



PL(Z)23-12

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

City Council Hearing Date: April 17, 2023

GENERAL INFORMATION

| | |
|---------------------|--|
| APPLICANT | John Kilburn for Lou and Martin Green of Valley Brook, LLC |
| HEARING TYPE | Annexation and Original Zoning Request |
| REQUEST | County CZ-MXU (Conditional Zoning – Mixed-Use) to City CD-C-L (Conditional District – Commercial-Low) |
| CONDITIONS | <ol style="list-style-type: none">1. Permitted uses shall include all uses allowed in the C-L zoning District except:<ol style="list-style-type: none">a. Wireless Telecommunications Facilities;b. Bars, Night Clubs, and Brew Pups;c. Banks, Savings and Loans, and Credit Union with drive-through facilities;d. Dry cleaning pick-up/drop-off with drive-through facilities;e. Veterinary Services, Pet Grooming, and Kennels;f. Convenience Stores with Fuel Pumps;g. All Eating and Drinking establishments;h. Retail sales |
| LOCATION | 5005 High Point Road |
| PARCEL ID NUMBER(S) | 7842089784 |
| 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). 54 notices were mailed to those property owners in the mailing area. |
| TRACT SIZE | 1.53 acres |
| TOPOGRAPHY | Undulating |
| VEGETATION | Wooded |
| <u>SITE DATA</u> | |
| Existing Use | Undeveloped land |

| | Adjacent Zoning | Adjacent Land Uses |
|---|---|--|
| N | County RS-20 (Residential Single-family-20) and County CZ-HB (Conditional Zoning-Highway Business) and City CD-C-H (Conditional District-Commercial-High) | Shopping center, single-family dwellings and undeveloped land and right-of-way |
| E | County RS-20 and City R-3 (Residential Single-family-3) | Single-family dwellings |
| S | County CZ-MXU (Conditional Zoning-Mixed-Use) | Offices |
| W | County MXU (Mixed-Use) and County HB (Highway Business) and County RS-undeveloped land 40 (Residential Single-family) | Shopping Center and club/lodge and |

Zoning History

| Case # | Date | Request Summary |
|--------|------|---|
| N/A | N/A | The subject property is not currently located in the City's jurisdiction. |

ZONING DISTRICT STANDARDS**Existing District Summaries**

| Zoning District Designation: | Existing County CZ-MXU | Requested City CD-C-L |
|------------------------------|--|--|
| Max. Density: | N/A | N/A |
| Typical Uses | <ol style="list-style-type: none"> All uses permitted in the GO-M, General Office District, except the following uses: Private Dormitory; Ambulance Service; Fire Station; Fraternity or Sorority; Orphanage; Police Station; Post Office; Psychiatric Hospital; Specialty Hospital; Kennels or Pet Grooming; Beneficial Fill Area; Communication or Broadcasting Facility; Courier Service Substation; Land Clearing and Inert Debris Landfill; and Radio, Television, or Communication Tower. Only one (1) driveway cut to High Point Road. Multi-family and townhouse development shall be limited to the density and standards of the RM-5 district. Maximum height of all building shall be 50 feet and more than three (3) full or partial stories entirely above grade. | <ol style="list-style-type: none"> Permitted uses shall include all uses allowed in the C-L zoning District except: <ol style="list-style-type: none"> Wireless Telecommunications Facilities; Bars, Night Clubs, and Brew Pubs; Banks, Savings and Loans, and Credit Union with drive-through facilities; Dry cleaning pick-up/drop-off with drive-through facilities; Veterinary Services, Pet Grooming, and Kennels; Convenience Stores with Fuel Pumps; All Eating and Drinking establishments; Retail sales |

**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 within the Scenic Corridor Overlay District 2. As the site is not adjacent to the highway right-of-way, the undisturbed buffer requirements of the SCOD-2 will not apply. Architectural, signage, and lighting requirements of the SCOD-2 will apply. See the SCOD-2 Design Manual for information about these requirements.

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 Watershed Site currently drains to Lower Randleman Lake WS-IV, Watersupply Watershed, Hickory Creek sub-basin

Floodplains >2000

Streams N/A

Other: Water Quality and Water Quantity Control must be addressed to meet current watershed requirements. Maximum High Density BUA is 50%, Low Density is 12%. If developed, All new BUA must be treated by a State approved water quality BMP/SCM and any existing BUA that would drain to the BMP/SCM to the maximum extent practicable.

Utilities (Availability)

Water is available on High Point Rd. Sewer is available on the south side of the property. The sewer is private and would need to be converted to public per the City of Greensboro utility system ownership transfer policy. Private developer will need to extend water and sewer to City of Greensboro's Standards

Airport Overlay District & Noise Cone

n/a

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: 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 ft

Adjacent to Commercial uses or vacant lot: 5' wide Vehicular Use Area buffer yard. (See below).

Parking Lots:

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:

For 1.53 acres, 5% of parcel size to be dedicated in critical root zone for Tree Conservation

Transportation

Street Classification: High Point Road – Major Thoroughfare.
Roland Road – Collector Street.

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

Traffic Counts: High Point Road AADT = 4,400 (NCDOT, 2021).

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 currently exist along the frontage of this property.

Transit in Vicinity: Yes, GTA Route 11 (Gate City Boulevard) adjacent to subject site, along High Point Road.

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

Street Connectivity: N/A.

Other: N/A.

IMPACT/POLICY ANALYSIS**Land Use Compatibility**

The proposed **City CD-C-L (Conditional District - Commercial – Low)** zoning district, as conditioned, would allow land uses that are compatible with the general character of the area.

