



Z-11-03-001

**Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: March 14, 2011

GENERAL INFORMATION

APPLICANT Sheetz, Inc. for FSH Properties, LLC

HEARING TYPE Original Zoning

REQUEST **County RS-30** (Residential-Single Family) and **County HB** (Highway Business) to **City CD-C-M** (Conditional District-Commercial-Medium)

CONDITIONS

1. Uses will be limited to all uses permitted in the Commercial-Medium zoning district **except** the following: group living facilities, animal shelters, cemeteries, temporary and emergency shelters, shooting ranges, amusement and water parks, fairgrounds, campgrounds and recreational vehicle parks, bars, nightclubs and brewpubs, pawnshops, sexually oriented businesses, laundry and dry cleaning plants, all wholesale trade, all warehousing, junked motor vehicles, land clearing and inert debris landfills, and portable storage units.
2. Any redevelopment of the site that includes the construction of new buildings, will in addition to the required landscaping, require the developer to construct a six-foot tall opaque privacy fence along the eastern boundary of the subject property commencing at the northeast corner of the subject property located at the right-of-way of Anita Lane, which fence will be installed in phases according to the phasing shown on the attached plan dated February 11, 2011 and submitted with this application. Where said fence passes through any tree conservation area, the developer will install the fence by hand and no motorized vehicles shall be permitted in the tree conservation area.
3. There shall be a maximum of 17,500 square feet of building floor area on the subject property.

LOCATION **4720, 4720-R, 4722 and 4736 US HWY 29 North**, generally described as east of US HWY 29 North and south of Anita Lane

PARCEL ID NUMBER(S) **7887890962/7887798529/7887799362/7887891511**

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).

63 notices were mailed to those property owners in the mailing area.

TRACT SIZE ~6.39 Acres
TOPOGRAPHY Undulating
VEGETATION Institutional and residential landscaping with mature trees

SITE DATA

Existing Use Convenience store with fuel pumps and a single-family dwelling

	Adjacent Zoning	Adjacent Land Uses
N	County RS-30 (Residential-Single Family)	Undeveloped
E	County RS-30 (Residential-Single Family)	Single-Family dwellings
W	City C-M (Commercial-Medium)	Restaurant
S	County RS-30 (Residential-Single Family) and County AG(Agriculture)	Undeveloped

Zoning History

Case #	Date	Request Summary
	N/A	

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (County RS-30)	Existing (County HB)	Requested (City CD-C-M)
Max. Density:	1.3 dwelling units/acre	N/A	N/A
Typical Uses	Primarily intended to accommodate low-density single-family detached dwellings on large lots in areas (outside of water supply watersheds and the 65 Ldn airport noise contour) without access to public water and sewer services.	Primarily intended to accommodate retail, service, and distributive uses which are typically located along thoroughfares. The district is established to provide locations for establishments which cater primarily to passing motorists and require high visibility and good road access.	The C-M, Commercial-Medium district is primarily intended to accommodate a wide range of retail, service, office uses, and multifamily residential uses in a mixed use context. 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 – N/A

Environmental/Soils

Water Supply Watershed –	Site is non-watersupply watershed and drains to Middle Reedy Fork Creek
Floodplains	>2000ft
Streams	N/A
Other:	If >1acre is disturbed & is High Density, site must meet Phase 2 requirements for Quantity & Quality.

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

US 29 - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

Anita Ln. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

East Property Line - Type B Yard – average width 25'; 3 canopy trees per 100', 5 understory trees per 100', 25 shrubs per 100' also see Condition # 2 above.

South Property Line - Type B Yard – average width 25'; 3 canopy trees per 100', 5 understory trees per 100', 25 shrubs per 100' (against Single Family) and Parking Lot buffer (against Church property)

Parking Lot Landscaping

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

Required Landscaping

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

Table 10–4: Location of Parking Lot Planting Areas		
Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
200-499	1	100 (1)
500-899	3	130
(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance		

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the 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 used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements
Acreage**

