



# Z-15-09-003(b)

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

Zoning Commission Hearing Date: October 19, 2015

### GENERAL INFORMATION

<b>APPLICANT</b>	Jeff Nimmer on behalf of Tim McGehee
<b>HEARING TYPE</b>	Original Zoning Request
<b>REQUEST</b>	<b>County-RS-30</b> (Residential Single-Family) to <b>CD-C-H</b> (Conditional District-Commercial-High)
<b>CONDITIONS</b>	1. All uses permitted in the C-H district <b>except</b> bus and rail terminals, pawnshops and recycling collection centers.
<b>LOCATION</b>	<b>A portion of 104 East Vandalia Road</b>
<b>PARCEL ID NUMBER(S)</b>	<b>7862555106</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>29</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~0.29 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Limited

### SITE DATA

<b>Existing Use</b>	Undeveloped property	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-C-M (Conditional District-Commercial-Medium) R-3 (Residential Single-Family)	Retail Single family dwellings
E	R-3 (Residential Single-Family)	Single family dwellings
W	R-3 (Residential single-Family)	Place of religious assembly
S	R-3 (Residential Single-Family)	Undeveloped

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City's planning jurisdiction.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (County-RS-30)	Requested (CD-C-H)
Max. Density:	1.3 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached dwellings on large lots without access to public water and wastewater services.	Intended to accommodate a wide range of high intensity retail sales and service developments meeting the shopping and distributive needs of the community and the region, and some residential 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**

n/a

**Environmental/Soils -**

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

Floodplains N/A

Streams 50 ft stream buffer required, measured from top of bank each side. See LDO Chapter 30-12-3, Table of Uses 12-5 for Activities and Structures allowed within each stream buffer zone

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.

**Utilities**

Potable Water Available water may need to be extended, funded by developer, depending upon development.

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 LUC 3: 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

**Tree Conservation  
 Acreage**

**Requirements**

.29 ac.                      1% of lot size for a new development;  
 1% of disturbed area for an expansion

**Transportation**

**Street Classification:**            S Elm-Eugene Street – Major Thoroughfare.  
 E Vandalia Road – Major Thoroughfare.

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

**Traffic Counts:**                    S Elm-Eugene Street ADT = 16,730 (GDOT, 2014).  
 E Vandalia Road ADT = 8,820 (GDOT, 2014)

**Trip Generation:**                24 Hour = 3,590, AM Peak Hour = 86, PM Peak Hour = 311.

**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 S Elm-Eugene Street frontage of this property.

**Transit in Vicinity:**                Yes, GTA Route 12 (Randleman Rd / S Elm-Eugene Street) is adjacent to subject site, along S Elm-Eugene Street.

**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 East Vandalia Road widening project scheduled to begin construction fall of 2018.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-C-H (Conditional District Commercial-High)** zoning, as conditioned, 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 **Moderate Residential (5-12 d.u./acre)**. The requested **CD-C-H (Conditional District-Commercial, High)** zoning district, as conditioned, is generally inconsistent with the **Moderate Residential (5-12 d.u./acre)** GFLUM designation, however the applicant has concurrently submitted a request to amend the GFLUM designation on the subject site to **Mixed Use Commercial** which, if approved, would resolve this inconsistency.

### **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**

**Moderate Residential (5-12 d.u./acre):** This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

**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.

### **Comprehensive Plan Amendment History**

Case #	Date	Request Summary
n/a	n/a	n/a

**Applicant Stated Reasons for Request**

“The map amendment is needed because it accompanies a rezoning request on the same parcels. It is currently zoned R-3, and the requested district will be CD-C-H.”

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

“Increased traffic along South Elm-Eugene Street and the widening of East Vandalia Road make this corner more suited for uses other than simply residences. The NE and NW corners of this intersection are already commercial in nature. This corner represents an excellent opportunity to bring retail infill development to the neighborhood. The proposed CD-C-H zoning would be incompatible with the current Mod. Residential classification on current land use plan.”

