



**Z-13-08-003**

**Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: September 9, 2013**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Nile Holdings, LLC for Cooper-Thomas Enterprises Inc.
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>R-3</b> (Residential Single-family )and <b>C-M</b> (Commercial-Medium) to <b>CD-C-M</b> (Conditional District- Commercial-Medium)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses: All uses allowed in the C-M zoning district <b>except</b> bars, nightclubs, and brewpubs; convenience stores with fuel pumps; any use which contains a drive-through facility; ABC stores; pawnshops; and sexually oriented businesses.</li><li>2. The gross building area is limited to a maximum of 20,000 square feet.</li></ol>
<b>LOCATION</b>	<b>3005 Sourwood Road and 3111 Battleground Avenue</b> , generally described as west of Battleground Avenue and south of Sourwood Road.
<b>PARCEL ID NUMBER(S)</b>	<b>7856223330 and 7856224329</b>
<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>44</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.83 Acres
<b>TOPOGRAPHY</b>	Slopes to the west
<b>VEGETATION</b>	None/ Residential
<b><u>SITE DATA</u></b>	
<b>Existing Use</b>	Commercial discount medical facility/ single family dwelling

**Adjacent Zoning**

N C-M (Commercial –Medium)  
 E C-M (Commercial-Medium)  
 W R-3 (Residential Single Family)  
 S CD-C-H (Conditional District  
 Commercial-High)

**Adjacent Land Uses**

Retail Services  
 Retail Services  
 Single family dwelling  
 Lowe’s Home Improvement

**Zoning History**

Case #	Date	Request Summary
		The property addressed 3111 Battleground Avenue has been zoned <b>C-M</b> (Commercial-Medium) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO) it was zoned <b>GB</b> (General Business).
		The property addressed 3005 Sourwood Road has been zoned <b>R-3</b> (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 <b>(R-3)</b>	Existing <b>(C-M)</b>	Requested <b>(CD-C-M)</b>
Max. Density:	Maximum density of 3.00 units per acre or less.	N/A	N/A
Typical 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.	Primarily intended to accommodate a wide range of retail, service, and office uses. Uses will be limited to all uses allowed in the C-M zoning district <b>except</b> bars, nightclubs, and brewpubs; convenience stores with fuel pumps; any use which contains a drive-through facility; ABC stores; pawnshops; and sexually oriented businesses and gross building area is limited to a maximum of 20,000 square feet.

*\*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 Watershed If site drains to the South & West, it drains to S. Buffalo Creek. If site drains to the North & East, it drains to the Greensboro Watersupply Watershed, WS III, Lake Jeanette

Floodplains N/A

Streams N/A.

Other: If >1ac is disturbed and draining to the South & West, site must meet Phase 2 requirements. If site is draining to the North & East, site must meet current watershed requirements.

#### **Utilities**

Potable Water Water and sewer are available and capacity is in line with request.

Waste Water

#### **Airport Noise Cone**

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

#### **Landscaping Requirements**

Battleground Ave. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

Sourwood Dr. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

South Property Line – NA

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:

Table 10-4: Location of Parking Lot Planting Areas		
Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
200-499	1	100(1)
500-899	3	130
(1) Canopy Trees installed as part of 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
.83 ac.	1% of lot size

**Transportation**

Street Classification: Battleground Avenue – Major Thoroughfare.  
Sourwood Road – Local Street.

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

Traffic Counts:	Battleground Avenue ADT – 48,951 (GDOT, 2011).
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 Battleground Avenue frontage of this property.
Transit in Vicinity:	Yes, GTA Route 8 (Battleground Avenue) adjacent to subject site, along Battleground Avenue.
Traffic Impact Study (TIS):	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-C-M (Conditional District-Commercial, Moderate)** 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 designates this location as **Mixed Use Commercial**. The requested **CD-C-M (Conditional District-Commercial, Moderate)** 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.

**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 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 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**

n/a

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

n/a

**COMPREHENSIVE POLICY PLAN ANALYSIS**

**Need for Proposed Change**

n/a

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

n/a

**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**

n/a

**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 2 – Promote Equitable, Affordable Housing:**

**Goal A:** Increase opportunities for choices in housing location, unit type and level of accessibility.

**Goal B:** Increase housing affordability through a combination of housing assistance and reduction in overall housing related costs through efficiency factors such as: proximity to jobs, transportation, or services; energy efficiency and resource conservation standards; or reduction in housing access barriers.

**Goal C:** Improve the resource-efficiency of both new construction and existing housing stock.

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

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

**Goal C:** Promote Healthy Lifestyles and Complete, Livable 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

**STAFF/AGENCY COMMENTS**

**Community Development**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of adjacent properties and with representatives of the Westwood neighborhood, within which the subject site is located. Considering the proximity of this site to the existing Atlantic & Yadkin Greenway, long-term transportation access and mobility for users of this proposed development would be greatly enhanced by provision of secure, accessible on-site bicycle parking facilities.

**Planning**

The applicant's request to rezone 0.83 acres in this location for commercial redevelopment was reviewed by staff and evaluated on both immediate and longer term development impacts. The subject properties are currently zoned C-M which permits a wide range of retail, service, and office uses and R-3, primarily developed residentially. Due to the location of the subject property at the entrance of an existing residential neighborhood, the applicant is conditioning the CD-C-M district to prohibit uses that are associated with higher traffic volumes and require more significant review, including bars, nightclubs, and brewpubs; convenience stores with fuel pumps; any use which contains a drive-through facility; ABC stores; pawnshops; and sexually oriented businesses. The applicant has also agreed to limit the gross building footprint to a maximum of 20,000 square feet. The proposed development on this site will be compatible with existing development along Battleground Avenue road frontage and will have minimal impact and may provide additional services to the adjacent single family residential properties to the west.

The subject property is classified as Mixed use Commercial according to the Generalized Future Land Use Map (GFLUM). 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.

This rezoning request is consistent with this future land use map designation and if approved will be consistent with the Comprehensive Plan's Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas. It will also promote the Economic Development Goal to promote a healthy, diversified economy.

### **STAFF RECOMMENDATION**

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