



Z-10-07-001

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

Zoning Commission Hearing Date: July 12, 2010

**GENERAL INFORMATION**

<b>APPLICANT</b>	Marc Isaacson for Krusch Development Company
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>CD-GB</b> (Conditional District-General Business) to <b>CD-GB</b> (Conditional District-General Business)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1. No exterior building walls shall have exposed (whether painted or unpainted) concrete cinder block (though architectural concrete block products shall be permitted), vinyl siding, or wood board siding.</li><li>2. No use of the property shall allow for any outside storage, however, a landscape garden center shall be permitted.</li><li>3. No sexually-oriented business will be permitted.</li><li>4. <b><u>Free standing signs shall be limited to :</u></b><ol style="list-style-type: none"><li>a. <b><u>2 pylon signs whose height shall not exceed 30 feet each</u></b></li><li>b. <b><u>Monument signs whose height shall not exceed 6 feet each</u></b></li></ol></li><li><del>5. No outdoor billboard advertising shall be permitted.</del></li><li><del>6. Pylon signage shall be limited to no more than two (2) signs whose height shall not exceed thirty (30) feet each. All other signage shall be mounted to buildings.</del></li><li>5. No pylon sign at Bryan Boulevard ramp or southern portion of property.</li></ol> <p><i>(bold and underline denotes added condition, strike through denotes deleted conditions)</i></p>
<b>LOCATION</b>	<b>1600 New Garden Road</b> , generally described as south of New Garden Road, north of Joseph M. Bryan Boulevard and west of Jefferson Road
<b>PARCEL ID NUMBER (S)</b>	<b>7846129415 and 7846222611</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City 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>37</b> notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~5.50 acres  
**TOPOGRAPHY** Slopes to the east  
**VEGETATION** Overgrown shrubs

**SITE DATA**

**Existing Use** Undeveloped

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-SC(Conditional District-Shopping Center)	Garden Creek Shopping Center
E	RS-12 (Residential-single Family)	Retention Pond
W	RS-12 (Residential-single Family)	New Garden Road-Bryan Boulevard on and off ramps
S	RS-12 (Residential-single Family), CD-SC (Conditional District-Shopping Center) and CD-GO-M (Conditional District-General Office-Moderate Intensity)	Bryan Boulevard, Target Shopping Center and American Hebrew Academy

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
3479	08/14/2006	RS-40 (Residential-Single Family) to CD-GB (Conditional District-General Business)
2481	1996	This property has been zoned RS-40 since it was annexed into the City with an effective date of March 5, 1996.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-GB)</b>	Requested <b>(CD-GB)</b>
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to accommodate a wide range of retail, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

Visual corridor Overlay District (VCOD)

**Environmental/Soils**

Water Supply Watershed      Site drains to Greensboro Watersupply Watershed WSIII, Horse Pen Creek

Floodplains                      N/A

Streams                            N/A

Other:                              Site drains to a BMP, the Maintenance Agreement must be updated and the BMP must be recertified prior to issuance of any CO. Max.BUA per previously approved plan is 3.85 acres.

**Utilities**

Potable Water    N/A

Waste Water      N/A

**Airport Noise Cone**

The subject property is not located in the Airport Noise Cone.

**Landscaping Requirements**

Location	<b>Required Planting Yard Type and Rate</b>
North	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
South	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
East	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'
West	Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100'

**Tree Preservation Requirements**

<b>Acreage</b>	<b>Requirements</b>
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5.5 ac      **Not Applicable**

**Transportation**

Street Classification: New Garden Road – Major Thoroughfare, Jefferson Road – Collector Street.

Site Access:                      One proposed via New Garden Road and one proposed via Jefferson Road. GDOT will approve a maximum of one access on New Garden Road to align opposite of an existing access point. Additionally, GDOT will approve a maximum of one access on Jefferson Road to be located as far away from the intersection of Jefferson and New Garden Road as the property line will allow. All access points must meet City of Greensboro Standards.

- Traffic Counts: New Garden Road ADT = 22,832 (2007),  
Jefferson Road ADT = 7,538 (2007).
- Trip Generation: 24 Hour = 1,993, AM Peak = 89, PM Peak = 262.
- 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 is part of the New Garden roadway widening project that is currently under construction.
- Transit in Vicinity: No.
- Traffic Impact Study: Yes, required per TIS Ordinance. Please reference the Executive (TIS) Summary at the end of this report for the recommended improvements for this development.
- Street Connectivity: N/A.
- Other: N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-GB** (Conditional District-General Business) zoning 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 a portion of this location as **Mixed Use Commercial**. The remainder is designated as **Low Density Residential**. The requested **CD-GB** (Conditional District-General Business) zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

POLICY 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

POLICY 4C.1: Establish standards for and promote new forms of compact development.

Economic Development Goal: 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.

## **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**

The New Garden Road Corridor Study (1996) contained a planning staff recommendation that this tract be park and open space, perhaps containing an entrance sign associated with development of the Jefferson Pilot property to the south. However, the Focus Group had no recommendation for this tract in terms of a preferred option.

### **Other Plans - N/A**

### **Staff/Agency Comments**

### **Water Resources - N/A**

## **Housing and Community Development**

### **Planning**

The 5.50 acre parcel is located south of New Garden Road, north of Joseph M. Bryan Boulevard and west of Jefferson Road. This part of the city is generally developed with varying densities and intensities of residential developments, institutional and commercial uses. More specifically, to the north is the Garden Creek Shopping Center and to the south across Bryan Boulevard are the American Hebrew Academy and the Target Shopping Center. To the east is a retention pond and single-family dwellings beyond that. In the year 2006, this property was rezoned from RS-40 (Residential-Single Family) to CD-GB (Conditional District-General Business).