**COMPREHENSIVE PLAN POLICY ANALYSIS****Need for Proposed Change**

The requested **CD-C-H (Conditional District Commercial-High)** zoning, as conditioned, would allow uses that are incompatible with the subject site’s current designation in the GFLUM as **Moderate Residential (5-12 d.u./acre)**. If approved, the requested GFLUM amendment to **Mixed Use Commercial** would resolve this inconsistency.

**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**

At their August 19<sup>th</sup>, 2015 meeting, the Planning Board was asked to consider and comment on the requested change to the GFLUM as discussed above. The Planning Board commented that the change as proposed appears to make sense for the area. Board members also noted that the South Elm-Eugene Street / Vandalia Road intersection is drawing more interest for locally serving non-residential uses and this change would support that trend.

**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 adjacent Woodlea Lakes neighborhood (located to the north) and nearby Woodlea Acres neighborhood (located to the northwest).

Based on the absence of complete sidewalk connections in the vicinity, long term safety and accessibility for users and employees at the subject site would be greatly enhanced by the presence of continuous sidewalks along both sides of Vandalia Road.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- Economic Development Impact Zone 2 (local).

**Staff Analysis**

This 0.29-acre subject site is currently a single family dwelling and undeveloped property. North of the request the zoning transitions from CD-C-M (retail) to R-3 (single family dwellings). South and east of the request is primarily City-R-3 (undeveloped property and single family dwellings); however, there is also property zoned County-RS-12 (vacant). West of the request is also zoned R-3 (place of worship). The Generalized Future Land Use Map designates this site as Moderate Residential. The Moderate Residential designation is intended to accommodate housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

The Commercial-High zoning district is 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. In conjunction with the rezoning request, the applicant has filed a Comprehensive Plan amendment to revise the generalized future land use designation to 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.

Though the broader pattern of development in the area is more rural in character, there are several factors that lend support to the transition to non-residential uses at this location. First, the location of the property, at the intersection of two thoroughfares. Second, the high volume of traffic utilizing both East Vandalia Road and South Elm-Eugene Street. Lastly, the previously approved commercial zoning for other corners at this intersection. While staff supports the request as currently conditioned, given the site's distance from larger highway oriented retail and the proximity of low intensity residential development, some consideration is encouraged for limiting the size and scale of potential signage.

The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound Zoning Commission Public Hearing Page 6 of 11 October19, 2015

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-H** (Conditional District-Commercial-High) zoning district.

**Additional Information**

**102 East Vandalia Road Development - Transportation Impact Analysis  
Greensboro, NC  
Prepared for Tim McGehee  
June 1, 2015**

*Executive Summary*

The proposed 102 East Vandalia Road Development is located on the southeast corner of the intersection of East Vandalia Road and South Elm-Eugene Street in Greensboro, NC. The proposed land uses are uncertain at this time; however, for the purposes of this study, the site was analyzed based on 37,500 square feet of retail space. Two site accesses are proposed: one full access on East Vandalia Road and one right-in / right-out access on South Elm-Eugene Street. Note that the locations assumed in this report for the proposed site accesses are conceptual and may change during the development of a site plan.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify any transportation improvements that may be required to accommodate the impacts of the new development traffic. The following intersections were included in the study:

- South Elm-Eugene Street at East Vandalia Road
- East Vandalia Road at Site Access 1 (full access)
- South Elm-Eugene Street at Site Access 2 (right-in / right-out)

The study intersections were analyzed during the AM (7-9 am) and PM (4-6 pm) peaks for the following conditions:

- 2015 Existing Conditions
- 2017 Future No-Build Conditions
- 2017 Future Build Conditions
- 2017 Future Build Conditions with Improvements

The planned build-out year for this development is 2016. A study year of 2017 (build-out plus one year) was used for analysis purposes.