Requirements

6.39 ac. 10% of lot size

Transportation

- Street Classification: US Highway 29 – Freeway, Anita Lane – Local Street.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro and/or NCDOT standards.
- Traffic Counts: US Highway 29 ADT = 39,000 (2007).
- Trip Generation: 24 Hour = 2,139, AM Peak Hour = 103, PM Peak Hour = 155.
- 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 doesn't exist nor are there any plans for the City to build sidewalk along the frontage of this property.
- Transit in Vicinity: No transit in the vicinity.
- Traffic Impact Study: (TIS) Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the TIS.
- Street Connectivity: N/A.
- Other: N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **City CD-C-M** (Conditional District-Commercial-Medium) 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 this location as **Industrial Corporate Park, with a small portion as Low Residential**. The requested **City CD-C-M** (Conditional District-Commercial-Medium) zoning district is not consistent with this GFLUM designation, therefore a Comprehensive Plan Amendment to **Mixed Use Commercial** is required. Given the proposed property use and development trends in this area, the GFLUM Amendment is recommended.

Connections 2025 Written Policies

Growth at the Fringe Goal: Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

POLICY 6A.4: Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

- Including protection against incompatible commercial encroachments into residential neighborhoods

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

Existing – Industrial/Corporate Park: This designation applies to areas where present or anticipated uses include both light and heavy industrial uses, such as manufacturing, assembly, and fabrication; wholesaling and distribution; and corporate office and technology parks, which may be introduced to replace older heavy industrial uses. Although new residential development is discouraged in areas designated for this land use category, pre-existing residential uses may be present in or adjacent to these areas. As established industrial areas redevelop, such residential, institutional, or similar uses should be protected from adverse impacts (heavy truck traffic, significant outside storage, factors such as noise, dust, and glare, etc.) through performance-based standards, buffers, and proper separation from noxious uses.

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.

Proposed

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
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N/A

Applicant Stated Reasons for Request

The existing uses on the property are a convenience store and residential. The applicant proposes to redevelop the site as a Sheetz store and neighborhood retail and/or office space. This is a small expansion and redevelopment of the existing site. Given the location of the property on US 29N, mixed use commercial is appropriate.

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

“The change is warranted in light of the existing commercial use of the property and is an improvement and redevelopment of the site. Allowing the property to be redeveloped as a convenience store with fuel pumps will assure continued availability of fuel services in this area as there is a dearth of fuel service stations along Highway 29 N between Greensboro and the Virginia state line.”

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

Over 90% of the subject property is designated Industrial/Corporate Park, with a small piece as Low Residential. Many of the properties to the north are corporate park developments, however the opportunity to do such a development of that type on this property is limited due to the future interstate widening and other issues that make the property smaller than desired for Industrial/Corporate Park uses. The proposed land use designation of Mixed Use Commercial applies well to this property in order to provide services to the surrounding community, commuters and the traveling public.

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) – None envisioned other than the need to review the subject area during the update of the Comprehensive Plan and establish more concrete boundaries for this land use designation.

PLANNING BOARD COMMENTS

The proposed GFLUM Amendment was taken before the Planning Board at their February 16, 2011 meeting. The Planning Board comments were supportive given that the zoning conditions provided a buffer to the neighborhood to the east. Also, the Planning Board believed that the proposed land use designation would provide better opportunity for reinvestment, such as what is being proposed.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans – N/A

Staff/Agency Comments

Community Development

No additional comments.

Planning

This original zoning request is accompanied by a voluntary annexation petition initiated by the property owner.

The applicant intends to develop this site as a convenience store with fuel pumps with some other commercial uses (not binding). This request is not contradictory to the general trend in the area especially as a portion of the site is already being used as a convenience store with fuel pumps under County HB zoning. If approved, this request will help promote a diverse mix of uses and densities in this general area without negatively impacting the overall mix of uses found in the general vicinity. The immediate neighborhood east of US HWY 29 North is developed with single-family dwellings and west of US HWY 29 North is developed with commercial uses. Conditions provided by the applicant should limit potential negative impacts from future development on the adjacent existing residential lots.

Approving this request will help provide a development framework for the fringe that guides sound, sustainable patterns of land use and provides for efficient provision of public services and facilities as the City expands. It will also 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.

Staff believes 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 will be generally compatible with the existing development and trend in the surrounding area.

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **City CD-C-M** (Conditional District-Commercial-Medium) zoning district.

