



PLZ-23-04

City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: February 21, 2023

GENERAL INFORMATION

APPLICANT Marc Isaacson on behalf of Christopher Robinson and Michael Nicholson of Star Investments, LLC

HEARING TYPE Rezoning Request

REQUEST CD-C-M (Conditional District – Commercial - Medium) to CD-C-M (Conditional District – Commercial - Medium)

CONDITIONS

1. Permitted uses shall be limited to all uses permitted in the C-M zoning district except: Sexually Oriented Businesses; Bars, Nightclubs, and Brewpubs; Car Washes; Pawnshops; Junked Motor Vehicles; Automobile Towing and Storage Services; Land Clearing and Inert Debris Landfills, Minor (Temporary Use); Automobile, Boat, and Motorcycle Repair Services, Major and Minor; Truck and Utility Trailer Rental and Leasing; Gun Shops; any Drive-through use; and Convenience Stores (with or without fuel pumps).
2. Any outdoor storage of equipment or material must be fully screened from ground level view. This condition shall not apply to outdoor display of automobiles in connection with any vehicle sales use.

LOCATION 4200 & 4206 United Street

PARCEL ID NUMBER(S) 7844931851 and 7844930836

PUBLIC NOTIFICATION The notification area for this public hearing was 750 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). **90** notices were mailed to those property owners in the mailing area.

TRACT SIZE 0.97 Acres

TOPOGRAPHY Flat

VEGETATION Sparse vegetation

SITE DATA

Existing Use

Contractor's office

	Adjacent Zoning	Adjacent Land Uses
N	RM-18 (Residential Multi-family – 18)	Single-family dwellings and multi-family dwellings
E	R-5 (Residential Single-family-5)	South Holden Road right-of-way and single-family dwellings
S	R-5 (Residential Single-family-5) and PI (Public and Institutional)	Ashland Drive and West Wendover Avenue and South Holden Road right-of-way and retirement community
W	R-5 (Residential Single-family-5)	Single-family dwellings

Zoning History

Case #	Effective Date	Request Summary
CD3605	October 16, 2007	<p>The subject property was rezoned from CD-GB (Conditional District-General Business) to CD-C-M (Conditional District-Commercial-Medium) the following conditions:</p> <ol style="list-style-type: none"> 1. Permitted uses shall be limited to all uses permitted in the C-M zoning district except: Sexually Oriented Businesses; Bars, Nightclubs, and Brewpubs; Car Washes; Pawnshops; Junked Motor Vehicles; Automobile Towing and Storage Services; Land Clearing and Inert Debris Landfills, Minor (Temporary Use); Automobile, Boat, and Motorcycle Repair Services, Major; Truck and Utility Trailer Rental and Leasing; Gun Shops; any Drive-through use; and Convenience Stores (with or without fuel pumps); 2. Any outdoor storage of equipment or material must be fully screened from ground level view. This condition shall not apply to automobile display areas.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-C-M)	Requested (CD-C-M)
Max. Density:	N/A	N/A
	<ol style="list-style-type: none"> 1. Uses: Sexually Oriented Businesses, Bars, Car Washes, Pawnshops, Junked Motor Vehicles, Automobile Towing and Storage Services, Land Clearing and Inert Debris Landfills, Motor Vehicle Sales (new and used), Automobile Repair Shops (major and minor), 	<ol style="list-style-type: none"> 1. Permitted uses shall be limited to all uses permitted in the C-M zoning district except: Sexually Oriented Businesses; Bars, Nightclubs, and Brewpubs; Car Washes; Pawnshops; Junked Motor Vehicles; Automobile Towing and Storage Services; Land Clearing and Inert Debris Landfills, Minor (Temporary Use); Automobile, Boat, and Motorcycle Repair Services, Major; Truck and Utility

Truck and Utility Trailer rent and Leasing, Light, Gun Shops, Gasoline Service Stations, or any use with drive-thru service or convenience stores with or without fuel pumps shall not be permitted.

Trailer Rental and Leasing; Gun Shops; any Drive-through use; and Convenience Stores (with or without fuel pumps);

2. Any outdoor storage of equipment or material must be fully screened from ground level view from properties or public streets.
3. Hours of operation shall be limited to the hours between 7:00am and 11:00pm

2. Any outdoor storage of equipment or material must be fully screened from ground level view. This condition shall not apply to automobile display areas.

