



**Z-17-05-002**

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

**Zoning Commission Hearing Date: May 15, 2017**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Greg Kline for ALDI NC, LLC
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	Rezoning from CD-C-M (Conditional District-Commercial-Medium) to CD-C-M (Conditional District-Commercial-Medium)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. Permitted Uses: All uses permitted in the C-M zoning district except Land Clearing and Inert Debris Landfills, Nursing or Convalescent Homes, Psychiatric Hospitals, Automobile Repair Services (Major and Minor), Automobile Towing and Storage Services, Funeral Homes or Crematoriums.</li><li>2. Interior pedestrian circulation between principal buildings and between principal buildings and public streets shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition, walkways may be defined by painted crosshatched areas.</li><li>3. All buildings are limited to a total maximum square footage of 20,000 square feet.</li><li>4. The exterior of the principal buildings shall be constructed of at least 50% stone, brick, glass and/or other materials of a similar quality and appearance.</li><li>5. The property will be designed and developed in a unified manner and will incorporate similar complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.</li><li>6. Freestanding signage shall be limited to monument signs of uniform design and backlit building signs.</li><li>7. A six-foot tall opaque fence shall be constructed on the northern property boundary between the</li></ol>

subject property and adjoining residential properties.

**LOCATION** 1507 New Garden Road

**PARCEL ID NUMBER(S)** 7836901380

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

**TRACT SIZE** 1.99 Acres

**TOPOGRAPHY** Slightly sloping to south and west

**VEGETATION** Commercial

**SITE DATA**

**Existing Use**

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-RM-12	Multifamily dwellings
E	CD-O	Offices
W	CD-RM-18	Multifamily dwellings
S	CD-C-M	Restaurant with Drive Thru

**Zoning History**

Case #	Date	Request Summary
3629	2/5/2008	<p>The subject property was rezoned from RS-15 (Residential Single-Family) to CD-GB (Conditional District-General Business) with the following conditions:</p> <ol style="list-style-type: none"><li>1. Permitted Uses: All uses permitted in the C-M zoning district except Land Clearing and Inert Debris Landfills, Nursing or Convalescent Homes, Psychiatric Hospitals, Automobile Repair Services (Major and Minor), Automobile Towing and Storage Services, Funeral Homes or Crematoriums.</li><li>2. Interior pedestrian circulation between principal buildings and between principal buildings and public streets shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition, walkways may be defined by painted crosshatched areas.</li><li>3. There shall be a maximum of 16,000 square feet contained in the development devoted to any single retail use.</li><li>4. The exterior of the principal buildings shall be constructed of at least 50% stone, brick, glass and/or other materials of a similar quality and appearance.</li><li>5. The property will be designed and developed in a unified manner and will incorporate similar complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.</li><li>6. Freestanding signage shall be limited to monument signs of uniform design and backlit building signs.</li><li>7. A six-foot tall opaque fence shall be constructed on the northern property boundary between the subject property and adjoining residential properties.</li><li>8. There shall be a minimum of one (1) double bay of parking between New Garden Road and any non-residential building fronting New Garden Road that is within 250 feet of the center line of Garden Lake Drive.</li><li>9. There shall be a maximum of 50,000 square feet devoted to primarily non-residential uses.</li></ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District	Existing <b>(CD-C-M)</b>	Requested <b>(CD-C-M)</b>
Designation:		
Max. Density:	N/A	N/A
Typical Uses	Conditioned to allow all uses permitted in the C-M zoning district except Land Clearing and Inert Debris Landfills, Nursing or Convalescent Homes, Psychiatric Hospitals, Automobile Repair Services (Major and Minor), Automobile Towing and Storage Services, Funeral Homes or Crematoriums.	Conditioned to allow All uses permitted in the C-M zoning district except Land Clearing and Inert Debris Landfills, Nursing or Convalescent Homes, Psychiatric Hospitals, Automobile Repair Services (Major and Minor), Automobile Towing and Storage Services, Funeral Homes or Crematoriums.

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Land 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 New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

**Environmental/Soils**

Water Supply Watershed Site drains to Greensboro Watersupply Watershed, Horsepen Creek Sub-basin

Floodplains N/A

Streams N/A

Other: Site must stay consistent with the previously approved plan 2012-0197 ALDI.

**Utilities (Availability)**

Potable Water Available

Waste Water Available

**Airport Overlay District & Noise Cone**

N/A

## Landscaping & Tree Conservation Requirements

**Street Yards:** 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 Yards:** Adjacent to Commercial uses: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

**Parking Lots:** 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. Each parking space must be within 100 l.f. of a tree.

**Tree Conservation:** 1,809 sq.ft. of reforestation was to be provided with the original development, this must be maintained or replaced.

## Transportation

Street Classification: New Garden Road – Major Thoroughfare.  
Hobbs Road – Collector Street.

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

Traffic Counts: New Garden Road ADT = 19,778 (GDOT, 2015)

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 frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT/POLICY 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 **Mixed Use Commercial**. The requested **CD-C-M (Conditional District – Commercial – Medium)** zoning district, as conditioned, is generally consistent with the **Mixed Use Commercial** GFLUM designation.

**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.

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**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.

## **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 Friendly Lakes neighborhood, within which the subject site is located.

### **Staff Analysis**

The 1.99-acre subject site is currently developed with a retail use (grocery store). North and west of the site are multifamily dwellings (zoned CD-RM-12 and CD-RM-18). East of the site are office uses (zoned CD-O) and south of the site is a restaurant with drive thru use (zoned CD-C-M).

The Comprehensive Plan's Future Land Use Map designates this area 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. 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.

This requested CD-C-M zoning is needed to allow a limited expansion to the existing retail building on this site. The current zoning conditions cap the maximum square footage for any retail building at 16,000 square feet and the existing retail building is just slightly smaller than 16,000 square feet. The proposed rezoning increases this cap to a maximum of 20,000 square feet and thus would allow an expansion to the existing retail building. All other applicable conditions from the current CD-C-M zoning remain the same.



The rezoning request is consistent with the development pattern in the area that includes commercial, office and moderate to higher intensity multifamily residential uses. The requested rezoning also allows for a limited expansion to the existing commercial on this site, providing additional flexibility in the current and future use of the property for retail and other commercial uses. Maintaining all of the other applicable zoning conditions from the current zoning also ensures compatibility with surrounding properties.

The proposed request supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound 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-M** (Conditional District-Commercial-Medium) zoning district.