This Transportation Impact Analysis (TIA) was carried out based on Greensboro Department of Transportation (GDOT) and North Carolina Department of Transportation (NCDOT) typical standards. Information regarding the property was provided by Tim McGehee, the Executor of the Estate of Jesse Harrell Freeman.

Discussion of Results

The results of the study are discussed by intersection below and presented in Table A on the following page:

*South Elm-Eugene Street @ Vandalia Road*

This existing signalized intersection currently operates at LOS C during both the AM and PM peaks. In the 2017 future no-build conditions, with the growth in background traffic, a LOS C is again expected in both the AM and PM peaks. With the addition of the proposed site traffic, the intersection LOS is expected to remain unchanged. No improvements are recommended.

*East Vandalia Road @ Site Access 1*

In the 2017 future build conditions, this intersection is expected to operate at a LOS B during both the AM and PM peaks. The need for auxiliary turn lanes was reviewed based on pages 23 and 27 in the GDOT Driveway Manual and page 80 of the NCDOT "Policy on Street and Driveway Access to North Carolina Highways". Based on projected traffic volumes, right turn lane is warranted on East Vandalia Road. A left turn lane is also warranted, but the two-way left turn lane being constructed as part of the East Vandalia Road widening project is sufficient to serve traffic turning left into the site. The following improvements are recommended for the site access:

- Provide an eastbound right turn lane on East Vandalia Road with 100 feet of storage and appropriate deceleration length and taper.
- Provide separate left and right turn lanes exiting the site in order to enhance egress movement.

With these improvements in place, the site access is expected to operate at a LOS B in both the AM and PM peaks.

*South Elm-Eugene Street @ Site Access 2*

This proposed right-in / right-out access is expected to operate at LOS B during the AM peak and LOS A in the PM peak. The need for auxiliary turn lanes was reviewed based on pages 23 and 27 in the GDOT Driveway Manual and indicates that based on projected traffic volumes, no right turn lane is warranted. The access point should be designed according to the GDOT Driveway Manual. No improvements are recommended.

The recommended improvements are illustrated in Figure A.

