



Z-13-06-005

**Planning & Community Development  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: June 10, 2013**

**GENERAL INFORMATION**

**APPLICANT** Martin and Martha Wyeth

**HEARING TYPE** Rezoning

**REQUEST** C-M (Commercial-Medium) to CB (Central Business).

**CONDITIONS** N/A

**LOCATION** **510 Battleground Avenue**, generally described as the east side of North Eugene Street and Battleground Avenue and north of West Smith Street.

**PARCEL ID NUMBER(S)** **7864585562**

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

**TRACT SIZE** ~0.107 Acres

**TOPOGRAPHY** Generally flat

**VEGETATION** None

**SITE DATA**

<b>Existing Use</b>	Single-family dwelling
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N CB (Central Business)	Grocery Store
E CB (Central Business)	Auto Repair
W CB (Central Business)	Multi-family dwellings
S C-M (Commercial Medium)	Vacant –(former City/County fuel station)

**Zoning History**

Case #	Date	Request Summary
		This property has been zoned C-M (Commercial-Medium) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was Zoned GB (General Business).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(C-M)</b>	Requested <b>(CB)</b>
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retails, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to for application In the central core of the city. The district is established to encourage high intensity, compact urban development. The intent is to accommodate a wide range of uses including office, retail, service, institutional, and high density residential developments in pedestrian-oriented mixed-use settings (often, multiple uses may be located in the same building.)

*\*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 boundary of the North Elm Street Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs.

The subject site is also located within the boundary of the Downtown Design Overlay Zone. Consult the Downtown Design Manual - Process/Guidelines and Appendices for detailed descriptions of applicable design standards.

**Environmental/Soils**

Water Supply Watershed Site drains to North Buffalo Creek sub-basin

Floodplains >2000ft

Streams N/A

Other: If >1ac is disturbed, site must comply with current Phase 2 requirements. Water quality and water quantity must be addressed.

**Utilities**

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 Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

Not applicable – Central Business exemption, however, the Downtown Design Guidelines apply.

**Tree Preservation Requirements**

<b>Acreage</b>	<b>Requirements</b>
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.107ac. Not applicable – Central Business exemption.

**Transportation**

Street Classification: Battleground Avenue – Major Thoroughfare.  
Eugene Street – Major Thoroughfare.  
Smith Street – Major Thoroughfare.

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

Traffic Counts: Battleground Avenue ADT – 728 (GDOT, 2007).  
North Eugene Street ADT – 8,419 (GDOT, 2012).  
West Smith Street ADT – 12,723 (GDOT, 2012).

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:	Yes, GTA Route 3 (North Elm Street) is within 0.03 mi of the subject site, along West Smith Street and GTA Route 17 (Lawndale Drive) is adjacent to subject site, along North Eugene Street.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	Battleground Avenue right of way between North Eugene Street and West Smith Street has been closed.  Phase 3a of the Downtown Greenway will run along the North Eugene Street frontage of this property. Construction scheduled to begin in March of 2014.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CB (Central Business)** 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 Central Business District**. The requested **CB (Central Business)** zoning district is generally consistent with this GFLUM designation. The Growth Strategy Map designates the subject site as being within the Downtown Activity Center.

### **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.

**Land Use Goal 4.2 – Downtown:** : Promote reinvestment, preservation, diversification, and selective intensification of activity in Downtown Greensboro, to reinforce its importance as the economic, cultural and civic center of the City while protecting its heritage and historic resources and enhancing its urban character.

**Policy 4E:** Promote diversification and intensification of Downtown Greensboro.

**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**

**Mixed Use Central Business District:** This designation applies only in and around Downtown Greensboro. It emphasizes the urban character and the mix and intensity of activities uniquely suited to the central city. This designation is intended to permit a true mix of all uses, except heavy industrial, at the highest levels of scale and density within the City and with unique development standards tailored to the urban character of Downtown. It is particularly important to move the Downtown towards becoming a center of activity not only in the day, but also at night and during weekends, by promoting a mix of commercial, entertainment, residential, and other uses (see policies and narrative in Section 4.5.2). To help achieve this goal, creative forms of housing, such as lofts within restored historic structures and residential units in the often unoccupied second stories above ground-level retail, should be encouraged.

**Activity Center:** Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

### **CONFORMITY WITH OTHER PLANS**

#### **City Plans**

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

**Principle 1 – Provide More Transportation Options:**

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

**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 6 – Value Communities and Neighborhoods:**

**Goal A:** Promote coordinated transportation and land use decisions for broader livability throughout Greensboro.

**Goal B:** Facilitate economic development and neighborhood vitality in targeted neighborhoods.

**Principle 7 – Recognize the Environment as a Critical Element of Community**

**Sustainability:**

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

**Other Plans – N/A**

n/a

**STAFF/AGENCY COMMENTS**

**Community Development**

Applicant is strongly encouraged to discuss the requested rezoning and proposed development with owners of surrounding properties and with representatives of the Greensboro Downtown Residents' Association.

The subject site is located within the Downtown Reinvestment Area, as designated in the Connections 2025 Comprehensive Plan, and accordingly may be eligible for local economic development assistance pursuant to the City of Greensboro Urban Development Investment Guidelines.

**Planning**

The 0.107 acre parcel is currently developed as a single-family dwelling. The subject site is adjoined to the north, east and west by the CB (Central Business) zoning district. The property to the south is zoned C-M (Commercial Medium). The immediate area is developed with varying densities and intensities of commercial, office, residential and recreational uses. Specifically, to the north is a recently constructed grocery store, to the east is an auto repair service, to the west are multi-family dwellings, and the property located to the south is vacant.

The applicant intends to rezone the property to the CB (Central Business) to allow the redevelopment of the site for a possible infill project consistent the higher density and intensity associated with the CB (Central Business) zoning district. Per the submitted application, the applicant intends to combine the adjacent vacant lot to the south with this lot for future development purposes if the rezoning is approved.

Approving this request, will help encourage the urban character of downtown and community-based businesses and entrepreneurs. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while, at the same

time, promoting sound investment in Greensboro's urban areas.

Staff believes this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CB** (Central Business) zoning district.