



Z-15-07-005

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

Zoning Commission Hearing Date: July 13, 2015

GENERAL INFORMATION

APPLICANT Henry Isaacson on behalf of High Street Informational Investors LLC

HEARING TYPE Rezoning Request

REQUEST **CD-C-H** (Conditional District-Commercial-High) to **CD-C-M** (Conditional District-Commercial-Medium)

CONDITIONS 1. All uses permitted in the C-M district except animal shelters; cemeteries; any cultural and community uses; day care centers; any educational facility; bus terminals; shelters, emergency and temporary; shooting ranges; amusement and water parks; fairgrounds; campgrounds and RV parks; eating and drinking establishments with drive through facilities and sexually oriented businesses.

LOCATION **3517 North Elm Street**

PARCEL ID NUMBER(S) **7866460932**

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

TRACT SIZE ~1.651 Acres

TOPOGRAPHY Primarily flat

VEGETATION None

SITE DATA

Existing Use Undeveloped

	Adjacent Zoning	Adjacent Land Uses
N	CD-C-M (Conditional District-Commercial-Medium)	vacant
E	CD-C-H (Conditional District-Commercial-High)	Retail sales and service
W	R-5 (Residential single-Family)	Place of worship

S R-5 (Residential Single-Family) Single family dwellings

Zoning History

Case #	Date	Request Summary
3211	1/1/2004	<p>The subject property was rezoned from RS-9 to CD-SC with the following conditions:</p> <p>(1) All uses allowed in the SC district.</p> <p>(2) Developer shall install a six foot opaque fence along the adjoining properties that are zoned residential.</p> <p>(3) All buildings shall be of brick and masonry construction.</p> <p>(4) Developer shall double the rate of the required street plantings and the required plantings in the buffers along the adjoining properties which are zoned residential.</p> <p>(5) Property will be developed in conjunction with the property to the east with cross access provided between the two commercially zoned parcels.</p> <p>(6) There shall be a maximum of two driveways on Pisgah Church Road. The westernmost driveway will be full access and the easternmost driveway will be right I, right out only, the location of which shall be approved by GDOT.</p>

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (CD-C-H)	Requested (CD-C-M)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of high intensity retail and service developments meeting the shopping and distributive needs of the community and the region, and some residential uses.	Primarily intended to accommodate a wide range of retail, service and office uses.

District Summary *

**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

Subject site is located in the North Elm Street Visual Corridor Overlay Zone district, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils -

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

Floodplains N/A

Streams N/A.

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. If site is sold and new owners are proposed, the maintenance agreement for the Underground Detention System must be updated and recorded at the Guilford County Register of Deeds.

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Street Yard: Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

Buffer Yard: Adjacent to residential lot: Type B buffer yard with an average width of 25' that includes 3 canopy trees, 5 understory trees, & 25 shrubs per 100 linear feet.
Adjacent to park: Type C buffer yard with an average width of 15' that includes 2 canopy trees, 3 understory trees, & 17 shrubs per 100 linear feet.

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 for required parking spaces: 1 canopy tree per 12 spaces

Also reference item (4) in the request summary for zoning case # 3211

Tree Conservation

Acreage Requirements

1.651 ac. 5% of lot size for a new development;
5% of disturbed area for an expansion

Transportation

Street Classification: N Elm Street – Major Thoroughfare.
Pisgah Church Street – Major Thoroughfare.

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

Traffic Counts:	N Elm Street ADT = 32,868 (GDOT, 2012). Pisgah Church Road ADT = 28,436 (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 was included as part of the IMUD.
Transit in Vicinity:	Yes, GTA Route 3 (N Elm Street) is within 300 ft of the subject site, along N Elm Street.
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-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 the **Mixed Use Commercial** GFLUM designation. The Growth Strategy Map designates the subject site as being within the **North Elm Street – Pisgah Church Road 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 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

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.

CONFORMITY WITH OTHER PLANS

City Plans

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 nearby New Irving Park neighborhood (located to the west) and nearby Spicewood neighborhood (located to the south).

Staff Analysis

This 1.651-acre subject site is currently undeveloped. North and east of the request is zoned CD-C-M and CD-C-H (commercial services). South and west of the request the zoning transitions to R-5 (place of religious assembly and single family dwellings).

The Generalized Future Land Use Map designates this site as Mixed Use Commercial. The Mixed Use Commercial 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.

The Commercial-Medium zoning district is intended to accommodate a wide range of retail, service and office uses and includes some additional uses such as self storage not allowed in the current Commercial-High zoning district.

The CD-C-M request is consistent with the land uses established in close proximity and the list of potential uses is compatible with existing adjacent development. 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.