



Z-23-11-007

**City of Greensboro Planning Department
Zoning Staff Report**

Planning and Zoning Commission Hearing Date: December 18, 2023

GENERAL INFORMATION

APPLICANT	Marc Isaacson for SEBR SM LLC and SEBR SM 2 LLC
HEARING TYPE	Rezoning Request
REQUEST	CD-O (Conditional District - Office) to CD-C-M (Conditional District - Commercial – Medium)
CONDITIONS	<ol style="list-style-type: none">1. Within 1503 Highwoods Boulevard, permitted uses shall include all uses permitted in the C-M zoning district except: Residential Uses; All animal shelters; All cemeteries; Auditoriums, Coliseums and Stadiums; Bus and Rail Terminals; Shelters, Temporary and Emergency; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Hotels and Motels; Tourist Homes (Bed & Breakfast); Single Room Occupancy Residences (conversion); All commercial parking; Park and ride facilities; Bars, Nightclubs and Brewpubs; Special Event Facilities; Mobile Food Vendor, Motorized & Pushcart; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; ABC Stores (liquor); Convenience Stores with fuel pumps; Pawnshops; Sexually Oriented Businesses; All vehicle sales and service; Automobile, Boat and Motorcycle Repair Services, Major & Minor; Automobile Towing and Storage Services; Car Washes, Artisan Manufacturing; Craft Distillery; Equipment Repairs and Rental, Light; Laundry and Dry Cleaning Plants; Microbrewery; All warehousing, storage and freight handling; Caretaker Dwellings; Junked Motor Vehicles; and Recycling Collection Points.2. Within 1501 Highwoods Boulevard, permitted uses shall be limited to: Office; Banks, Savings & Loans and Credit Union with drive-through facilities.3. There shall be no direct vehicular access on Hobbs Road4. The maximum building height shall be limited to 70 feet.
LOCATION	1501 and 1503 Highwoods Boulevard

PARCEL ID NUMBER(S) 7835995996 and 7836906366

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

TRACT SIZE 7.8 acres

TOPOGRAPHY Mostly flat

VEGETATION Parking lot trees and perimeter landscaping

SITE DATA

Existing Use Office use and parking

	Adjacent Zoning	Adjacent Land Uses
N	CD-O (Conditional District - Office) and CD-RM-12 (Conditional District - Residential Multi-family – 12)	Bank with drive through facility, and multi-family dwellings
E	PUD (Planned Unit Development)	Undeveloped land
S	PNR	Price Park
W	CD-C-M (Conditional District - Commercial – Medium), CD-RM-12 (Conditional District - Residential Multi-family – 12), and CD-O (Conditional District - Office)	Eating and drinking establishment with drive through facility, grocery store, multi-family dwellings, and an office use

Zoning History

Case #	Date	Request Summary
CD2812	March 9, 2000	<p>The subject property is currently zoned CD-O (Conditional District - Office). This has been the zoning on the property since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned CU-GO-M (Conditional Use - General Office – Medium) in a rezoning request from March 2000 with the following conditions:</p> <ol style="list-style-type: none"> 1) All uses permitted in the “GO-M” zoning district except hotels and residential uses. 2) No more than one (1) access point on New Garden Road, exclusive of Hobbs Road extension, at a location approved by the Greensboro Department of

- Transportation and the North Carolina Department of Transportation.
- 3) A maximum of 450,000 square feet of buildings, provided that this property and the adjacent CU-SC zoned property to the northeast shall not contain a combined total of more than 800,000 square feet of buildings. Parking Decks shall not be considered to be a building for the purpose of this provision.
 - 4) A maximum building height of 60 feet.
 - 5) A 50-foot landscaped buffer shall be provided from the northernmost property line of Cross of Christ Lutheran Church to the southern boundary of the property.
 - 6) From the northernmost property line of Cross of Christ Lutheran Church to the southern boundary of the property, no building will be constructed within 100 feet of the southern right-of-way of New Garden Road.
 - 7) As required by the North Carolina Department of Transportation or the Greensboro Department of Transportation, dedication and construction shall be provided of two northbound through lanes from the southernmost property line of the Property extending in a northerly direction along the entire frontage of the Property.
 - 8) Since a landscaped median is planned for New Garden Road, there shall be provided one half (but in no event more than 12 feet) of the median from the southern property line of the Property extending in a northerly direction along the entire frontage of the Property.
 - 9) A master development plan shall be submitted for the entire tract of land of which this property is a portion. In addition when the City of Greensboro makes available traffic counts taken subsequent to the opening of Bryan Boulevard, a revised transportation impact analysis will be obtained utilizing these counts and the land use plan which will be permitted by the rezoning of the entire tract of land which this property is a portion.
 - 10) The maximum height of any parking deck shall be 50 feet.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District	Existing	Requested
Designation:	(CD-O)	(CD-C-M)
Max. Density:	N/A	N/A
Typical Uses	All uses permitted in the "GO-M" zoning district except hotels and residential uses.	Within 1503 Highwoods Boulevard, permitted uses shall include all uses permitted in the C-M zoning district except: Residential Uses; All animal shelters; All cemeteries; Auditoriums,

