



Z-18-01-001

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

**Zoning Commission Hearing Date: January 17, 2018**

**GENERAL INFORMATION**

**APPLICANT** Marc. L. Isaacson for Patricia Bradley

**HEARING TYPE** Rezoning and Original Zoning

**REQUEST** Rezoning request from C-H (Commercial High) to CD-C-M (Conditional District – Commercial Medium) and an original zoning request from County RS-40 (County Residential Single-family) to CD-C-M (Conditional District – Commercial Medium)

**CONDITION(S)** All uses allowed in the C-M district shall be permitted EXCEPT: bars, nightclubs, brewpubs, Sexually Oriented Businesses, convenience stores with fuel pumps, drive-thru establishments and crematoriums

**LOCATION** 2935 Pleasant Garden Road (Rezoning) and a portion of 2924-2930 Liberty Road (Original Zoning)

**PARCEL ID NUMBER(S)** 0079914 and a portion of 0130655

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

**TRACT SIZE** 10.48 Acres Total

**TOPOGRAPHY** Undulating

**VEGETATION** Residential

**SITE DATA**

<b>Existing Use</b>	<b>Undeveloped</b>
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>

N	City C-L (Commercial Low)	Shopping center
	City R-5 (Residential Single Family)	Single family dwellings
E	County RS-40 (Residential Single Family)	Single family dwellings
W	City R-5 (Residential Single Family)	Single family dwellings
S	City C-M (Commercial Medium)	Gas Station and Hwy 421

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	A portion of the subject property is not currently located in the City's jurisdiction.
N/A	N/A	The portion of the subject property that is in the City is currently zoned C-H. Prior to adoption of the LDO, the property was zoned SC.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (County RS-40)	Existing (City C-H)	Requested (City CD-C-M)
Max. Density:	1.0 dwelling unit per acre	N/A	3.0 dwelling units per acre and N/A
Typical Uses	Primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and wastewater services	Uses limits to limited to offices, restaurants, retail, and vehicle sales and service	All uses allowed in the C-M district shall be permitted <u>EXCEPT</u> : bars, nightclubs, brewpubs, Sexually Oriented Businesses, convenience stores with fuel pumps, drive-thru establishments and 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**

N/A

**Environmental/Soils**

Water Supply Watershed Site drains Lake MacIntosh Watersupply Watershed WSIV, Little Alamance Creek Sub-basin

Floodplains >2000FT

Streams 50ft Jordan Lake Buffers apply to streams

Other: Site must meet current watershed requirements, water quality & water quantity control must be addressed. High Density Development Max. BUA is 70% with sewer, Low Density is 24% BUA with sewer or without sewer. All proposed BUA must be treated.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Overlay District & Noise Cone**

N/A

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

Street Yard: 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 Yard: Adjacent to single-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 vacant property or commercial uses: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

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

**Tree Conservation:**

Tree Conservation is required for all expansions of buildings, parking areas, or open uses of land, which disturb area of 3,000 sq. ft. or more: 10% of disturbed area in critical root zone to be dedicated.

### Transportation

Street Classification:	Pleasant Garden Road – Local Street. Liberty Road – Minor Thoroughfare.
Site Access:	All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Pleasant Garden Road ADT = 2,900 (NCDOT, 2016)
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:	No.
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-CM (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-CM (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 (CP 17-12) 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 side as being partially within **Growth Tier 1, Current Growth Area (2013 – 2019)**.

### **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.

**Land Use Goal 4.3 – Growth at the Fringe:** 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 4F:** Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and
- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

**Policy 4G:** Improve the quality and patterns of development through incentives and regulatory guidelines.

**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.

**Housing and Neighborhoods, Goal 6:** Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

**Policy 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**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.

**Growth Tier 1, Current Growth Area (2013 – 2019):** Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City’s development pattern shall be encouraged over the next six years.

**Comprehensive Plan Amendment History**

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

**Applicant Stated Reasons for Request**

“This property is currently zoned City CH and County RS-40 and designated High Residential in the GFLUM. The property owner’s intended use is a self-storage facility. We have requested annexation of the County property and rezoning for the entire property to CD-C-M to accommodate this use. The GFLUM amendment is necessary to achieve this zoning change and our ultimate intended use.”

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

“A Mixed Use Commercial designation is warranted in this location because this outer frontier of Greensboro has grown in residential population but not in services to support those residents. The area is high traffic, being located just off Highway 421 and is not desirable for residential development. As this area becomes more and more part of the City through growth and annexation, the City needs to plan accordingly.”

**COMPREHENSIVE PLAN POLICY ANALYSIS**

**Need for Proposed Change**

The requested **CD-C-M (Conditional District – Commercial Medium)** zoning district, 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 17-12**) 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 17-12 during its meeting on December 20, 2017. The Planning Board commented that the requested Mixed Use Commercial designation doesn't appear anywhere nearby on the map. The Board questioned whether this make sense as a transition, pointing out that it makes a 'step down' from nearby industrial. The Planning Board noted that the area included is well established as non-residential, that the requested amendment fits with uses in the area, and is not a negative. The Planning Board further stated that the request sets a precedent in area to develop areas, particularly to the north, and should be marked for focus as the comprehensive plan is updated. The Board concluded that they are familiar with the area, and are happy to see the change, which matches current uses on the ground.

### **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 original zoning and development with owners of surrounding properties and with representatives of the nearby Rotherwood Neighborhood, located to the northeast of the subject site.

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
- Economic Development Impact Zone 2 (local).

#### **Staff Analysis**

The 10.48 acre subject site (a portion of a larger existing lot) is currently vacant land. Uses to the north, east and west are single family dwellings. Uses to the south and northwest are commercial. A portion of the subject site was brought into the City as part of a previous annexation. A portion of the subject parcel will remain in the County. The applicant is interested in accessing City services for a portion of their property and thus has requested annexation of the remainder of the lot into the City.

The Comprehensive Plan's Future Land Use Map currently designates this area as High Residential. The High Residential designation accommodates high-density apartment dwellings, condominiums, life care, and similar housing types that have a density of more than 12 dwelling units per acre. As part of this request the applicant is requesting the designation to be changed to 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.

The Commercial Medium district would allow for a variety of commercial, service and mixed uses. This request also contains conditions to limit the uses allowed for future development to limit impacts on adjacent residential uses.

This request supports the Comprehensive Plan's Growth at the Fringe goal to guide sound, sustainable patterns of land use and provide for efficient provision of public services and facilities as the City expands. It also supports the Economic Development goal to 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.

If the Comprehensive Plan Amendment (CP-17-12) is approved, 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 **City CD-C-M** (Conditional District – Commercial Medium) zoning district.