



# Z-17-08-002

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

Zoning Commission Hearing Date: August 21, 2017

### GENERAL INFORMATION

<b>APPLICANT</b>	Matthew Robinson of EQR LLC, on behalf of Teresa Bullock of TripT LLC
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	Rezone from CD-C-H (Conditional District Commercial-High) to CD-C-M (Conditional District Commercial-Medium).
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>All uses allowed in C-M District except the following:<ol style="list-style-type: none"><li>Any use with a drive through,</li><li>Sexually Oriented Businesses, and</li><li>Outdoor Advertising Signs (Billboards)</li></ol></li><li>The building setback shall be a minimum of 50 feet from Koger Blvd.</li></ol>
<b>LOCATION</b>	1705 South 40 Drive
<b>PARCEL ID NUMBER(S)</b>	0074423
<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>12</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	3.1 Acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	Commercial

### SITE DATA

<b>Existing Use</b>	Retail
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N CD-C-H	Retail
E CD-RM-18	Multifamily Dwellings

W	CD-C-H	Undeveloped
S	CD-C-H CD-BP	Undeveloped Offices

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned CD-C-H (Conditional District Commercial High). Prior to the adoption of the LDO in July 2010, the property was zoned CD-SC (Conditional District Shopping Center)

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-C-H)</b>	Requested <b>(CD-C-M)</b>
Max. Density:	N/A	N/A

Typical Uses	Uses limited to shopping center and hotels	All uses in C-M district except any use with a drive through, Sexually Oriented Businesses or Outdoor Advertising Signs
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\*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**

N/A

**Environmental/Soils**

Water Supply Watershed Site drains South Buffalo Creek, Non-watersupply Watershed

Floodplains <900FT

Streams N/A

Other: If >1acre is disturbed and the BUA is increased, site must meet current Phase 2 watershed requirements, Water Quality and Water Quantity Control must be addressed. Site is within the PTI 5 mile statue radius, no BMP's that holds a normal pool elevation are permitted unless engineering documentation is presented.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Overlay District & Noise Cone**

N/A

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

No landscaping will be required unless the building is demolished and the lot redeveloped or there is an expansion of use. In that case the following will apply:

**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 multi-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 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.

**Tree Conservation:**

No tree conservation will be required unless there is redevelopment of the lot or an expansion of the building or parking lot. In that case 5% of disturbed area in critical root zone would be dedicated for Tree Conservation, for disturbed area greater than 3,000.

**Transportation**

Street Classification: Koger Boulevard – Local Street.  
South 40 Drive – Private Street.

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

Traffic Counts: Koger Boulevard ADT : 2,896 (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 not exist along the frontage of this property.
- Transit in Vicinity: Yes. GTA Route 1 (West Wendover Avenue) is adjacent to subject site, along Koger Boulevard.
- 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 **Commercial** and **Mixed Use Commercial**. The requested **CD-C-M (Conditional District – Commercial Medium)** zoning district, as conditioned, is generally consistent with the **Commercial** and **Mixed Use Commercial** GFLUM designations.

**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**

**Commercial:** This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

**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.

### **Staff Analysis**

The 3.1 acre subject site is currently developed with a retail use. North of the site is retail (zoned CD-C-H), east of the site are multifamily dwellings (zoned CD-RM-18), south of the site is undeveloped and an office use (zoned CD-C-H and CD-BP) and west of the site is undeveloped (zoned CD-C-H).

The Comprehensive Plan's Future Land Use Map designates this area as both Commercial and Mixed Use Commercial. The Commercial designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. 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.

This requested change to CD-C-M zoning is to allow an indoor shooting range use in addition to the variety of retail, hotels and restaurant uses allowed with the current CD-C-H zoning. The LDO requires indoor shooting ranges to meet the following development standards:

1. The range must be located at least 200 feet from the property line of any of the following uses: existing residential, school, day care or religious assembly use.
2. The range must be located within a fully enclosed and soundproofed building.
3. Gunfire associated with the range must not be audible from any property line.

This request also contains conditions (use restrictions and larger building setback) to reduce potential negative impacts on surrounding properties.

This proposed rezoning request is consistent with the Economic Development 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.