Typical Uses Typical uses in the C-M district may include various retail, restaurant, office and service uses. Typical uses in the C-M district may include various retail, restaurant, office and service uses.

**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 site is located within the South Holden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

The subject site is not:

- Located in a City of Greensboro Historic District or Heritage Community
- Designated as a Guilford County Landmark Property
- Recognized as a State of North Carolina Historic Site
- Listed in the National Register of Historic Places
- Located in a National Register Historic District

Environmental/Soils

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

Floodplains N/A

Streams N/A

Other: Since site is less than 1 acre only Water Quantity Control must be addressed for the entire development.

Utilities (Availability)

Water is available in front of property on United Street and Ashland Dr. Sewer is available on the north sides of the properties. Private Developer will need to extend water and sewer to City of Greensboro’s Water and Sewer Design Standards.

Airport Overlay District & Noise Cone

Landscaping & Tree Conservation Requirements

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 single-family residential uses, a 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 linear feet.

Parking Lots:

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

Tree Conservation:

For 0.97 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification: United Street – Collector Street.
Ashland Drive – Collector Street.

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

Traffic Counts: None Available.

Trip Generation: N/A.

Sidewalks: Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does not exist along 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 (Commercial – Medium)** zoning district, as conditioned, would allow land uses that are compatible with the general character of the area.

GSO 2040 Comprehensive Plan Policies

The GSO 2040 Future Land Use Map designates this location as **Residential**. The requested **CD-C-M (Commercial – Medium)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** future land use designation. When located in areas designated by the Future Land Use Map as **Residential**, uses other than single family residential and multi-family residential should generally be in the scale of a **Neighborhood-** or a **District- Scaled Activity Center** as described in the Future Built Form Map, in a form that is appropriate to the character of the area. The Future Built Form Map designates this location as **Urban Central**.

GSO 2040 Written Policies:

Filling In Our Framework – How we arrange our land uses for where we live, work, attend school, shop and enjoy our free time can create a more vibrant and livable Greensboro.

Goal A – Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

Strategy 1 – Encourage higher density, mixed-use, walkable infill development.

Successful mixed-use infill development requires different tools and approaches depending on its size and context.

Strategy 2 – Ensure mixed use projects both strengthen and add value to the Community. Architecture and urban design should be of high quality and should complement existing development. Projects should be coordinated with transit services and offer multiple mobility options. Additionally, new services and housing should augment, not displace, existing neighborhood-scale commercial development.

Goal C – People choose to live in Greensboro because every neighborhood is safe and has convenient access to first-rate schools, services, shopping, parks, and community facilities.

Strategy 1 – Employ a problem prevention model to identify causes and solutions to neighborhood problems.

Creating Great Places – Creating interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro, in downtown and with our historic resources.

Goal A – Greensboro’s citywide network of unique neighborhoods offer residents of all walks of life a variety of quality housing choices.

Strategy 1 – Protect and enhance the unique character of every neighborhood.

Becoming Car Optional – Expand quality transportation options beyond cars and maintain an efficient transportation system that allows people and goods to travel throughout Greensboro.

Goal A – Greensboro has unrivaled pedestrian, biking, transit and road networks that provide safe, comfortable, and convenient transportation options.

Strategy 2 – Encourage new development that is compatible with the intended use of the adjacent roadway, which could be supporting commercial activity, serving a primarily residential area, or carrying significant traffic volumes. Support denser development along commercial corridors to create a better environment for multiple transportation options such as walking and higher rates of public transit use. Create plans to connect adjacent, large commercial areas to each

other with transportation improvements that allow comfortable and convenient use of various non-automotive travel modes.

Goal B – Everyone loves our interconnected green spaces, which provide recreation and transportation opportunities, promote active living, and protect our natural environment.

Strategy 1 – Expand the greenway network to connect all parts of the city as a key element of the transportation system.

Prioritizing Sustainability - Greensboro has a strong leadership role in environmental stewardship, social equity, and a resilient economy

Goal A - Greensboro advances environmental stewardship, taking care of our natural resources and the natural systems that support all living things.

