



Z-15-12-005

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

Zoning Commission Hearing Date: December 21, 2015

GENERAL INFORMATION

APPLICANT	James Matey, The John R. McAdams Company on behalf of David Smith, D&L Property Holdings LLC
HEARING TYPE	Rezoning Request
REQUEST	LI (Light Industrial) to C-M (Commercial-Medium)
CONDITIONS	N/A
LOCATION	1105 East Bessemer Avenue
PARCEL ID NUMBER(S)	7875109982
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). 49 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~0.40 Acres
TOPOGRAPHY	Primarily flat
VEGETATION	Industrial

SITE DATA

Existing Use	Vacant industrial building	
	Adjacent Zoning	Adjacent Land Uses
N	LI (Light Industrial)	Light industrial operations
E	C-M (Commercial-Medium)	Vacant restaurant without a drive-thru
W	C-M (Commercial-Medium)	Vacant restaurant with a drive-thru
S	C-M (Commercial-Medium)	Restaurant with drive-thru

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property has been zoned LI (Light Industrial) since the adoption of the Land Development Ordinance (LDO) July 1, 2010. Prior to implementation of the LDO, the property was zoned LI (Light Industrial).

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (LI)	Requested (C-M)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate limited manufacturing wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations have little or no adverse effect upon adjoining properties.	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

n/a.

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.

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 commercial property: Vehicular Use Area buffer yard (see below) between any parking lots or drive aisles and the adjacent property line.

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, in islands or medians within the parking lot.

Tree Conservation Acreage

Requirements

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

Transportation

Street Classification: E. Bessemer Avenue – Minor Thoroughfare.
Westside Drive – Local Street.

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

Traffic Counts: E. Bessemer Avenue ADT = 18,318 (GDOT, 2014).

Trip Generation: 24 Hour = 1,890 AM Peak Hour = 173 PM Peak Hour = 124.

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 E. Bessemer Avenue frontage of this property.

Transit in Vicinity: Yes, GTA Route 14 (Bessemer Avenue / Phillips Avenue) is adjacent to subject site, along E Bessemer Avenue.

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: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **C-M (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 **C-M (Commercial - Medium)** zoning district is generally consistent with the **Mixed Use Commercial** GFLUM designation. The Growth Strategy Map designates the subject site as being partially within **Growth Tier 1, Current Growth Area (2013 – 2019)**. The Growth Strategy Map also designates the subject site as being partially within the **East Wendover Avenue Reinvestment Corridor** and partially within the **NCA&T Reinvestment Area**.

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.

Reinvestment Area: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Areas are neighborhoods and districts within Greensboro’s urban areas that would most benefit from actions to promote compatible infill development and other forms of investment and reinvestment.

Reinvestment Corridor: Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

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.

Balanced Economic Development: A Strategic Plan for East Greensboro

Retail Opportunities:

Adaptive Reuse of Retail – The presence of significant “Big Box” vacancy in the E. Cone Boulevard should be addressed. A program on identifying adaptive reuse opportunities should be implemented with the following categories as the primary focus:

- City and County Government facilities
- Churches
- Early Childhood Development
- For profit educational facilities
- Library
- Medical Facility
- Interior Design Center

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 Bessemer-Summit Merchants Association.

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

- New Markets Tax Credits (federal),
- Urban Progress Zone tax credits (state),
- Urban Development Investment Incentives (local), and
- Economic Development Impact Zone 1 (local).

Staff Analysis

This 0.40-acre subject site is currently a vacant industrial building. North of the request is zoned LI (light industrial operation). West, south and east of the request is zoned C-M (restaurant uses). Properties fronting East Bessemer Avenue in this area are predominantly zoned for various commercial uses.

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 C-M, Commercial-Medium District is primarily intended to accommodate a wide range of retail, service and office uses.

Approving this request will 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.

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 **C-M** (Commercial-Medium) zoning district.

TIA Executive Summary

Kimley-Horn and Associates, Inc. has performed a Traffic Impact Analysis for the proposed Bojangles Restaurant on E. Bessemer Avenue in Greensboro, NC. The site is located in the northwest quadrant of the E. Bessemer Avenue - Westside Drive intersection. A vacant restaurant currently occupies the site, and as proposed the site will consist of a 3,808 SF fast-food restaurant with a drive-thru. The site is proposed to be accessed via one full movement drive onto E. Bessemer Avenue and one full movement drive onto Westside Drive. The projected build-out year is 2016, so the analysis year for this study was 2017.