Coliseums and Stadiums; Bus and Rail Terminals; Shelters, Temporary and Emergency; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Hotels and Motels; Tourist Homes (Bed & Breakfast); Single Room Occupancy Residences (conversion); All commercial parking; Park and ride facilities; Bars, Nightclubs and Brewpubs; Special Event Facilities; Mobile Food Vendor, Motorized & Pushcart; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; ABC Stores (liquor); Convenience Stores with fuel pumps; Pawnshops; Sexually Oriented Businesses; All vehicle sales and service; Automobile, Boat and Motorcycle Repair Services, Major & Minor; Automobile Towing and Storage Services; Car Washes, Artisan Manufacturing; Craft Distillery; Equipment Repairs and Rental, Light; Laundry and Dry Cleaning Plants; Microbrewery; All warehousing, storage and freight handling; Caretaker Dwellings; Junked Motor Vehicles; and Recycling Collection Points.

Within 1501 Highwoods Boulevard, permitted uses shall be limited to: Office; Banks, Savings & Loans and Credit Union with drive-through facilities.

**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 New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein, and in the Guilford College-New Garden Heritage Community, which is an acknowledgment that the area is historically significant. There are no additional regulations for properties within a Heritage Community.

The subject site is not:

- 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 Greensboro Watersupply Watershed WS-III – Horsepen Creek sub-basin

Floodplains N/A

Streams N/A

Other: Site already drains to a Water Quality device. Water Quality and Water Quantity Control for Phase 2 must be addressed for the entire site. Water Quality must treat the first 1” of rainfall. Water Quantity Control must reduce the 1yr, 2yr & 10yr 24hr storms to pre-development levels. All BUA must be treated by a State approved water quality BMP/SCM. State and Corps permits will be required for any stream crossing and or wetland disturbances.

Utilities (Availability)

Water and sewer are available on Highwoods Blvd and New Garden Rd. Sewer is available on Highwoods Blvd. 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 other commercial uses or vacant property: 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.

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

Tree Conservation:

For 7.8 acres, 10% of parcel size to be dedicated in critical root zone for Tree Conservation.

Transportation

Street Classification:	Highwoods Boulevard – Private Street. New Garden Road – Major Thoroughfare. Hobbs Road – Collector Street.
Site Access:	All access(es) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	New Garden Road AADT =22,500 vpd (NCDOT, 2021).
Trip Generation:	24 Hour = 1,265, AM Peak Hour = 204, PM Peak Hour = 92.
Sidewalks:	Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does currently exist along the frontage of this property.
Transit in Vicinity:	No.
Traffic Impact Study: (TIS)	Yes, required per TIS Ordinance. Please see the end of this staff report for the DRAFT of the Executive Summary of the TIS.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT/POLICY ANALYSIS**Land Use Compatibility**

The proposed **CD-C-M (Conditional District - Commercial – Medium)** zoning district would allow land uses that are compatible with the general character of the area.

GSO2040 Comprehensive Plan Policies

The **GSO2040** Future Land Use Map points to the **New Garden Road Strategic Plan** for future land use guidance. The requested **CD-C-M (Conditional District - Commercial – Medium)** zoning district is generally consistent with the **Mixed Use Commercial** and **Institutional** Future Land Use designations. The **GSO2040** Future Built Form Map designates this location as **Urban General**, is located within an **Urban Mixed Use Corridor**, and partially within a **District Scaled Activity Center**.

GSO2040 Written Policies

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

Goal A, Strategy 3 – Commercial development that is sustainable and compatible with neighborhood objectives should be encouraged.

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.

GSO2040 Map Policies

Mixed Use Commercial This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary.

Institutional This designation applies to university and college campuses, major medical/health care concentrations, and similar large-scale institutional activity centers.

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.

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.

Other Plans

The subject site is located within the boundary of the New Garden Road Strategic Plan, which lists future land use planning principles that form a basis for developing strategies to enhance community character, vitality and quality of life:

1. Strong, Walkable Activity Centers
2. Community Retailing
3. The Balance of Uses
4. Sustainable Retail Economics
5. Compatible Residential

The plan also lists factors that should be considered with potential land use changes: physical site features, access, connectivity from adjacent uses, off-site impact and transitions to adjacent properties, corridor character and scale, capacity of services, and balanced growth. The requested **CD-C-M (Conditional District - Commercial – Medium)** is consistent with the plan and the factors listed.

STAFF ANALYSIS AND RECOMMENDATION

Community Outreach

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties.