The impetus behind this rezoning is the modification of one existing condition, which will limit free standing signs to 2 pylon signs whose height shall not exceed 30 feet each and also limiting the height of any applicable monument signs to 6 feet each. The applicant is also eliminating 1 other condition that seeks to prohibit billboards from the site. This condition is not necessary anymore since the subject site is located within the Visual Corridor Overlay District and billboards are prohibited in this overlay district.

This rezoning request, if approved, will help promote a diverse mix of uses in the general area. It will also promote a healthy, diversified economy with a strong tax base and opportunities for employment and entrepreneurship while at the same time promoting sound investment in Greensboro’s urban areas. New patterns and intensities of use will also be promoted to increase economic competitiveness and enhance quality of life in the general

area.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request is compatible with the existing development and trend in the surrounding area.

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **CD-GB** (Conditional District-General Business) zoning district.

## Proposed Commercial Developments - Traffic Impact Analysis

Prepared for Krusch Capital Holding, Inc.

June 2, 2006

### Executive Summary

Krusch Capital Holding, Inc. proposes to build a commercial development off New Garden Road in Greensboro, NC (see figure 1). The project consists of multiple retail uses. This project would have two full access points; one located on New Garden Road across from the Greenes Crossing Shopping Center; and on Jefferson Road.

The City of Greensboro has required a traffic analysis to determine the effect of the proposed project. Transportation engineering consultant firm *John Davenport Engineering Inc.* was contracted to provide a traffic impact analysis for this proposed development. The following intersections were included in the study:

- New Garden Road @ Bryan Boulevard EB Ramps (existing signalized)
- New Garden Road @ Bryan Boulevard WB Ramps/Horse Pen Creek Road (existing signalized)
- New Garden Road @ Shopping Center/Proposed Access (existing unsignalized)
- New Garden Road @ Jefferson Road (existing signalized)
- Jefferson Road @ Proposed Access Point

These intersections were analyzed for the following scenarios:

- Existing conditions
- Future no-build
- Future Build

The proposed build-out year for this development is 2008.

The proposed project is expected to generate approximately 1,993 daily trips, with 89 peak hour trips occurring during the AM peak and 262 peak hour trips occurring during the PM peak.

The table on the following page is the level of service table for the projected impact of this development:

Level of Service Table								
Intersection	AM Peak (7-9 AM)				PM Peak (4-6 PM)			
	2006 Existing	2008 Future No-Build	2008 Future Build	2008 Future Build w/improve.	2006 Existing	2008 Future No-Build	2008 Future Build	2008 Future Build w/improve.
New Garden Road @ Bryan Boulevard EB Ramps	B (13.4)	B (15.4)	B (15.1)	B (14.0)	C (27.0)	C (26.5)	C (27.6)	C (27.3)
New Garden Road @ Bryan Boulevard WB Ramps/Horse Pen Creek Road	D (44.7)	D (49.4)	D (53.0)	D (48.5)	D (47.1)	E (55.2)	E (55.5)	D (52.7)
New Garden Road @ Proposed Access Point	C (15.7) SBL	C (18.5) SBL	C (22.4) SBL	C (18.8) SBL	D (28.9) SBL	D (29.7) SBL	F (59.9) SBL	D (30.7) SBL
New Garden Road @ Jefferson Road	C (34.3)	D (35.7)	D (37.7)	D (36.4)	D (42.6)	F (90.2)	C (30.2)	C (25.0)
Jefferson Road @ Proposed Access Point			C (16.8) EBL	C (16.8) EBL			C (17.8) EBL	C (17.7) EBL

Based on the traffic analysis results, the following recommendations are made:

New Garden Road @ Bryan Boulevard EB Ramps (existing signalized)

- No recommended improvements.

New Garden Road @ Bryan Boulevard WB Ramps/Horse Pen Creek Road (existing signalized)

- Construct an exclusive right turn lane with 300-feet of storage on the northbound approach.
- Modify signal accordingly.

New Garden Road @ Shopping Center/Proposed Access #2 (existing unsignalized)

- Construct a continuous right turn lane along the front of the property dropping at Jefferson Road on the eastbound approach.
- Remark New Garden Road to provide for a left turn lane with 200-feet of storage on the westbound approach.
- Construct separate right/thru and left lanes on new approach.
- Note that motorists wishing to turn left out of the side street approaches may experience some moderate to long delays, however both Greenes Crossing Shopping Center and the proposed development have access to traffic signals.



New Garden Road @ Jefferson Road (existing signalized)

- Construct a left, thru/left, and right turn lane on the northbound approach. The right turn lane should have 200-feet of storage.
- Reconfigure signal accordingly.

Jefferson Road @ Proposed Access Point #1

- Construct a 100-foot left turn lane that continues north to New Garden Road.
- Construct a southbound right turn taper.
- Construct separate left and right turn lanes on new approach according to GDOT standards.

**The City of Greensboro Department of Transportation is currently in the planning process to make major roadway improvements along New Garden Road. It was assumed that these improvements will include the construction of an additional thru lane on the eastbound approach. These improvements were assumed to be in place by the build out year of 2008, and were included in the analysis.**

**This commercial development is planned for a developing area of Greensboro. However, as already noted, GDOT is in the process of making improvements to address this growth. With these improvements and the improvements outlined in the report, the analysis indicates that the study intersections' level of service can be maintained and in some cases improved during the build-out year. We have attempted to identify transportation deficiencies and make appropriate recommendations. As a result of this, all study intersections are projected to operate at a LOS D or better. In summary, although this project will add additional traffic to the area, its impact can be mitigated by the committed and recommended improvements.**