**

The 0.86-acre subject property currently contains a vacant house that the applicant intends to convert to a personal service (hair salon) use. The properties to the south, west and north of the subject property are zoned RM-12 (multi-family dwellings) and the property to the east is zoned LI (warehouse/distribution for Southern Foods) The immediate area is developed with varying densities and intensities of industrial, commercial, office and residential and uses.

The proposed request is consistent with the Mixed Use Commercial GFLUM designation for this site and provides a supportive service for nearby residential development. The request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods. As conditioned, the request also limits potential negative impacts on surrounding properties through the proposed use restrictions. Approving this request will help encourage "home-grown" and community-based businesses and entrepreneurs and promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship and for-profit and non-profit economic development for all segments of the community.

Staff finds this rezoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area.

### **Staff Recommendation**

Staff recommends **approval** of the requested **CD-C-L** (Conditional District-Commercial Low) zoning district.