Strategy 1 - Promote resilient, efficient and environmentally beneficial patterns of land use.

Goal B - Greensboro embraces social equity, ensuring all residents benefit from fair and just treatment in the distribution of public services and have a voice in governance.

Strategy 1 – Evaluate impacts to vulnerable populations and communities when reviewing existing and considering new public policies, projects and services.

Strategy 2 – Work to ensure that all Greensboro residents have meaningful opportunities to participate in public decision-making processes.

Strategy 3 - Promote a just, ethical, and respectful community.

Goal C - Greensboro builds economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

Strategy 1 - Consider the impact that growth and development patterns and infrastructure investments have on the City's fiscal health.

Strategy 2 - Cultivate a diverse range of industry sectors and scales of operation in the local economy to help minimize the impacts of major fluctuations within any single sector. Create a local economy that is based on reuse, durability, and repair, to reduce the impacts of an economy centered on disposable goods. Encourage a robust level of local investment from public, non-profit, and private sources to support entrepreneurship, especially when it advances sustainability goals or strategies.

Strategy 3 – Enhance economic resiliency through strong partnerships and a deep reserve of social capital.

Building Community Connections – Greensboro is unique and memorable based on our quality of life, culture, arts and places and the ties that bind us together as a community.

Goal E – Everyone does their part to maintain stable, attractive, and healthy places to live and raise families.

Strategy 2 – Build neighborhood association capacity to work collaboratively, assess conditions, and effect change.

Growing Economic Competitiveness - Greensboro will build a prosperous, resilient economy that creates equitable opportunities to succeed.

Goal C – Investment in cutting edge communications technology enhances the quality of life for all residents and helps businesses thrive.

Strategy 1 – Encourage fiber-ready infrastructure to reduce the need for costly future upfits, increase property values and promote economic growth.

Goal D – Education and workforce training opportunities empower residents to achieve financial security and career fulfillment and are matched to the needs of employers.

Strategy 1 – Work with our community partners to provide quality learning from early childhood to higher education through local schools and businesses.

Strategy 2 – Work with our partners to provide accessible and affordable career and workforce education.

Goal E – Greensboro promotes homegrown businesses, supports entrepreneurship, cultivates industry leaders, and welcomes major corporations and institutions.

Strategy 1 – Work cooperatively with local and regional economic development and entrepreneurial entities to leverage relationships and maximize impact with our collective resources.

Strategy 2 – Provide entrepreneurs at all stages of the business life cycle with connections to education, financing, and other resources and assets that support their growth.

Goal F – Greensboro attracts and retains a diverse pool of talented individuals, especially young adults, who have a wide variety of skill sets.

Strategy 1 – Market professional development opportunities to young professionals, skilled and unskilled tradespeople, artisans, and craftspeople.

GSO 2040 Map Policies

Future Land Use Map

Future Land Uses: Broad areas based on the main character of land uses that we want to see in the future. These are not intended to be exclusive; it is assumed that there are a variety of uses in each area, but the designation reflects the area’s predominant character.

Residential: Includes both single-and multi-family residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

Future Built Form Map

Place Types: Areas that have a consistency of character, identity or purpose and that are most often bounded by corridors, natural features, or parks that create transition or separation from other neighborhoods that may not share the same characteristics.

Urban Central should reflect these characteristics:

1. Development is consistent with adopted neighborhood plans and their design guidelines.
2. New development should be compatible with the existing development pattern, as described in the “Existing Built Form” section: Short blocks and a grid-based street pattern;
 - Fine-grained zoning designations with a wide variety of uses are found closer to each other;
 - A range of residential building types, from detached, single-family houses, to Missing Middle Housing, to mid-rise multi-family in close proximity to each other; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors;
 - Buildings on lots that are close to the width of a residential lot, rather than a uniform building along the entire block face;
 - Buildings close to each other and to the street; and
 - Connected sidewalks that form a walkable network.