**Proposed Sheetz Development
US 29 at Anita Lane, Guilford County-NC
Transportation Impact Analysis
Prepared for Sheetz Inc.
January 14, 2011**

Executive Summary

The proposed Sheetz Development is located on the southeast quadrant of the intersection of US 29 and Anita Lane in Guilford County, North Carolina. The site currently has a convenience store with eight (8) fueling positions.

The proposed site plan (see Figure 1) shows two (2) access points on US 29 and another access on Anita Lane. The developer currently proposes the site to accommodate a 6,000 square-foot convenience store with 14 fueling positions. Also planned as part of this development is a 2,700 square foot drive-in bank and a 7,200 square foot building whose land use is not exactly known at this time. For analysis purposes, the land use of this building was assumed as retail space, in order to reflect a “worst case scenario” in terms of trip generation.

Davenport Transportation Consulting (DTC) was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- US 29 at Proposed Site Access 1
- US 29 at Proposed Site Access 2
- US 29 at Anita Lane

These intersections were analyzed for AM and PM peaks under the following conditions:

- 2010 Existing Conditions
- 2011 Future No Build Conditions
- 2011 Future Build
- 2011 Future Build with Improvements

The build-out analysis year for this project was assumed to be in one (1) year (*LATE 2011*). The AM (7-9 am) and PM (4-6 pm) peaks were studied.

The North Carolina Department of Transportation (NCDOT) was contacted to obtain background information and to ascertain the elements to be covered in this TIA. Information regarding the property was provided by the developer, Sheetz Inc.

Our ITE trip generation indicates the proposed Sheetz Development is projected to generate a total of 2,139 net trips per day. This is based on a 6,000 square foot convenience market with 14 fueling positions, a 2,700 square foot drive-in bank with 3 drive-thru lanes, and a 7,200 square foot building of unknown land use, which was assumed as retail space for analysis purposes depicting the worst case scenario.

Level of Service Analysis

The following section discusses level of service results for each intersection.

US 29 at Site Access 1

This proposed right in/right out is to be designed to allow vehicles heading southbound on US 29 to make a u-turn and the intersection with Anita Lane. With the addition of site traffic, this proposed driveway is expected to operate at LOS B during the 2011 future build AM peak and LOS E during the PM peak. The LOS E condition is primarily due to heavy northbound traffic on US 29 in the PM Peak, and this condition is typical for minor approaches onto major thoroughfares such as US 29. In order to safely ingress into the site we recommend the following:

- Construct a 150-foot right turn/deceleration lane with the appropriate taper.
- Provide appropriate signing and marking.

US 29 at Site Access 2

With the addition of site traffic, this proposed driveway with right in/right out access is expected to operate at LOS B during the 2011 future build AM peak and LOS E during the PM peak. The LOS E condition is primarily due to heavy northbound traffic on US 29 in the PM Peak, and this condition is typical for minor approaches onto major thoroughfares such as US 29. Based on projected traffic volumes, our analysis shows that this intersection will warrant a northbound right turn lane on US 29 with 175 feet of storage and appropriate taper. We recommend the following:

- Construct a 175-foot right turn/deceleration lane with the appropriate taper. Continue right turn lane through this driveway up to Anita Lane.
- Provide appropriate signing and marking.

US 29 at Anita Lane

This unsignalized left-over intersection (left turns from minor approaches prohibited) currently operates at LOS E for the northbound approach during the AM peak and LOS F for the southbound approach during the PM peak. Under 2011 future no build conditions, the level of service is projected to remain unchanged. With the addition of site traffic, our analysis anticipates LOS F for the northbound approach during the AM peak and LOS F for the southbound approach during the PM peak. The LOS F condition is typical for minor approaches onto major thoroughfares such as US 29, and delays are expected to be short-lived. Our traffic simulation indicates that predicted queues will be well-contained at the intersection (i.e. northbound left: 66 feet during the AM peak and southbound left: 92 feet during the PM peak). Currently, vehicles are u-turning at the northbound left-over for Anita Lane. In addition, they are cutting through the adjacent restaurant on the southbound side of US-29 and our site traffic will add traffic to this movement. In order to safely accommodate this background and development traffic, we recommend the following:

