



Z-15-12-007

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

Zoning Commission Hearing Date: January 13, 2016

GENERAL INFORMATION

APPLICANT Marc L. Isaacson on behalf of Beaman Realty Company Inc. & CLAR, LLC

HEARING TYPE Rezoning Request

REQUEST **C-L** (Commercial-Low) and **R-5** (Residential Single-Family) to **CD-C-M** (Conditional District-Commercial-Medium)

CONDITIONS

1. Uses shall be limited to all uses permitted in the C-M district **except** Group Living, Animal Shelters, auditoriums, coliseums, stadiums, colleges or universities, retreat centers, specialty hospitals, bus and rail terminals, social service facilities, movie and other theatres, shooting ranges, outdoor recreation, hotels and motels, single room occupancy residences, commercial parking, any establishment with a drive-thru, funeral homes and crematoriums, taxi dispatch terminals, convenience stores with fuel pumps, pawnshops, sexually oriented businesses, self storage facilities, vehicle sales and service, automobile towing and storage, car washes, equipment repair and rentals, laundry and dry cleaning plants, medical and dental laboratories, pest and termite control services, and printing and publishing facilities.
2. The total maximum, retail square footage is limited to 16,800 square feet.
3. The maximum number of residential units shall be limited to 56.
4. Building height shall be limited to a maximum of four stories.
5. A minimum of 50% of the building materials shall consist of wood, brick, glass or stone exteriors.
6. The building footprint shall be no closer than 100 feet to the adjacent residential uses located to the east of the subject property.

LOCATION 2800,2820,2828 Lawndale Drive, 2014,2010,2008 Independence Road and 2011 &2009 Colonial Avenue

PARCEL ID NUMBER(S) **7855881444, 7855881324, 7855881225, 7855882463, 7855883422, 7855882207, 7855882256, 7855883215**

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). **76** notices

were mailed to those property owners in the mailing area.

TRACT SIZE ~2.2 Acres
TOPOGRAPHY Undulating
VEGETATION Commercial & Residential

SITE DATA

Existing Use Retail sales and services, office & single family dwellings

	Adjacent Zoning	Adjacent Land Uses
N	C-L (Commercial-Low) R-5 (Residential Single-Family)	Retail sales & services Single family dwellings
E	R-5 (Residential Single-Family)	Single family dwellings
W	LI (Light Industrial)	Vacant industrial building
S	CD-C-M (Conditional District-Commercial-Medium) R-5 (Residential Single-Family)	Retail sales and services Single family dwellings

Zoning History

Case #	Date	Request Summary
N/A	N/A	A portion of the subject property has been zoned C-L (Commercial-Low) since the adoption of the Land Development Ordinance (LDO) July 1, 2010. Prior to the implementation of the LDO, the subject property was zoned LB (Limited Business).
N/A	N/A	A portion of the subject property has been zoned R-5 (Residential Single-Family) since the adoption of the Land Development Ordinance (LDO) July 1, 2010. Prior to the implementation of the LDO, the subject property was zoned RS-9 (Residential Single-Family).

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (R-5)	Existing (C-L)	Requested (CD-C-M)
Max. Density:	A maximum of 5.0 units per acre or less.	N/A	N/A

Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Primarily intended to accommodate low density shopping and services close to residential areas.	Conditioned uses include all uses permitted in the C-M district except Group Living, Animal Shelters, auditoriums, coliseums, stadiums, colleges or universities, retreat centers, specialty hospitals, bus and rail terminals, social service facilities, movie and other theatres, shooting ranges, outdoor recreation, hotels and motels, single room occupancy residences, commercial parking, any establishment with a drive-thru, funeral homes and crematoriums, taxi dispatch terminals, convenience stores with fuel pumps, pawnshops, sexually oriented businesses, self storage facilities, vehicle sales and service, automobile towing and storage, car washes, equipment repair and rentals, laundry and dry cleaning plants, medical and dental laboratories, pest and termite control services, and printing and publishing facilities.
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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

The subject site is located within the Cone Boulevard Visual Corridor Overlay Zone, 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.

