



PL(Z) 23-40
City of Greensboro Planning Department
Zoning Staff Report

City Council Hearing Date: November 21, 2023

GENERAL INFORMATION

APPLICANT Amanda Hodiernne for Jerry Allred, Virginia Reid, Ella Gladney, Vennie Patterson, Robin Allred, and Jesse Allred

HEARING TYPE Annexation and Original Zoning Request

REQUEST County MXU (Mixed-Use) to City CD-C-M (Conditional District – Commercial - Medium)

CONDITIONS 1. Permitted use shall include all uses allowed in the C-M zoning district except: Funeral Homes and Crematoriums, Sexually Oriented Businesses, Junked Motor Vehicles (Accessory Use), and Land Clearing and Inert Debris Landfill (Temporary Use).

LOCATION 5503 Sapp Road

PARCEL ID NUMBER(S) 7834109045

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

TRACT SIZE 0.408 acres

TOPOGRAPHY Generally flat

VEGETATION Moderately wooded

SITE DATA

Existing Use	Undeveloped land
Adjacent Zoning	Adjacent Land Uses
N City CD-C-H (Conditional District - Commercial – High)	Shopping Center

E	City CD-C-L (Conditional District - Commercial – Low) and County MXU (Mixed-Use)	Shopping Center and Undeveloped Land
S	City CD-C-H (Conditional District - Commercial – Medium)	Shopping Center
W	City CD-C-H (Conditional District - Commercial – Medium)	Shopping Center

Zoning History

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

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation: Max. Density: Typical Uses	Existing (County MXU) N/A Primarily intended for a mix of high-intensity residential, retail, and commercial uses compatible with adjacent development.	Requested (City CD-C-M) N/A Permitted use shall include all uses allowed in the C-M zoning district except: Funeral Homes and Crematoriums, Sexually Oriented Businesses, Junked Motor Vehicles (Accessory Use), and Land Clearing and Inert Debris Landfill (Temporary Use).
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**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 not located in an overlay zoning district.

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 drains to Lower Randleman Lake, WS-IV, Watersupply Watershed, Bull Run sub-basin

Floodplains N/A

Streams N/A

Other: Water Quality and Water Quantity Control must be addressed for the entire development. Water Quantity Control must reduce the 2yr & 10yr 24hr storms to pre-development levels. All new BUA must be treated by a State approved water quality device. Maximum High Density development with sewer is 50% BUA, Low Density with sewer is 12% BUA. Site is within the 5 statute mile radius of the PTI airport. No SCM/BMP is allowed that holds a normal pool elevation unless supporting engineering documentation is provided.

Utilities (Availability)

Water is available on Sapp Rd. Sewer is available approximately 73 feet to the west of the property .Private Developer will need to extend water and sewer to City of Greensboro’s Water and Sewer Design 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 same land use: 5’ wide Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

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.

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.

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

Tree Conservation:

For 0.408 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

- Street Classification: Sapp Road – Local Street.
West Wendover Avenue – Major Thoroughfare.
- Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.
- Traffic Counts: None available.
- Trip Generation: 24 Hour = 467, AM Peak Hour = 43, PM Peak Hour = 68.
- 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 1 (Spring Garden Street / West Wendover Avenue) is adjacent to subject site, along Sapp Road.
- Traffic Impact Study: Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the DRAFT TIS.
- (TIS)
- Street Connectivity: N/A.
- Other: N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **City CD-C-M (Conditional District – Commercial - Medium)** 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 **Commercial**. The requested **City CD-C-M (Conditional District – Commercial - Medium)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Commercial** future land use designations. The Future Built Form Map designates this location as **Urban General**, as fronting along an **Urban Mixed Use Corridor**, and is located within a **Regional Scaled Activity Center**. The Growth Tiers Map designates this location 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 B – Greensboro attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings.

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

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.

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.

Commercial: includes retail sales, wholesale sales, personal service businesses, professional service businesses, restaurants, entertainment, hotels and hospitality, commercial assembly halls, and event spaces. These can be either linear commercial corridors or larger centers of commercial development or a combination of both. Some include residential uses as well, and represent an opportunity for denser development, particularly in conjunction with enhanced transit service and mobility hubs.

Future Built Form

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.

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.

Urban (Mixed-Use) Corridors reflect these additional characteristics:

1. Consistency with adopted corridor plans.
2. Cross easements are provided for vehicular and pedestrian access.
3. They meet the existing need and convenience of the surrounding community.
4. Visual clutter and confusion caused by sign proliferation is minimized while maintaining safe and efficient wayfinding for both pedestrians and vehicles.
5. Landscaping, sidewalks, lighting, fencing, and building features are located so as to guide pedestrian movement on or through the site. On-site and on-building lighting at entrances and along walkways is maintained at safe lighting levels.

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.

Regional Scaled Activity Centers, in addition to the characteristics referenced in Neighborhood and Community Scaled Activity Centers, should also reflect these characteristics:

1. Development is in close proximity and has a high degree of accessibility to High Frequency Transit Service.
2. Safe access by automobile to and from the site is essential, as are logical and clear driving paths within developments.
3. Cross access easements between commercial properties limit roadway congestion and contribute to walkable commercial environments.
4. Development is separated from residential neighborhoods and other low intensity uses.
5. Infrastructure capacity serves the highest densities and intensities of use.
6. Storm water management is integrated into site plans and landscape plans.
7. Adopted design standards and best design practices result in pedestrian-scaled building design that breaks up uninterrupted building walls and blank facades with the use of architecture, fenestration, building material changes, and green walls.