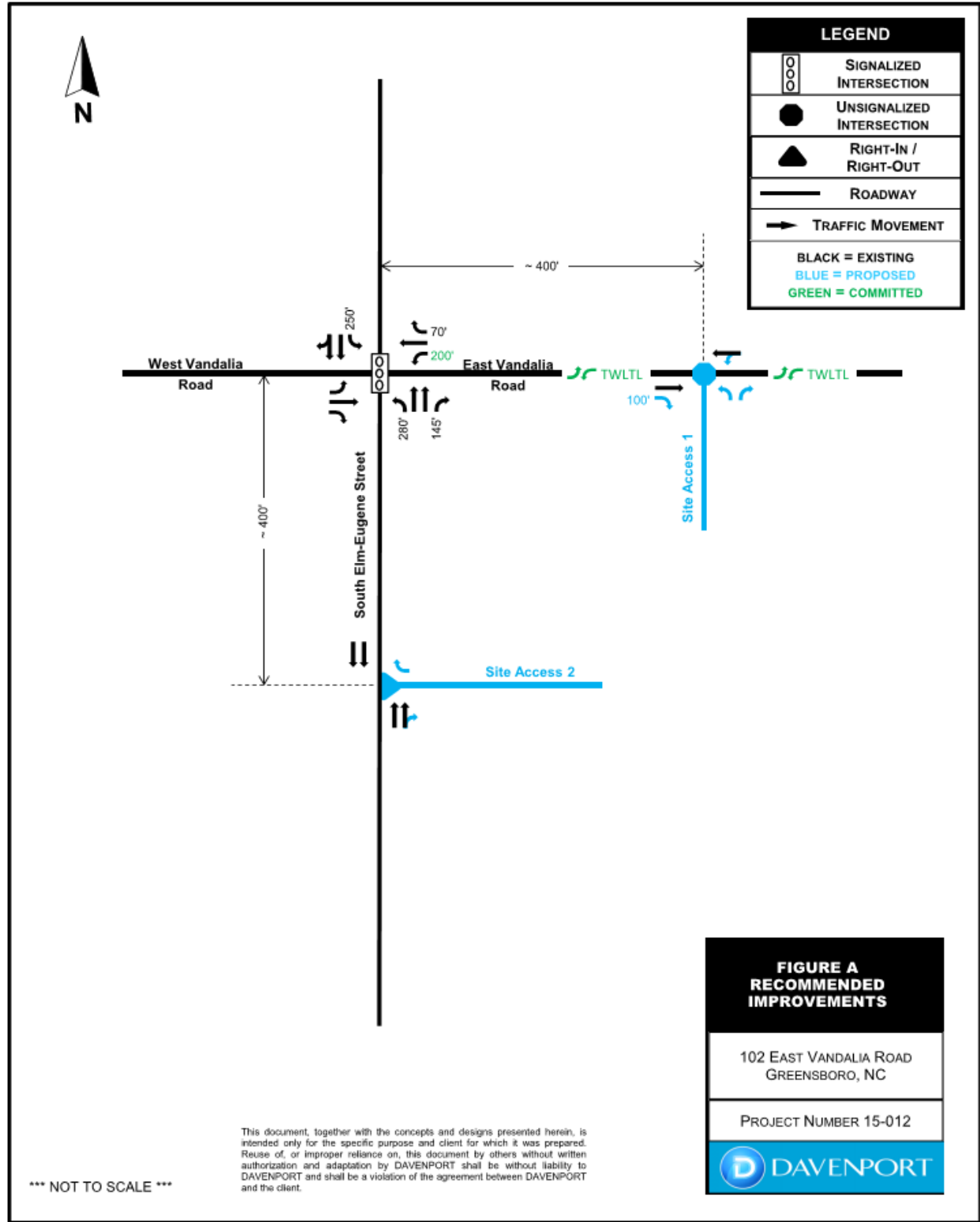


Level of Service Summary

Table A summarizes the level of service analysis at the study intersections:

<b>Table A - Level of Service Summary</b>				
<b>AM Peak</b>	<b>2015 Existing</b>	<b>2017 Future No Build</b>	<b>2017 Build</b>	<b>2017 Build with Improvements</b>
South Elm-Eugene Street at Vandalia Road	C (21.7)	C (21.9)	C (22.3)	
East Vandalia Road at Site Access 1			B (11.3) NB Approach	B (11.1) NB Approach
South Elm-Eugene Street at Site Access 2			B (10.4) WB Approach	
<b>PM Peak</b>	<b>2015 Existing</b>	<b>2017 Future No Build</b>	<b>2017 Build</b>	<b>2017 Build with Improvements</b>
South Elm-Eugene Street at Vandalia Road	C (22.4)	C (22.6)	C (24.8)	
East Vandalia Road at Site Access 1			B (12.3) NB Approach	B (11.3) NB Approach
South Elm-Eugene Street at Site Access 2			A (9.8) WB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				

**Figure A – Recommended Improvements**



Summary and Conclusion

The proposed 102 East Vandalia Road Development is located on the southeast corner of the intersection of East Vandalia Road and South Elm-Eugene Street in Greensboro, NC. The proposed land uses are uncertain at this time; however, for the purposes of this study, the site was analyzed based on 37,500 square feet of retail space. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a trip generation potential of 86 trips in the AM peak and 311 trips in the PM peak. With the effects of pass-by trip reduction, the trip generation potential is 86 net trips in the AM peak and 217 net trips in the PM peak. Two site accesses are proposed: one full access on East Vandalia Road and one right-in / right-out access on South Elm-Eugene Street.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify any transportation improvements that may be required to accommodate the impacts of the new development traffic on the study area.

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic, and has determined that with the recommended improvements in place, there will be adequate capacity to accommodate future traffic. Please note that all accesses to the site are required to be constructed to NCDOT and GDOT standards.

