



Z-19-09-008

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

Zoning Commission Hearing Date: September 16, 2019

GENERAL INFORMATION

APPLICANT	Mike Fox for JESC, LLC, Larose Properties, LLC, and Brown Investment Properties, Inc.
HEARING TYPE	Rezoning Request
REQUEST	LI (Light Industrial) to CD-C-M (Conditional District – Commercial Medium)
CONDITIONS	<ol style="list-style-type: none">1. Permitted uses shall include all uses allowed in the Commercial-Medium (C-M) district, except for the following:<ol style="list-style-type: none">a. All Group Living;b. All Cemeteries;c. Bus and Rail Terminals;d. Shooting Ranges;e. Funeral Homes and Crematoriums;f. Taxi Dispatch Terminals;g. Taxidermists;h. ABC Stores (Liquor);i. Convenience Store with Fuel Pumps;j. Pawnshops;k. Sexually Oriented Businesses;l. All Vehicle Sales and Service uses;m. Laundry and Dry Cleaning Plants;n. Pest and Termite Control Services;o. Printing and Publishing; andp. Land Clearing & Inert Debris Landfills, Minor2. Total maximum building area shall not exceed 50,000 square feet.
LOCATION	1001-1007 Battleground Avenue and 517 Prescott Street
PARCEL ID NUMBER(S)	7864398011, 7864396092, 7864397061, 7864395034 and 7864386848
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). 74 notices were mailed to those property owners in the mailing area.

TRACT SIZE 2.45 Acres
TOPOGRAPHY Slopping toward the rear of the property
VEGETATION Limited

SITE DATA

Existing Use Sign contractor and vacant office uses.

	Adjacent Zoning	Adjacent Land Uses
N	R-5 (Residential Single-family)	Green Hill Municipal Cemetery
E	LI (Light Industrial)	Single-family dwellings, office uses and contractors
W	LI (Light Industrial) R-5 (Residential Single-family)	Auto repair Single-family dwellings
S	LI (Light Industrial)	Office uses

Zoning History

Case #	Date	Request Summary
N/A	N/A	All properties are currently zoned LI (Light Industrial) and have been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject properties were also zoned LI (Light Industrial).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (LI)	Requested (CD-C-M)
Max. Density:	N/A	N/A
Typical Uses:	Typical uses in the LI district may include limited manufacturing, wholesaling, warehousing and distribution uses.	Uses limited to all uses permitted in the Commercial Medium zoning district except: All Group Living uses; All Cemeteries; Bus and Rail Terminals; Shooting Ranges; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; Taxidermists; ABC Stores (Liquor); Convenience Store with Fuel Pumps; Pawnshops; Sexually Oriented Businesses; All Vehicle Sales and Service uses; Laundry and Dry Cleaning Plants; Pest and Termite Control Services; Printing and Publishing; and Land Clearing & Inert Debris Landfills, Minor.

*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

The subject property is located in the Residential Mixed Use area of the Downtown Design Overlay, which has architectural and site requirements and guidelines for new construction and for renovations that affect the first floor façade of the building. Consult the Downtown Design Manual “Process/Guidelines” and “Appendices” for detailed applicable requirements and design guidance.

The subject site is located within the Central Business Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils

Water Supply Watershed Site drains to N. Buffalo Creek, Non-Watersupply Watershed Watershed

Floodplains On site. A Floodplain Development Permit is required for any disturbance within the FEMA 1% and Future 1% Special Flood Hazard Area. Any structures within the FEMA 1% SFHA must be either elevated or flood proofed. An Elevation Certificate is required for any structures within the FEMA 1% SFHA at footing/foundation stage and at Final Construction. All electrical, mechanical, HVAC and Plumbing must be elevated to 1ft above the BFE (Base Flood Elevation) or flood proofed.

Streams Streams onsite have a 50ft stream buffer measured from top of bank on each side. Any possible features must be identified for stream buffers. No new BUA is allowed within the entire 50ft stream buffer.

Other: If >1 acre is disturbed and the BUA is increased, site must meet current Phase 2 requirements, water quality and water quantity control must be addressed

Utilities

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping and Tree Conservation requirements will be applicable to expansions of use and new development or redevelopment on the subject parcels.

Landscaping:

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 Commercial or Office uses, or vacant property: 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.

On lots of record that existed prior to July 1, 1992 that are less than 55,000 square feet in area, no development is required to landscape more than 15% of the site.

Tree Conservation:

For 2.45 acres, 5% of parcel size in critical root zone to be dedicated for Tree Conservation.

Transportation

Street Classification: Battleground Avenue – Major Thoroughfare.
Smith Street – Major Thoroughfare.
Prescott Street – Local Street.

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

Traffic Counts: Battleground Avenue AADT = 14,500 vpd (NCDOT, 2018).
Smith Street AADT = 15,500 vpd (NCDOT, 2018).

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 a portion of the frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required per TIS ordinance.
(TIS)

Street Connectivity: N/A.

Other: Subject site is adjacent to the future extension of the Atlantic & Yadkin Greenway Project. The A&Y extension will connect the existing portion of the greenway to the Downtown Greenway. Design of this project is complete but no construction date has been set at this time.

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 **Mixed Use Residential**. The requested **CD-C-M (Conditional District – Commercial – Medium)** zoning district, as conditioned, is generally consistent with the **Mixed Use Residential** GFLUM designation.

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

Mixed Use Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

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.

Cedar Street / Bellemeade Area Strategic Plan

Goal #1: Stabilize, protect, enhance and complement the existing neighborhood's character, diversity and appearance.

Goal #2: Encourage appropriate future development of a variety of uses (business, commercial and residential) in the neighborhood.

Relevant Strategies:

- Neighborhood and pedestrian friendly commercial zoning
- Partner with large land owners to develop underutilized spaces
- Offer technical assistance to property owners interested in development

Goal #4: Create a pedestrian, bicycle, and resident friendly environment in the area that encourages walking to downtown, First Horizon Stadium, universities/colleges, and adjacent neighborhoods.

Relevant Strategies:

- Improve sidewalks and crosswalks

- Evaluate existing street lighting and make repairs

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, and with representatives of the Cedar Street / Bellemeade Area neighborhood, within which the subject site is located.

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).

Staff Analysis

The 2.45 acre subject site is currently a sign contractor, vacant office uses, and vacant land. North of the request is Green Hill Municipal Cemetery, zoned R-5. East of the request are office uses, and contractor offices, zoned LI. South of the request are office uses zoned LI. West of the request are single-family dwellings and an auto repair use, zoned R-5 and LI.

The Comprehensive Plan's Future Land Use Map designates this area as Mixed Use Residential. This category applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. The requested CD-C-M zoning district, as conditioned, is generally consistent with the Mixed Use Residential designation.

The rezoning request is consistent with the Comprehensive Plan's 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. It is also consistent with the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas.

The 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.