3. There is benefit from and support from the viability of public open spaces, plazas, public art, and cultural resources.
4. Safety and crime prevention is integrated into building and site design by orienting windows and doorways to streets overlooking semi-public and shared spaces. Parking is oriented behind buildings, so buildings are built to the street with unobstructed windows for visual surveillance on the sidewalk and street.
5. Front doors and porches build community and neighborhood vitality and encourage neighbor interaction.
6. Exterior building materials are durable, sustainable, and contribute to the unique character of the surrounding buildings and existing neighborhood.
7. Equitable and ample access to walking, bicycling, transit and ride sharing is provided.

Activity Centers: Ranging in size from a corner business at the intersection of two collector roads to regional shopping centers, activity centers attract people and are often the focus of community, civic, and social or commercial activity. Location, accessibility, size, and the extent and diversity of activities within an activity center influence the nature of economic development opportunities, potential impacts on nearby uses, and the way in which it is enjoyed by the community.

Neighborhood and District Scaled Activity Centers should reflect these characteristics:

1. Development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.
2. Development adjacent to residential neighborhoods, parks, or other low intensity uses gives consideration to light, traffic, noise, and other potential impacts of the development.
3. Buildings and uses are easy to access on foot or by bike. These Centers include safe paths, bike racks, benches and other amenities for non-motorized travelers.
4. These Centers coordinate adjacent site designs and public improvements to provide comfortable sidewalk space for pedestrian movement, curb “bump-out” extensions, street trees/lighting/furniture, sidewalk cafés, and an active pedestrian-friendly environment.

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 rezoning and development with owners of surrounding properties and with representatives of the Highland Park neighborhood (the boundaries of which, as identified by said neighborhood, the subject site is located within).

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 Original Zoning Analysis

The subject properties are approximately 0.97 of an acre and currently contain a contractor's office. North of the subject properties contain single-family dwellings and multi-family dwellings, zoned RM-18. East of the request contains South Holden Road right-of-way and offices, zoned R-5. South of the subject property contains rights-of-way for Ashland Drive, West Wendover Avenue, and South Holden Road, zoned R-5, and further south is a retirement community, zoned PI. West of the request are single-family dwellings, zoned R-5.

The proposed rezoning request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to build a prosperous, resilient economy that creates equitable opportunities to succeed and the Comprehensive Plan's Prioritizing Sustainability Goal to build economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates the properties as Residential. The requested CD-C-M (Commercial – Medium) zoning district, as conditioned, would allow uses that are generally consistent with those described in the Residential future land use designation when uses other than single family residential and multi-family residential are generally to the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map. The character of this section of the neighborhood does describe a residential area that includes commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

The Comprehensive Plan's Future Built Form Map currently designates this property as Urban Central and Neighborhood and District-Scaled Activity Centers. Applicable characteristics of the Urban Central classification include, but are not limited the following:

- Development is consistent with adopted neighborhood plans and their design guidelines.
- New development should be compatible with the existing development pattern, as described in the “Existing Built Form” section: Short blocks and a grid-based street pattern;
 - Fine-grained zoning designations with a wide variety of uses are found closer to each other;
 - Buildings close to each other and to the street; and
 - Connected sidewalks that form a walkable network.
- There is benefit from and support from the viability of public open spaces, plazas, public art, and cultural resources.
- Safety and crime prevention is integrated into building and site design by orienting windows and doorways to streets overlooking semi-public and shared spaces. Parking is oriented behind buildings, so buildings are built to the street with unobstructed windows for visual surveillance on the sidewalk and street.
- Front doors and porches build community and neighborhood vitality and encourage neighbor interaction.
- Exterior building materials are durable, sustainable, and contribute to the unique character of the surrounding buildings and existing neighborhood.
- Equitable and ample access to walking, bicycling, transit and ride sharing is provided.

Additionally, properties located within Neighborhood and District Activity Centers should reflect some of the following characteristics:

- Development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.
- Development adjacent to residential neighborhoods, parks, or other low intensity uses gives consideration to light, traffic, noise, and other potential impacts of the development.

The proposed zoning conditions require the full screening of all outdoor equipment and materials and the Land Development Ordinance additionally requires screening from residential properties for auto sales uses to ensure compatibility with adjacent and nearby residential properties. Additionally this property has been zoned and used for nonresidential uses for many years and is located directly adjacent to a major thoroughfare at the edge of the neighborhood to limit impacts on the larger residential areas to the north and west.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO2040) 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.