- On the northbound approach, this intersection should be modified to allow for larger vehicles such as SUVs to u-turn. This will require some widening on the southbound side of US-29, as well as some modified signing. Construct the u-turn bulb to accommodate larger vehicles such as SUVs, but NOT trucks. Sign the intersection with a prohibition of trucks.
- On the northbound approach of US 29, the existing left turn storage should be extended to provide approximately 420 feet of storage with appropriate taper and should be separated by concrete monolithic island to prevent vehicles from making u-turns from Site Access 2. Also provide appropriate signing and marking.
- Along the right lane of US-29 north of Anita Lane, revise the current lane drop markings to conform to current MUTCD standards.
- Along Anita Lane, we recommend adding a double yellow centerline (across the frontage of the property)

Table B represents the summary of the level of service analysis.

Table B - Level of Service Summary				
AM Peak	2010 Existing	2011 Future No Build	2011 Build	2011 Build with Improvements
US 29 at Site Access 1			B (13.5) WB Right	B (13.3) WB Right
US 29 at Site Access 2			B (13.9) WB Right	B (13.2) WB Right
US 29 at Anita Lane	SB Left: C (19.1) NB Left: E (42.3) <u>Queue length:</u> SBL: 6 ft NBL: 17 ft	SB Left: C (19.7) NB Left: E (46.0) <u>Queue length:</u> SBL: 7 ft NBL: 20 ft	SB Left: C (21.7) NB Left: F (71.7) <u>Queue length:</u> SBL: 17 ft NBL: 66 ft	
PM Peak	2010 Existing	2011 Future No Build	2011 Build	2011 Build with Improvements
US 29 at Site Access 1			E (38.0) WB Right	E (36.0) WB Right
US 29 at Site Access 2			E (44.8) WB Right	E (37.2) WB Right
US 29 at Anita Lane	SB Left: F (57.8) NB Left: C (15.7) <u>Queue length:</u> SBL: 16 ft NBL: 7 ft	SB Left: F (62.8) NB Left: C (16.1) <u>Queue length:</u> SBL: 17 ft NBL: 8 ft	SB Left: F (138.6) NB Left: C (18.9) <u>Queue length:</u> SBL: 92 ft NBL: 29 ft	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				

Summary and Conclusion

This analysis has been conducted based on the scope given by NCDOT and GDOT. We have carried out analysis for the site with two (2) access points on US 29 and one access point on Anita Lane. The access point considered closer to the southernmost boundary of the site plan is designed to allow passenger cars vehicles exiting the site to make a u-turn at the intersection of US 29 at Anita Lane and head southbound on US 29.

Our comments/recommendations are as follows:

- Currently, vehicles are u-turning at the northbound left-over for Anita Lane. In addition, they are cutting through the adjacent restaurant on the southbound side of US-29 and our site traffic will add traffic to this movement. In order to safely accommodate this background and development traffic, we recommend the following:
 - On the northbound approach, this intersection should be modified to allow for larger vehicles such as SUVs to u-turn. This will require some widening on the southbound side of US-29, as well as some modified signing. Construct the u-turn bulb to accommodate larger vehicles such as SUVs, but NOT trucks. Sign the intersection with a prohibition of trucks.
 - On the northbound approach of US 29, the existing left turn storage should be extended to provide approximately 420 feet of storage with appropriate taper and should be separated by concrete monolithic island to prevent vehicles from making u-turns from Site Access 2. Also provide appropriate signing and marking.
- Along the right lane of US-29 north of Anita Lane, revise the current lane drop markings to conform to current MUTCD standards.
- Along Anita Lane, we recommend adding a double yellow centerline (across the frontage of the property)
- For Site Access 2, construct a 175-foot right turn/deceleration lane with the appropriate taper. Continue right turn lane through the Site Access 2 up to Anita Lane. Provide appropriate signing and marking.
- For Site Access 1, construct a 150-foot right turn/deceleration lane with the appropriate taper. Provide appropriate signing and marking.

In conclusion, this study has determined the potential traffic impacts of this development and identified transportation improvements that will be required to accommodate the impacts of both background traffic and new development traffic. It is recommended that all driveways into the site and off-site improvements should be constructed to comply with NCDOT Policy on Street and Driveway Access to North Carolina Highways and GDOT Roadway Design Manual where applicable.