GSO2040 Comprehensive Plan Policies

The **GSO2040** Future Land Use Map designates this location as **Residential**. The requested **City CD-C-L (Conditional District - Commercial – Low)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** future land use designations. 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 **GSO2040** Future Built Form Map designates the subject site as **Urban General**. The Future Built Form Map also identifies the subject site as being partially (approximately the northern one quarter) within a **Reinvestment Corridor**. The Growth Tiers Map designates the subject site as being within **Growth Tier 1**.

GSO2040 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.

Strategy 2 – Ensure mixed use projects both strengthen and add value to the Community.

Goal B – Greensboro attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings.

Strategy 1 – Maintain, inventory, and market key underutilized sites and structures to private industry and developers.

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.

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 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.

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 D – Our colleges, universities, and Career and Technical Education facilities play a leading role in the cultural, social and economic fabric of the community.

Strategy 1 – Building on existing partnerships between the City, neighborhoods, and colleges and universities, while creating new partnerships, so higher education campuses play an increasingly stronger role in the cultural life of the larger community.

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

Strategy 1 – Build upon successful community initiatives to improve housing conditions while encouraging community involvement and participation.

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

Goal A – Strategic public investment in historically underserved areas of Greensboro attracts private investment and sets the stage for revitalization without displacing existing residents.

Strategy 1 – Work with City funded economic development partners to address the needs of economically distressed areas.

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.

GSO2040 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 multifamily 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 General: should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

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.

Corridors: Corridors are the linear commercial and office developments typically along collector or arterial roadways. They include properties directly fronting on the road and may include properties having primary access to or in immediate proximity to the road. The character and function of the road and the uses within a corridor are highly correlated.

Reinvestment Corridors reflect these additional characteristics:

1. Consistency with adopted corridor plans.
2. Uses that support or provide access to employment are prioritized.
3. Existing buildings are adapted for reuse.
4. Neighborhood support services are accommodated.
5. Specific deficiencies, such as lack of access to healthy food, health services, and social services are eliminated.
6. Barriers to reinvestment are reduced.
7. Displacement is avoided for creative and activity-producing uses such as artist studios, work/live spaces, and galleries.

Growth Tiers Map

Growth Tiers: areas outside Greensboro’s city limits but inside the area in which the City can legally annex property and extend water and sewer services; this is called the Water Sewer Service Area (WSSA). Three tiers are delineated based on the cost to extend City services to the area, primarily water and sewer, solid waste collection, and Police and Fire protection, as well as long-term maintenance of City facilities. In Growth Tier 1, due to the nearby presence of existing City infrastructure, the City is able to extend services currently, if an annexation is requested; Tiers 2 and 3 will require significant City investment to serve.

Growth Tier 1: This is the area 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.

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 Kings Mill Neighborhood (the boundaries of which, as identified by said neighborhood, the subject site is located within).

Staff Annexation Analysis

The subject property is currently located in the County. On September 1, 2020 the Planning and Zoning Commission assumed responsibility for reviewing annexation petitions and making a recommendation to City Council regarding annexation requests. Upon submittal of a valid annexation petition, Planning staff forwards annexation requests to City services providers. These service providers include Water Resources (water and sewer), Fire Marshal's Office, Police Department, and Solid Waste (trash and recycling services). Each service provider has stated that infrastructure is in place to provide City services to this location. The Technical Review Committee is slated to review this annexation request the week of March 13, 2023 and will provide a recommendation. This property is located within the Tier 1 Growth Area on the Growth Strategy map in the Comprehensive Plan. It is the City of Greensboro's policy to annex properties within Growth Tier 1 pending approval of the original zoning.

Staff Original Zoning Analysis

The subject property contains 1.53 acres and is currently undeveloped land. North of the request contains single-family dwellings, zoned County RS-20. Further north of the request contains retail, personal and professional services, and an eating and drinking establishment, zoned County CZ-HB, and right-of-way area zoned City CD-C-H. East of the request contains single-family dwellings, zoned County RS-20 and City R-3. South of the request contains an office use, zoned County CZ-MXU. West of the request contains a shopping center, a club/lodge, and undeveloped land, zoned County MXU, County HB, and County RS-40.

The proposed original zoning request supports both the Comprehensive Plan's Economic Development goal to build a prosperous, resilient economy that creates equitable opportunities

to succeed and the Building Community Connections goal to maintain stable, attractive, and healthy places to live and raise families. The Filling in Our Framework Big Idea strategy of ensuring mixed use projects both strengthen and add value to the community may also be a benefit to this proposed rezoning.

The Comprehensive Plan's Future Land Use Map designates this location as Residential and the requested City CD-C-L (Conditional District - Commercial – Low) zoning district, as conditioned, would allow uses that are generally consistent with those described in the Residential future land use designations. 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. 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.

The Comprehensive Plan's Future Built Form Map currently designates this property as Urban General. Applicable characteristics of the Urban General classification include, but are not limited the following:

- Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
- Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
- New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
- Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
- The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
- New sidewalks contribute to the completion of a sidewalk network.

The request is also partially within a Reinvestment Corridor wherein neighborhood support services could be accommodated, barriers to reinvestment are reduced, and specific deficiencies, such as lack of access to healthy food, health services, and social services are eliminated.

The proposed CD-C-L zoning district would allow a variety of lower intensity retail, service and recreation uses. The proposed original zoning request allows uses that are complimentary to uses already in existence in the surrounding area. The subject site is within the Scenic Corridor Overlay District 2. Architectural, signage, and lighting requirements of the SCOD-2 will apply. Care should be given to orient the development to limit potential negative impacts of noise, traffic, and light trespass on adjacent residential uses.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO 2040) and is generally compatible with the existing development and in the surrounding area.

Staff Recommendation

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