



Z-13-10-001

Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: October 14, 2013

GENERAL INFORMATION

APPLICANT Southstar Holdings-New Bern, LLC and SBBH Investments, LLC

HEARING TYPE Rezoning

REQUEST **C-L**(Commercial-Low) and **R-3** (Residential-Single-Family) to **CD-C-M** (Conditional District-Commercial-Medium)

CONDITIONS

1. Uses: All uses allowed in the C-M zoning district **except** pawnshops, flea markets, sexually oriented businesses, billboards, and vehicle sales and service.

LOCATION **5727 High Point Road**, generally described as south of Suttonwood Drive, west of Richmond Road, and east of High Point Road.

PARCEL ID NUMBER(S) **7832459228**

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 ~2.01 Acres

TOPOGRAPHY Generally flat

VEGETATION Commercial plantings installed

SITE DATA

Existing Use Commercial-Retail sales and service with drive-through facilities

| | Adjacent Zoning | Adjacent Land Uses |
|---|---|---------------------------|
| N | C-H (Commercial-High) | Retail shopping center |
| E | CD-O (Conditional District-Office) | Miscellaneous office uses |
| W | CD-C-M (Conditional District-Commercial-Medium) | Vacant |
| S | CD-R-3 (Conditional District-Residential Single-family) | Single family dwellings |

Zoning History

| Case # | Date | Request Summary |
|--------|------|---|
| | | The property addressed 5727 High Point Road has been zoned C-L (Commercial-Low) and R-3 (Residential Single-Family) since July 1, 2010. Prior to implementation of the Land Development Ordinance (LDO) it was zoned LB (Limited Business) and RS-20 (Residential Single-Family). |

ZONING DISTRICT STANDARDS

District Summary *

| Zoning District Designation: | Existing (C-L) | Existing (R-3) | Requested (CD-C-M) |
|------------------------------|--|---|---|
| Max. Density: | N/A | 3.0 units per acre or less. | N/A |
| Typical Uses | Primarily intended to accommodate low density shopping and services close to residential areas. The district is established provide locations for businesses which serve nearby neighborhoods. | Primarily intended to accommodate low-density single-family detached residential development. | 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 except pawnshops, flea markets, sexually oriented businesses, billboards, and vehicle sales and service. |

**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 Site drains to Lower Randleman Watersupply Watershed, WS IV, Hickory Watershed Creek

Floodplains N/A

Streams N/A

Other: Any new Built Upon Area (BUA) must be treated by a State approved water quality BMP or confirm that existing BMP is designed to handle additional BUA for treatment. Existing BMP must be recertified if site plan is submitted. Maximum High Density development is 50%.

Utilities

Potable Water Available with capacity in line with request

Waste Water Available with capacity in line with request

Airport Noise Cone

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

Landscaping Requirements – Final Landscape requirements will be established in the Unified Development Plan submitted to the Planning Board

Suttonwood Dr. and High Point Rd. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

North Property Line - NA

East 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

2.01 Ac. 5% of lot size

Transportation

Street Classification: High Point Road – Major Thoroughfare.
Suttonwood Drive – Collector Street.

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

Traffic Counts: High Point Road ADT = 17,000 (NCDOT, 2011).

| | |
|-----------------------------|---|
| Trip Generation: | 24 Hour = 2,177, AM Peak Hour = 199, PM Peak Hour = 73. |
| 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: | No. |
| Traffic Impact Study (TIS): | Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the TIS. |
| Street Connectivity: | N/A. |
| Other: | Site is within the limits of the NCDOT's High Point Road project that is currently under construction and scheduled to be completed by summer of 2016. |

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-C-M (Conditional District – Commercial Medium)** 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 Medium)** zoning district is generally consistent with this GFLUM designation. The Growth Strategy Map designates the subject site as being within the High Point Rd / Mackay Rd 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 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

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.

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.

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 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.

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 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 Sedgefield neighborhood, within

which the subject site is located, and the Adams Farm neighborhood, which is adjacent to the western property boundary of subject site. Long-term land use and transportation functionality would be greatly enhanced by provision of secure, accessible bicycle parking facilities on this site.

Planning

The applicant's request to rezone 2.01 acres in this location for higher intensity uses was reviewed by staff and evaluated on both immediate and longer term development impacts. The subject property is currently split zoned. The majority of the property is zoned C-L which is intended to accommodate low intensity shopping and services close to residential areas. The northeast portion of the subject property is zoned R-3 which is intended to accommodate low density single-family detached residential development. Areas to the north and west of the subject site are zoned various commercial districts (C-H and CD-C-M), to the east is zoned office (CD-O) and south is zoned single family (CD-R-3).

