



Z-19-09-009

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 the City of Greensboro
HEARING TYPE	Rezoning Request
REQUEST	Rezoning from LI (Light Industrial) and R-5 (Residential Single-family Residential - 5) to C-M (Commercial Medium).
CONDITIONS	N/A
LOCATION	Portion of Battleground Avenue (east of Hill Street and west of Prescott Street)
PARCEL ID NUMBER(S)	N/A
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). 48 notices were mailed to those property owners in the mailing area.
TRACT SIZE	0.657 Acres
TOPOGRAPHY	Flat (Highway)
VEGETATION	None (Highway)

SITE DATA

Existing Use		Battleground Avenue Right of Way
	Adjacent Zoning	Adjacent Land Uses
N	R-5 (Residential Single-family)	Green Hill Municipal Cemetery
E	R-5 (Residential Single-family)	Battleground Avenue right of way
W	LI (Light Industrial)	Battleground Avenue right of way
S	LI (Light Industrial)	Office uses and vacant land

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned LI (Light Industrial) and R-5 (Residential Single-family - 5) and have been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject properties were zoned LI (Light Industrial) and RS-7 (Residential Single-family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (LI)	Existing (R-5)	Requested (C-M)
Max. Density:	N/A	N/A	N/A
Typical Uses	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities which in their normal operations, have little or no adverse effect upon adjoining properties.	Primarily intended to accommodate low density single-family residential development with a density not exceeding 5 dwelling units per acre.	Primarily intended to accommodate a wide range of retail, service, office and multi-family residential uses in a mixed-use environment.

**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 classification 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 N/A
- Other: Site is <1acre, Water Quantity Control must be addressed.

Utilities

Request a water/sewer feasibility from Kenney Treadway (336-373-2897).

Airport Overlay District & Noise Cone
N/A

Landscaping & Tree Conservation Requirements

There are no Landscaping or Tree Conservation requirements for highway right-of-way.

Transportation

- Street Classification: Battleground Avenue – Major Thoroughfare.
- 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).
- 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: 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 **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 0.657 acre subject site is the portion of Battleground Avenue located east of Hill Street and west of Prescott Street. The subject property is directly adjacent to rezoning case Z-19-09-008. North of the request is Green Hill Municipal Cemetery, zoned R-5. East and west are other portions of Battleground Avenue, zoned R-5 and LI. Uses to the south are a sign contractor, vacant office uses, and vacant land zoned 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 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.

Table 7-14 in 30-7-5.1 of the City of Greensboro Land Development Ordinance limits building height within the C-M zoning district to 50 feet when adjacent to Residential zoning districts. Rezoning Case Z-19-09-008 would be limited to a maximum building height of 50 feet due to the Battleground Avenue right-of-way being zoned R-5. If this request is approved, the maximum building height associated with Rezoning Case Z-19-09-008 would be 150 feet.

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 **C-M** (Commercial - Medium) zoning district.