Staff Analysis

The subject properties are approximately 7.8 acres and currently contain an office use and parking lot. North of the subject property contains a bank with drive through facility, and multi-family dwellings, zoned CD-O (Conditional District - Office) and CD-RM-12 (Conditional District - Residential Multi-family – 12). East of the subject property contains undeveloped land, zoned PUD (Planned Unit Development). South of the subject property contains Price Park, zoned PNR (Parkland and Natural Resources). West of the subject property contains an eating and drinking establishment with drive through facility, grocery store, multi-family dwellings, and an office use, zoned CD-C-M (Conditional District - Commercial – Medium), CD-RM-12 (Conditional District - Residential Multi-family – 12), and CD-O (Conditional District - Office).

The proposed rezoning 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 and the Filling in Our Framework Big Idea to arrange our land uses for where we live, work, attend school, shop and enjoy our free time to create a more vibrant and livable Greensboro.

The New Garden Road Strategic Plan designates this property as Mixed-Use Commercial and Institutional. The Mixed Use Commercial designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time.

The Institutional designation applies to university and college campuses, major medical/health care concentrations, and similar large-scale institutional activity centers

The GSO 2040 Comprehensive Plan's Future Built Form Map currently designates this property as Urban General, within an Urban (Mixed-use) Corridor, and partially within a District Scaled Activity Center.

Characteristics of the Urban Central classification include the following:

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.

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

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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.

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.

The proposed CD-C-M zoning district, as conditioned, limits available uses to those that are generally consistent with other surrounding uses on nearby properties. In general, the proposed conditions ensure that the development includes design elements that are appropriate considering the properties location on a major thoroughfare and within a district scaled activity center. The request is generally supported by the policies of the New Garden Road Strategic Plan.

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.

DRAFT Traffic Impact Analysis

I. Executive Summary

INTRODUCTION

Deep River Partners, LTD is proposing to construct a coffee/donut shop at 1503 Highwoods Boulevard in Greensboro, NC. The proposed development is planned to consist of an approximately 2365 square foot coffee/donut shop with a Drive-Thru.

According to the **Sketch Plan** developed by CPT Engineering and Surveying, Inc, dated December 15, 2022, (Figure 2) direct access to the proposed development is planned as follows:

- 1 full movement driveway on internal access driveway (First Horizons Bank Driveway) between New Garden Road and Highwoods Boulevard across from First Horizon Bank.
- 1 full movement internal driveway which connects to the parking lot for the office complex at 1501 Highwoods Boulevard

TRIP GENERATION

The amount of traffic generated by a new development is a function of the size and type of development. Trip generation for the proposed coffee/donut shop w/drive-thru will generate approximately 1,265 total trips per day, 204 trips in the AM Peak Hour, and 92 trips in the PM Peak Hour when it is built out.

CAPACITY ANALYSIS

Capacity analyses were performed for 2023 Existing Conditions, 2028 Background Condition, and 2028 Future Buildout Condition for the following intersection:

- New Garden Road / Hobbs Road / Garden Lake Drive
- New Garden Road / First Horizon Band
- Highwoods Boulevard / First Horizon Band / 1500 Highwoods Development Drive #1
- Highwoods Boulevard / 1503 Highwoods Access
- Highwoods Boulevard / Hobbs Road
- New Garden Road / Highwoods Circle
- Highwoods Boulevard / Highwoods Circle
- First Horizon Band / Site Access
- Highwoods Boulevard / 1500 Highwoods Development Drive #2

RECOMMENDED IMPROVEMENTS

To mitigate the traffic-related impacts caused by the 1503 Highwoods Blvd. coffee/donut shop development and to provide for safe, efficient, and reliable traffic flow, Gannett Fleming recommends the following:

New Garden Road / Hobbs Road / Garden Lake Drive

Gannett Fleming recommends no changes to this intersection.

New Garden Road / First Horizon Bank

Gannett Fleming recommends no changes to this intersection.

Highwoods Boulevard / First Horizon Bank / 1500 Highwoods Development Drive #1

Gannett Fleming recommends no changes to this intersection.

Highwoods Boulevard / 1503 Highwoods Access

Gannett Fleming recommends no changes to this intersection.

Highwoods Boulevard / Hobbs Road

Gannett Fleming recommends no changes to this intersection.

New Garden Road / Highwoods Circle

Gannett Fleming recommends no changes to this intersection.

Highwoods Boulevard / Highwoods Circle

Gannett Fleming recommends no changes to this intersection.

First Horizon Bank / Site Access

Gannett Fleming recommends the proposed Access #1 be constructed as shown on the site plan. (Included in Appendix C)

Highwoods Boulevard / 1500 Highwoods Development Drive #2

Gannett Fleming recommends no changes to this intersection.

CONCLUSIONS

This Traffic Impact Analysis shows that the site traffic generated by the proposed new coffee/donut shop with Drive-Thru at 1503 Highwoods will add traffic to the study area roadways and intersections. Increased traffic from the new development will not adversely affect the facility operation and area mobility, thus there are no recommended improvements.