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 single-family residential lots: Type B buffer yard with an average width of 25' that includes 3 canopy trees, 5 understory trees, & 25 shrubs per 100 linear feet.

Parking lot: Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

Tree Conservation

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

Transportation

Street Classification: Lawndale Drive – Major Thoroughfare.
Independence Road – Local Street.
Colonial Avenue – Collector Street.

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

Traffic Counts: Lawndale Drive ADT = 28,277 (GDOT, 2014).

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 the Lawndale Drive frontage of this property.
Transit in Vicinity:	Yes, GTA Routes 8 (Battleground Avenue) and 17 (Lawndale Drive) are adjacent to subject site, along Lawndale Drive.
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, 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)** and **Mixed Use Commercial** with the Mixed Use Commercial designation covering most of the site. The requested **CD-C-M (Conditional District – Commercial - Medium)** zoning district, as conditioned, is generally inconsistent with the **Moderate Residential (5-12 d.u./acre)** GFLUM designation covering a portion of the site. However, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests of no more than 10 acres located within two or more future land use classifications, and at least 60% of the site lies within compatible future land use classification(s).

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. 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.

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.

Lawndale Drive Corridor Study, Phase I

Policy Strategy 1) Preserve & Maintain Compatibility

- Mirror existing scale and form at a fine grain, block level
- Encourage context sensitive conversions of existing residential buildings
- Support infill, reuse and redevelopment in appropriate locations, with thoughtful consideration of form
- Encourage a consistently high level of property maintenance

Policy Strategy 2) Preserve & Enhance the Tree Canopy

- Conduct a street tree inventory along Lawndale Drive
- Complete a canopy management plan for the corridor
- Establish a tree removal & reforestation program to support a healthy street tree canopy along Lawndale Drive

Policy Strategy 3) Enhance Non-Motorized Amenities

- Study the traffic impacts of improvements to 'spaghetti' junction to the south and the I-840 interchange to the north
- Make Lawndale Drive a more complete street
- Complete the Atlantic & Yadkin Greenway connection south
- Improve east-west connectivity, access, and crossing visibility

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 Greater Kirkwood Neighborhood, within which the subject site is located.

Based on the proximity of the subject site to both the Atlantic & Yadkin Greenway and Cornwallis Drive bicycle lanes, long term safety and accessibility for patrons and employees at the subject site would be greatly enhanced by provision of secure, convenient bicycle parking.

Staff Analysis

The 2.2-acre subject site is currently a combination of single family dwellings and commercial buildings. North of the request the zoning transitions from C-L (commercial services) to R-5 (primarily single family dwellings). West of the request, across Lawndale Drive, the zoning is LI (vacant industrial building). South of the request the zoning transitions from CD-C-M (retail sale and services) to R-5 (single family dwellings). East of the request is zoned R-5 (single family dwellings).

The Generalized Future Land Use Map designates this site as both Moderate Residential and Mixed use Commercial with most of the site designated 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 Moderate Residential designation 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.

The C-M, Commercial-Medium District is primarily intended to accommodate a wide range of retail, service and office uses. However, multifamily residential uses are also permitted with use standards.

Approving this request will address the Comprehensive Plan's goal to promote a healthy, diversified economy and the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas. As conditioned, the applicant limits the proposed uses, square footage, height, building materials and building placement to aid in compatibility with adjacent development and consistency with the adopted Lawndale Drive Corridor Plan. The addition of a residential component with this proposal provides a mixture of uses that can better serve as a complimentary transition to the residential single family dwellings to the east (along both Colonial Avenue and Independence Road) than just a standalone retail project allowed under the current zoning. Additionally mixed use developments in general create better transitions between neighborhoods and larger commercial areas. The proposed mixed development will be also located between existing commercial and industrial zoning along a heavily traveled major thoroughfare, unlike other properties located further north and south of this site along Lawndale Drive.

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.