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.

Other Plans

N/A

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed rezoning and development with the surrounding community.

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 stated that infrastructure is in place to provide City services to this location. The Technical Review Committee recommended approval of this annexation request at its October 5, 2023 meeting. The subject property is located within the Tier 1 Growth Area on the Growth Strategy map in the Comprehensive Plan. Since this property can be served by City utility providers, it is the City of Greensboro's policy to annex the property pending approval of the associated original zoning.

Staff Original Zoning Analysis

The subject property is approximately 0.408 acres and is currently undeveloped. North of the subject property contains a shopping center, zoned City CD-C-H (Conditional District - Commercial – High). East of the subject property contains a shopping center and undeveloped land, zoned City CD-C-L (Conditional District - Commercial – Low) and County MXU (Mixed-Use). West of the subject property contains a shopping center, zoned City CD-C-H (Conditional District - Commercial – Medium).

The proposed rezoning request supports the Filling in Our Framework goal to transform underutilized sites and buildings into valued assets that complement their surroundings. Additionally, the request supports the Comprehensive Plan's Growing Economic Competitiveness Big Idea to increase and preserve the inventory of developable sites compatible with corporate and industrial uses.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates the majority of the property as Commercial. The Commercial designation includes retail sales, wholesale sales, personal service businesses, professional service businesses, restaurants, entertainment, hotels and hospitality, commercial assembly halls, and event spaces. These can be either linear commercial corridors or larger centers of commercial development or a combination of both. Some include residential uses as well, and represent an opportunity for denser development, particularly in conjunction with enhanced transit service and mobility hubs.

The Comprehensive Plan's Future Built Form Map currently designates this property as Urban General within an Urban Mixed Use Corridor and a Regional Scaled Activity Center.

Characteristics of the Urban General classification include:

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.

Properties located within the Urban (Mixed-Use) Corridors should reflect these additional characteristics:

- 1. Consistency with adopted corridor plans.
- 2. Cross easements are provided for vehicular and pedestrian access.
- 3. They meet the existing need and convenience of the surrounding community.
- 4. Visual clutter and confusion caused by sign proliferation is minimized while maintaining safe and efficient wayfinding for both pedestrians and vehicles.
- 5. Landscaping, sidewalks, lighting, fencing, and building features are located so as to guide pedestrian movement on or through the site. On-site and on-building lighting at entrances and along walkways is maintained at safe lighting levels.

Properties located within the Regional Scaled Activity Center should reflect these additional characteristics:

- 1. Development is in close proximity and has a high degree of accessibility to High Frequency Transit Service.
- 2. Safe access by automobile to and from the site is essential, as are logical and clear driving paths within developments.
- 3. Cross access easements between commercial properties limit roadway congestion and contribute to walkable commercial environments.
- 4. Development is separated from residential neighborhoods and other low intensity uses.
- 5. Infrastructure capacity serves the highest densities and intensities of use.
- 6. Storm water management is integrated into site plans and landscape plans.
- 7. Adopted design standards and best design practices result in pedestrian-scaled building design that breaks up uninterrupted building walls and blank facades with the use of architecture, fenestration, building material changes, and greenwalls.

The proposed CD-C-M zoning district permits all uses allowed in the C-M zoning district except: Funeral Homes and Crematoriums, Sexually Oriented Businesses, Junked Motor Vehicles (Accessory Use), and Land Clearing and Inert Debris Landfill (Temporary Use). This uses allowed with this zoning request are consistent with surrounding existing uses and those allowed in both the C-M and C-H zoning districts. The uses permitted in the proposed CD-C-M zoning district are compatible with existing large scale commercial uses located on adjacent tracts.

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.

Traffic Impact Study-DRAFT

EXECUTIVE SUMMARY

The Jimmy John’s Sapp Road proposed development is located on the northwest side of the intersection of Wendover Avenue and Sapp Road / Wellness Road in Greensboro, NC. It will consist of a fast-food restaurant with one (1) drive-through window and limited indoor seating. One full movement access point is proposed on Sapp Road. The expected build-out year for this development is 2024. An analysis year of 2025 (build year + 1) was used. Information regarding the property was provided by Hugh Creed Associates, Inc, PA.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of the new development traffic.

The Transportation Impact Analysis (TIA) was performed based on the scope agreed upon with the Greensboro Department of Transportation (GDOT) and the North Carolina Department of Transportation (NCDOT). This site has a trip generation potential of 467 daily trips, 30 net trips in the Midday peak hour, and 48 net trips in the PM peak hour.

In conclusion, this study has determined the potential traffic impacts of this development and determined that no improvements are necessary to mitigate the impacts of future traffic. The proposed site is not expected to have a detrimental effect on transportation capacity and mobility in the study area. The site access recommendations summarized in Figure A and in Table A should be constructed to comply with applicable NCDOT *Policy on Street and Driveway Access to North Carolina Highways* and/or local standards.

Table A – Summary of Recommended Improvements	
INTERSECTION	RECOMMENDATIONS
Sapp Road at Sapp Road and Wendover Place Driveway	<ul style="list-style-type: none"> No improvements are recommended
Wendover Avenue at Sapp Road and Wellness Road	<ul style="list-style-type: none"> No improvements are recommended
Sapp Road at Site Access 1	<ul style="list-style-type: none"> Design Site Access to NCDOT Standards

