



# Z-16-03-003

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

Zoning Commission Hearing Date: March 21, 2016

### GENERAL INFORMATION

**APPLICANT** The City of Greensboro and Dev Con Resources on behalf of SHVF Renaissance LLC

**HEARING TYPE** Rezoning Request

**REQUEST** **C-L** (Commercial-Low) to **CD-C-M** (Conditional District-Commercial-Medium)

**CONDITIONS**

1. Uses shall be limited to all uses permitted in the C-M district **except** single room occupancy residences, bars, night clubs and brewpubs, sexually oriented businesses, landfills, swimming pools, vehicle sales and services, any business with a drive-thru and convenience stores with fuel pumps.
2. The existing structure shall be maintained without expansion.
3. Signs shall be limited to a maximum of 26 feet.

**LOCATION** **2501,2509 & 2533 Phillips Avenue**

**PARCEL ID NUMBER(S)** **7885040346, 7885041672 & 7885045636**

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

**TRACT SIZE** ~9.68 Acres

**TOPOGRAPHY** Primarily flat

**VEGETATION** Partial landscape installed, site still under construction

### SITE DATA

**Existing Use** Library, retail & construction site

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-5 (Residential Single-Family)	Single family dwellings
E	R-5 (Residential Single-Family)	Single family dwellings
W	RM-12 (Residential Multifamily)	Multifamily dwellings
S	R-5 (Residential Single-Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property has been zoned C-L (Commercial-Low) since the adoption of the Land Development Ordinance (LDO) in July 2011. Prior to the adoption of the LDO the property was zoned LB (Limited Business).

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (C-L)	Requested (CD-C-M)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate low intensity shopping and services close to residential areas.	Conditioned uses include all uses permitted in the C-M district <b>except</b> single room occupancy residences, bars, night clubs and brewpubs, sexually oriented businesses, landfills, swimming pools, vehicle sales and services, any business with a drive-thru and convenience stores with fuel pumps.

**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 non-watersupply watershed, North Buffalo Creek

Floodplains      N/A

Streams      N/A

Other:      If >1acre is disturbed and the BUA is increased, site must meet Phase 2 requirements, water quality and water quantity control must be met. 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 single-family residential: Type B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 l.f.

Adjacent to vacant lot and to daycare: 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**

9.68 ac. 10% of disturbed area for a new development.

**Transportation**

**Street Classification:** Phillips Avenue – Minor Thoroughfare.  
Woodbriar Avenue – Local Street.

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

**Traffic Counts:** Phillips Avenue ADT = 7,576 (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 most of the frontage of this property.

**Transit in Vicinity:** Yes, GTA Route 10 (E. Market Street) is adjacent to subject site, along Phillips Avenue and GTA Route 14 (Bessemer Avenue / Phillips Avenue) is adjacent to subject site, along Woodbriar 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-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 **Low Residential (3-5 d.u./acre)**. The requested **CD-C-M (Conditional District – Commercial - Medium)** zoning district, as conditioned, is generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation. However, per City Council adopted policy, a GFLUM amendment is not required for rezoning requests that do not involve a significant physical change resulting in new or expanded structures.

### **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**

**Low Residential (3-5 d.u./acre):** This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should

generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

## **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 Woodmere Park, Woodbriar Estates, Kings Forest, and Glendale Hills neighborhoods.

Based on the proximity of the subject site to the Phillips Avenue bicycle lanes, as well as signed Bicycle Route #3 on Sykes Avenue, 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 9.66 acre subject site is currently developed with a library and retail uses. A portion of the property is also under redevelopment for additional retail and service uses. North, east and south of the request is zoned R-5 (single family dwellings). West of the request is zoned RM-12 (residential multifamily dwellings).

The Generalized Future Land Use Map designates this site as Low Residential. This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3 to 5 dwelling units per acre. The rezoning request is exempt from a Comprehensive Plan amendment because the conditional rezoning request prohibits new principal structures from being added to the site.

The requested Conditional District-Commercial-Medium request limits potential uses, prohibits additions to existing structures and excludes new principal structures from being added to the site. It also does include some limitation on the height of signage versus what is allowed in the broader C-M zoning classification. This request, if approved, will allow a similar mix of uses for site development as the current zoning of Commercial Low (C-L) while slightly increasing the size of allowable signage up to 25 feet.

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-M** (Conditional District-Commercial-Medium) zoning district.