The C-M, Commercial-Medium district is primarily intended to accommodate a wide range of retail, service, and office uses. The proposed request, as conditioned, excludes pawnshops, flea markets, sexually oriented businesses, billboards, and vehicles sales and service uses, and will complement adjacent commercial, office, and residential uses.

The subject site is located within close proximity to an existing commercial node and adjacent residents would benefit from the immediate proximity of additional retail, service and office uses. The GFLUM designation of the subject property is Mixed Use Commercial which promotes a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. The proposed CD-C-M zoning district is complimentary to the higher intensity commercial development located to the north and west of the subject property and provides additional services to the residents located south of the site.

This rezoning request is consistent with the future land use map designation and if approved, as conditioned, will help 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.

ADDITIONAL INFORMATION***Traffic Impact Study******Executive Summary***

The purpose of this Traffic Impact Analysis (TIA) is to review vehicular traffic impacts as a result of the proposed changes to the current High Point Road development. The objectives of the study are:

- To estimate trip generation and distribution for the proposed development.
- To perform capacity analyses for the identified study area.
- To determine the potential traffic impacts of the proposed development.
- To develop recommendations for needed roadway and operational improvements to accommodate the proposed development's traffic impacts.

The proposed High Point Road development is located in Greensboro, North Carolina along High Point Road in the southwest quadrant of the intersection with Mackay Road.

Currently, two (2) acre the site is zoned LDO C-L & LDO R-3 and is built-out with a 14,560 sf Pharmacy.

The existing Pharmacy takes access at three locations; one full movement driveway on Suttonwood Drive and two full movement driveways on the fourth leg of the intersection of Mackay Road and High Point Road.

Under proposed zoning of CM, the site will consist of a 4,388 square foot fast food restaurant with a drive-thru.

Access to the site is proposed via two full movement driveways; one on Suttonwood Drive and one on the fourth leg of the Mackay Road/High Point Road intersection. Both driveway locations are in the same location as the current Pharmacy. The proposed development is expected to be built-out (completed) by 2015.

Under TIP project U-2412B, the North Carolina Department of Transportation (NCDOT) plans to widen High Point Road across the frontage of this site to six general purpose lanes and a raised landscaped median. Additional auxiliary turn lanes (left and right) will be installed at the intersection of High Point Road and Mackay Road. In addition, the intersection of Suttonwood Drive will be converted from a full movement intersection to right-in/right-out. The current TIP lists project U-2412B currently under construction with completion in 2015. Figure 2.4 illustrates the proposed laneage under U-2412B.

At the direction of the NCDOT Congestion Management Unit, the 2030 horizon year has been analyzed since the project is adjacent to an active TIP project (U-0209B).

Kimley-Horn and Associates, Inc. was retained to determine the potential traffic impacts of this development (in accordance with the traffic study guidelines in the NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and the NCDOT Congestion Management Capacity Analysis Guidelines) and to identify transportation improvements that may be required to accommodate future traffic conditions. This report presents trip generation, distribution, capacity analyses, and recommendations for transportation improvements required to meet anticipated traffic demands.

Recommendations for improvements to intersection lane geometry for intersections in the study area for this Traffic Impact Analysis are summarized in the following listing. Final storage lengths for auxiliary turn lane improvements are to be determined based on NCDOT coordination.

Committed Traffic Improvements under TIP Project U-0209B:

High Point Road at Mackay Road:

- Construction of two additional through lanes eastbound on High Point Road
- Construction of two additional through lanes westbound on High Point Road
- Construction of an additional eastbound left-turn lane on High Point Road onto Mackay Road
- Construction of an additional southbound left-turn lane on Mackay Road onto High Point Road

High Point Road at Suttonwood Drive:

- Construction of two additional through lanes eastbound on High Point Road
- Construction of two additional through lanes westbound on High Point Road
- Construction of an eastbound right-turn lane

2013 background laneage reflecting the proposed roadway improvements under TIP U-2412B is depicted in *Figure 2.4*.

The results of the capacity analysis indicate that the proposed site as represented in this traffic study will have a negligible impact on the adjacent street network. Consideration for variations in travel patterns associated with the construction of U-2412B and variations in the forecast developed for U-2412B in addition to the conservation nature of this analysis should be given when evaluating this project.