



# Z-16-01-005

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

Zoning Commission Hearing Date: January 13, 2016

### GENERAL INFORMATION

<b>APPLICANT</b>	Game Lands 86, LLC c/o Brian Pearce
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	LI (Light Industrial) to <b>CD-C-L</b> (Conditional District-Commercial-Low)
<b>CONDITIONS</b>	1. Uses shall be limited to 7,000 square feet of restaurant space and 5,000 square feet of retail. 2. The existing structure will be maintained.
<b>LOCATION</b>	<b>3718 &amp; 3720 Old Battleground Avenue</b>
<b>PARCEL ID NUMBER(S)</b>	<b>78560731 &amp; 7856073278</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>7</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~1.15 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Commercial

### SITE DATA

<b>Existing Use</b>	Vacant non-residential building
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	PNR (Parkland and Natural Resource Area) Park property
E	PNR (Parkland and Natural Resource Area) Park property
W	PNR (Parkland and Natural Resource Area) Park property
S	LI (Light Industrial) Office and professional services

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned LI (Light Industrial). Prior to the adoption of the Land Development Ordinance in July 2010, the property was also zoned LI (Light Industrial).

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (LI)	Requested (CD-C-L)
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.	The proposal is conditioned to a maximum of 7,000 square feet of restaurant space and 5,000 square feet of retail.

**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 immediately adjacent to the Guilford Courthouse National Military Park.

**Environmental/Soils**

Water Supply Watershed      Site drains to Greensboro watersupply watershed, Lake Jeanette

Floodplains                      N/A

Streams                            N/A

Other:                                Maximum BUA for watershed is 70%. If any new BUA is proposed, the site must meet watershed requirements Water Quality and Water Quantity must be addressed. All the new BUA must be treated by a State approved water quality BMP and any existing BUA treated to the maximum extent practicable.

**Utilities**

Potable Water                      Available

Waste Water                        Available

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Landscaping and Tree Conservation will not be required until such time as expansion or new development takes place on the site. At that time requirements will be:

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 cemetery: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle 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**

1.15 ac. 1% of lot size for a new development

**Transportation**

Street Classification: Old Battleground Road – Collector Street.  
New Garden Road – Collector Street.

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

Traffic Counts: Old Battleground Road ADT = 9,540 (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 not exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 8 (Battleground Avenue) is adjacent to subject site, along Old Battleground Avenue.

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-L (Conditional District – Commercial - Low)** 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 **Mixed Use Commercial**. The requested **CD-C-L (Conditional District – Commercial - Low)** zoning district, as conditioned, is generally consistent with the **Mixed Use Commercial** GFLUM designation. The Growth Strategy Map designates the subject site as being partially (northwest corner) within the **Battleground Avenue / New Garden 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.

Based on the proximity of the subject site to the Battleground Parks District (inclusive of the Greensboro Science Center, Country Park, Guilford Courthouse National Military Park, Forest Lawn Cemetery, Lewis Recreation Center, and the Atlantic & Yadkin Greenway), as well as planned bicycle lanes on Old Battleground Road 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**

This 1.15-acre subject site is currently developed with a vacant non-residential building. West, north and east of the request is parkland area (PNR). South of the request accommodates office and professional services (LI).

The Generalized Future Land Use Map designates this site as 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.

The Conditional District-Commercial-Low request will be limited to 7,000 square feet of restaurant space and 5,000 square feet of retail.

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.

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-L** (Conditional District-Commercial-Low) zoning district.