



# Z-15-03-005

## City of Greensboro Planning Department Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: March 9, 2015

### GENERAL INFORMATION

<b>APPLICANT</b>	Sasser Companies, Inc.
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	<b>Request from CD-C-M (Conditional District-Commercial-Medium) to CD-C-M (Conditional District-Commercial-Medium)</b>
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Uses shall be limited to all indoor and outdoor recreation except clubs, lodges; shooting ranges; bingo halls; billiard parlors; water parks; fairgrounds; commercial amphitheatres; riding stables; and skateboard and BMX bike parks.</li><li>2. Indoor recreation will be limited to a maximum of 22,000 square feet.</li><li>3. All outdoor recreation and accessory uses shall be contained completely within an enclosed fenced area.</li></ol>
<b>LOCATION</b>	<b>4315 Big Tree Way</b>
<b>PARCEL ID NUMBER(S)</b>	<b>7834610371</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>85</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~8.32 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Commercial

### SITE DATA

<b>Existing Use</b>	Indoor and Outdoor Recreation Facility
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N RM-12 (Residential Multifamily)	Public park and multifamily dwellings

E	O (Office)	Hotel
W	CD-C-M (Conditional District-Commercial-Medium)	Hotel
S	C-M (Commercial-Medium)	Interstate 40

**Zoning History**

Case #	Date	Request Summary
2290	7/1/1992	<p>Request from Conditional Use-Institutional 100 to Conditional Use-Commercial N with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Uses shall be limited to a family entertainment and amusement facility consisting of an arcade/restaurant building containing no more than fifteen thousand (15,000) square feet, miniature golf courses, pool with boating activities, tracks for miniature motorized vehicles, batting cage and accessory uses contained within a completely enclosed fenced area.</li> <li>2. One curb cut on Big Tree Way located no further than one hundred (100) feet from the northwest corner of the property.</li> <li>3. A landscaped embankment shall be maintained along the entire frontage on Big Tree Way exclusive of the driveway opening. The minimum height of such embankment shall be ten (10) feet as measured from Big Tree Way with a solid wood decorative fence, a minimum of six (6) feet in height, along the top of the embankment. This embankment shall be planted with trees and shrubs of the following types and in the following numbers:</li> <li>4. A landscaped area, a minimum of ten (10) feet in width, shall be maintained along the property line abutting the I-40 right-of-way and shall contain plantings of the following types:               <ol style="list-style-type: none"> <li>a. 60 Dwarf Crepe Myrtle</li> <li>b. 126 Juniper</li> <li>c. 100 Daylilies and other suitable ground cover</li> </ol> </li> <li>5. Parking shall be located on the portion of the parcel running parallel to Big tree Way and extending to the existing creek. The parking will start approximately twenty (20) feet off of the right-of-way at Big Tree Way and extend approximately one hundred twenty (120) feet to the southwest.</li> <li>6. Tracks for miniature cars shall be located in the southwest and west portion of the property, bounded on the north by the parking lot, on the south by I-40 right-of-way, on the west by the remaining acreage zoned Institutional 100 and on the east by the pedestrian walkway surrounding the arcade building. No portion of the tracks shall be closer than one hundred fifty (150) feet to the northeast property line.</li> <li>7. Engines in miniature cars shall be muffled in a manner similar to that utilized for gasoline powered golf carts.</li> <li>8. All lighting shall be directed away from Big Tree Way.</li> <li>9. Normal hours of operation shall be no later than 12:00 midnight.</li> <li>10. No billboards shall be located on the property.</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-C-M)</b>	Requested <b>(CD-C-M)</b>
Max. Density:	N/A	N/A
Typical Uses	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.

*\*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 - Site drains to South Buffalo Creek**

Water Supply Watershed Site drains to South Buffalo Creek, non-watersupply watershed

Floodplains Onsite, any disturbance within the FEMA 1% Special Flood Hazard Area requires a Floodplain Development Permit.

Streams 50ft stream buffer required for Intermittent & Perennial streams

Other: If >1acre is disturbed and Built Upon Area is increased, site must meet current Phase 2 requirements. Water Quality and water quantity must be addressed. Site is located within the 5 mile statue radius of the PTI Airport. No BMP's are allowed that hold a normal pool elevation unless engineer proves no other device will function properly.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Noise Cone**

n/a

**Landscaping & Tree Preservation Requirements**

The conditions listed in the previous request summary above must be met. In the event of expansion or redevelopment, landscape buffers would be required:

10' wide street buffer yard on Big Tree Way with 2 canopy trees and 17 shrubs per 100 linear feet.

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.

Type A buffer yard along property lines that are adjacent to multi-family dwellings.

Parking lot trees for required parking spaces, 1 canopy tree per 12 spaces. For expansion/redevelopment that disturbs greater than 3,000 sq. ft., tree conservation would be required at a rate of 5% of disturbed area

Table 10-3: Planting Yard Dimensions and Landscaping						
Planting Yard Type	Average Width (feet)	Minimum Width (feet)	Maximum Width (feet)	Canopy Trees (per 100 linear feet)	Understory Trees (per 100 linear feet)	
(1) Type A planting yards require at least one row of evergreen shrubs or understory trees.						
(2) feet on center						
(3) feet on center						
(4) feet on center						
A (1)	45	35	70	4 (2)	10 (3)	33 (4)

**Transportation**

Street Classification: Big Tree Way – Collector street.

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

Traffic Counts: Big Tree Way ADT = 8,000 (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 a portion of the frontage of this property.

Transit in Vicinity: Yes, GTA Route 1 (West Wendover Avenue) is within 0.25 mi of subject site, along West Wendover Avenue.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

## **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 **Commercial**. The requested **CD-C-M (Conditional District-Commercial Medium)** zoning district is generally consistent with the **Commercial** 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 4B:** Target capital investments to leverage private 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.

**Policy 4D:** Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

**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 5E:** Improve the aesthetic quality of publicly owned and maintained 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 7A:** Target city investment and regulatory policies for economic development.

**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**

**Commercial:** This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

## **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.
- Goal C:** Improve the safety of transportation systems and facilities, especially for vulnerable transportation users (children, seniors, handicapped adults, pedestrians, bicyclists).

##### **Principle 3 – Enhance Economic Competitiveness:**

- Goal E:** Focus on energy efficiency as an economic generator for small business development.

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

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

### ***Sustainability Action Plan***

#### **Element 1) Transportation and Land Use:**

- Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

#### **Element 2) Green Jobs and Buildings:**

- Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.
- Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.
- Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

**Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

**Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

**Other Plans**

n/a

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of The Thicket neighborhood, to which the subject site is adjacent.

Long term safety and accessibility for users of the subject site, and for employees of businesses occupying the subject site would be greatly enhanced by the presence of sidewalks along both sides of Big Tree Way.

**Staff Analysis**

This 8.32-acre subject site is currently an indoor and outdoor recreation facility. North of the request is zoned RM-12 (public park and multifamily dwellings). South of the request is zoned C-M (Interstate-40). West of the request is zoned CD-C-M (hotel). East of the request, across Big Tree Way, is zoned O (hotel).

The Generalized Future Land Use Map designates this site as Commercial. This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail.

The CD-C-M request is to allow expansion of the indoor recreation facilities on the site. The proposal is consistent with the land uses established in close proximity and the list of potential uses is compatible with existing development in the area. The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Economic Development goal to promote a healthy and diversified economy.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

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