This report presents trip generation, distribution, traffic analyses, and recommendations for transportation improvements required to meet anticipated traffic demands. The traffic conditions studied include the existing (2015) traffic condition, the projected (2017) background traffic condition, and projected (2017) build-out traffic condition.

The traffic generation potential of the proposed development was determined using the traffic generation rates published in *Trip Generation* (Institute of Transportation Engineers, Ninth Edition, 2012). As shown in table ES-1, the proposed development has the potential to generate 635 new trips entering and 635 new trips exiting on a typical weekday, with 45 new trips entering and 43 new trips exiting during the AM peak hour and 32 new trips entering and 30 new trips exiting during the PM peak hour. The average rates provided in *Trip Generation* were used to calculate daily as well as AM and PM peak hour trips for the site.

Table ES-1 ITE Traffic Generation (Vehicles) – Bojangles (Average Weekday Traffic)									
Land Use Code	Land Use	Intensity		Daily		AM Peak Hour		PM Peak Hour	
				In	Out	In	Out	In	Out
934	Fast-Food Restaurant w/ Drive Thru	3,808	s.f.	945	945	88	85	64	60
<i>Pass-by Capture (49% AM/50% PM)</i>						43	42	32	30
Net New External Trips						45	43	32	30

Capacity analyses were performed using Synchro Version 9.1 software. Table ES-2 summarizes the operation of the study intersections for the AM and PM peak hour traffic conditions.

Table ES-2 Level-of-Service Summary		
Condition	AM Peak Hour LOS (Delay)	PM Peak Hour LOS (Delay)
Bessemer Avenue & Lindsay Street (Signalized)		
Existing (2015) Traffic	A (9.5)	A (9.7)
Background (2017) Traffic	A (9.8)	A (9.7)
Build-out (2017) Traffic	A (9.9)	A (9.9)
Bessemer Avenue & Westside Drive/Gas Station Driveway (Unsignalized)		
Existing (2015) Traffic	NB – C (20.3) SB – C (21.9) EBL – A (9.3) WBL – A (8.5)	NB – C (23.5) SB – C (22.6) EBL – A (8.6) WBL – A (9.7)
Background (2017) Traffic	NB – C (21.5) SB – C (23.4) EBL – A (9.4) WBL – A (8.5)	NB – D (25.3) SB – C (24.3) EBL – A (8.7) WBL – A (9.8)
Build-out (2017) Traffic	NB – C (22.8) SB – D (34.3) EBL – A (9.6) WBL – A (8.5)	NB – D (29.8) SB – E (42.7) EBL – A (8.9) WBL – A (10.0)
Bessemer Avenue & Site Drive (Unsignalized)		
Build-out (2017) Traffic	SB – B (12.9) EBL – B (9.4)	SB – B (13.0) EBL – A (9.1)
Westside Drive & Site Drive (Unsignalized)		
Build-out (2017) Traffic	EB – A (8.8) NBL – A (7.4)	EB – A (8.9) NBL – A (7.4)

* Note: HCM methodology does not report an overall level of service for unsignalized intersections. The level of service and delay for the worst approaches are reported above for unsignalized intersections.

The analysis indicates that each of the study intersections are expected to operate at an acceptable LOS at project build-out. While the minor street approaches at the intersection of Bessemer Avenue and Westside Drive/Gas Station Driveway are expected to operate with short to moderate delays at project build-out, it is typical for stop-sign controlled side streets and driveways to experience moderate delays during peak hours while the majority of the traffic moving through the intersection on the major street experiences little or no delay. Synchro indicates that the 95th percentile queue at the proposed site drives on Bessemer Avenue and Westside Drive is less than 10 feet. We recommend that at least one car length, or 25 feet, of uninterrupted stacking distance is provide at each driveway.

As no queueing issues are expected at any of the study intersections, and since the intersections are expected to operate at acceptable levels of service at project build-out, no roadway improvements are recommended to accommodate anticipated traffic demands. Turn lane warrant guidelines in the City of Greensboro's Driveway Manual indicate that, based on the proposed traffic volumes at project build-out, right-turn lanes are not warranted at the proposed site drives.