



Z-17-08-001

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

Zoning Commission Hearing Date: August 21, 2017

GENERAL INFORMATION

APPLICANT Roydera Hackworth, on behalf of Mohamad Keshavarz.

HEARING TYPE Rezoning Request

REQUEST Rezone from CD-C-M (Conditional District Commercial Medium) to CD-C-M (Conditional District Commercial Medium).

CONDITIONS

1. Uses are limited to offices, restaurants, retail, and vehicle sales and service.
2. The maximum height of freestanding signage shall not exceed 15 feet.

LOCATION 5512 West Market Street

PARCEL ID NUMBER(S) 0054056

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

TRACT SIZE 1.724 Acres

TOPOGRAPHY Generally Flat

VEGETATION Commercial

SITE DATA

Existing Use	Vacant Restaurant
Adjacent Zoning	Adjacent Land Uses
N RM-18	Multifamily dwellings

E	RM-18	Multifamily dwellings
W	RM-18	Multifamily dwellings
S	RM-18	Multifamily dwellings

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned CD-C-M (Conditional District Commercial Medium) and prior to the adoption of the LDO in July 2010, was zoned CD-HB (Conditional District Highway Business).

ZONING DISTRICT STANDARDS

District Summary *

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

Typical Uses Limited to offices and/or restaurant Limited to offices, restaurants, retail, and vehicle sales and service

**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 Site drains South Buffalo Creek, Non-watersupply Watershed Watershed

Floodplains >2000FT

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:

For redevelopment of the property, landscaping requirements are below. For any expansion of existing buildings or parking lots, landscaping will be required along property lines adjacent to the expansion. If existing site and buildings are not disturbed, no additional landscaping is required.

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 2 canopy trees, 5 understory trees, and 25 shrubs per 100 linear feet.

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

Tree Conservation:

If buildings are demolished and site redeveloped, 5% of parcel size in critical root zone to be dedicated for Tree Conservation. If buildings retained but use expanded through additional pavement or other construction, 5% of disturbed area in critical root zone to be dedicated for Tree Conservation, if disturbed area is greater than 3,000 s.f.

Transportation

Street Classification: W Market Street – Collector Street.
Dolley Madison Road – Collector Street.

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

Traffic Counts: W Market Street ADT = 21,000 (NCDOT, 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:	Yes. GTA Route 9 (West Market Street) is adjacent to subject site, along W Market Street.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
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 **High Residential (over 12 d.u./acre)**. The requested **CD-C-M (Conditional District – Commercial – Medium)** zoning district, as conditioned, is generally inconsistent with the **High Residential (over 12 d.u./acre)** GFLUM designation. However, the applicant has concurrently submitted a request to amend the GFLUM designation on the subject site to **Mixed Use Commercial** which, if approved, would resolve this inconsistency. The Growth Strategy Map designates the subject site as being within the West Market Street Reinvestment Corridor.

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

High Residential (over 12 d.u./acre): This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

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.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	n/a

Applicant Stated Reasons for Request

“I WISH TO CHANGE ZONING ON PROPERTY TO ALLOW ADDITIONAL COMMERCIAL USES. The commercial medium zoning does not match with the High Residential Future Lane Use Map Classification.”

Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application

“THE SITE CURRENTLY ALLOWS SOME LIMITED COMMERCIAL AND OFFICE USES. It is located along a major street (West Market Street). It is also not directly connected to adjacent residential uses and can provide service to residents in the area.”

COMPREHENSIVE PLAN POLICY ANALYSIS**Need for Proposed Change**

The requested **CD-C-M (Conditional District Commercial–Medium)** zoning, as conditioned, would allow uses that are incompatible with the subject site's current GFLUM designation as **High Residential (over 12 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 17-06**) to **Mixed Use Commercial** would resolve this inconsistency.

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service).

n/a

Implications, if any, the Amendment may have for Other Parts of the Plan

n/a

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3)

n/a

PLANNING BOARD COMMENTS

The Planning Board reviewed the GFLUM amendment request CP 17-06 during its meeting on July 19, 2017. The Planning Board commented that Mixed Use Commercial is nearby; the change makes sense and the uses fit the corridor. The Planning Board commented further that this change supports the highest and best use of the site and is in agreement with the trend in the corridor. The Planning Board had no reservations about the request.

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.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal), and
- Urban Development Investment Incentives (local).

Staff Analysis

The 1.724 acre subject site currently contains a vacant restaurant building and the applicant is interested in retail and vehicle sales and service uses in addition to the uses currently allowed. This site is directly adjacent to higher density multifamily dwellings (zoned RM-18) on all sides but is not directly connected to any of these uses and fronts directly onto West Market Street. Additionally there are a number of properties zoned C-M (Commercial Medium) and O (Office) located further to the east and west along West Market Street.

The Comprehensive Plan's Future Land Use Map currently designates this area as High Residential. The High Residential classification provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Within this district, office buildings may also be accommodated. As part of this request the applicant is also requesting a change to the Mixed Use Commercial Future Land Use Map designation. 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.

This requested CD-C-M zoning would allow commercial uses of a similar scale and intensity to many other sites along West Market Street and increase the potential reuse of a currently vacant and somewhat isolated property. The proposed request does also contain conditions to limit potential impacts on nearby residential uses.

The request does support 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, 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.