



# Z-24-08-007

## City of Greensboro Planning Department Zoning Staff Report

Planning and Zoning Commission Hearing Date: August 19, 2024

### GENERAL INFORMATION

<b>APPLICANT</b>	Nick Blackwood for Robert Rothbart of LJS Acquisition Company, LLC
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	CD-C-L (Conditional District - Commercial – Low) to CD-C-M (Conditional District - Commercial – Medium)
<b>CONDITIONS</b>	1. All uses permitted in the C-M zoning district except: Convenience Stores with Fuel Pumps.
<b>LOCATION</b>	3610 North Elm Street
<b>PARCEL ID NUMBER(S)</b>	7866486808
<b>PUBLIC NOTIFICATION</b>	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). <b>53</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	2 acres
<b>TOPOGRAPHY</b>	Mostly flat
<b>VEGETATION</b>	Landscaping around the perimeter

### SITE DATA

<b>Existing Use</b>	Shopping Center
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N CD-C-L (Conditional District - Commercial – Low)	Common areas
E County RS-40 (Residential Single-family)	Single-family dwellings and undeveloped land

S	CD-C-L (Conditional District - Commercial – Low)	Dental office
W	PUD (Planned Unit Development) and R-3 (Residential Single-family – 3)	Multi-family dwellings and common areas

**Zoning History**

Case #	Date	Request Summary
CD3084	November 14, 2002	<p>The subject property is currently zoned CD-C-L (Conditional District - Commercial – Low). This has been the zoning on this property since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, this property was zoned CU-LB (Conditional Use - Limited Business) with the following conditions:</p> <ol style="list-style-type: none"> <li>1. Uses: All uses in Limited Business except the following, which are excluded: Agriculture; Residential; Recycling Collection Points; all Recreational Uses (with the exception of Dance Schools, Physical Fitness Centers, Sports Instructional Schools and Sports and Recreation Clubs); all uses under Educational and Institutional (with the exception of Museums and Art Galleries or Post Offices); Laundromats; Building Supply Sales; Convenience Stores with fuel pumps; Kennels or Pet Grooming Services; Service Stations (gasoline); Transportation, Warehouse and Utilities; or Christmas Tree Sales.</li> <li>2. Freestanding signs shall be landscaped, monument signs maximum 8 feet in height.</li> <li>3. Buildings shall be limited to two-stories or maximum 50 feet in height to top of cupola.</li> <li>4. Maximum of one (1) new driveway cut on the east side of North Elm Street.</li> <li>5. Minimum 15 foot wide planting yard behind right-of-way of North Elm Street.</li> <li>6. Double the planting rate provided in the Development Ordinance within the street planting yard.</li> <li>7. Waste disposal units shall be screened from view, and a waste dumpster will not be located adjacent to Lot 3.</li> <li>8. All outside lighting shall be directed toward the interior of the property.</li> <li>9. Leyland Cypress to be planted along side of lot adjoining Lot 3 (Glartage, LLC).</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District	Existing	Requested
Designation:	<b>(CD-C-L)</b>	<b>(CD-C-M)</b>
Max. Density:	N/A	N/A
Typical Uses	Uses limited to: All uses in Limited Business except the following, which are excluded: Agriculture; Residential; Recycling Collection Points; all Recreational Uses (with the exception of Dance Schools, Physical Fitness Centers, Sports Instructional Schools and Sports and Recreation Clubs); all uses under Educational and Institutional (with the exception of Museums and Art Galleries or Post Offices); Laundromats; Building Supply Sales; Convenience Stores with fuel pumps; Kennels or Pet Grooming Services; Service Stations (gasoline); Transportation, Warehouse and Utilities; or Christmas Tree Sales.	All uses permitted in the C-M zoning district except: Convenience Stores with Fuel Pumps.

*\*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 within 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 Greensboro Watersupply Watershed WS-III, Lake Jeanette sub-basin

Floodplains    N/A

Streams    N/A

Other:    Site is currently addressing Water Quality and Water Quantity Control with an existing previously approved wet pond on 3610 N. Elm Street.

**Utilities (Availability)**

Water and sewer are available on N. Elm Street. 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**

**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 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 l.f.

Adjacent to vacant property/same land class 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.

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

**Tree Conservation:**

For 2 acres, 5% of parcel size to be dedicated in critical root zone for Tree Conservation.

**Transportation**

Street Classification: North Elm Street – Major Thoroughfare.  
Pisgah Church Road – Major Thoroughfare.

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

Traffic Counts: North Elm Street AADT = 21,000 (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 3 (North Elm Street) is within 500' of the subject property, at the intersection of North Elm Street and Pisgah Church Road.
- Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)
- Street Connectivity: N/A.
- Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **CD-C-M (Conditional District – Commercial - Medium)** zoning 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 designates this location as **Commercial**. The requested **CD-C-M (Conditional District – Commercial - Medium)** zoning district would allow uses that are consistent with those described in the **Commercial** future land use designations. The **GSO2040** Future Built Form Map designates this location as **Urban General** and located in a **District Scale Activity Center**.

**GSO2040 Written Policies**

**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 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**

**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 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.

**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 owners of surrounding properties.

**Staff Analysis**

The subject property is approximately 2 acres and currently contains a shopping center. North of the request contains common areas, zoned CD-C-L (Conditional District – Commercial – Low). East of the request contains single-family dwellings and undeveloped land, zoned County RS-40 (Residential Single-family). South of the request contains a dental office, zoned CD-C-L (Conditional District – Commercial – Low). West of the request contains multi-family dwellings and common areas, zoned PUD (Planned Unit Development) and R-3 (Residential Single-family – 3).

The proposed rezoning request supports both the Comprehensive Plan’s Filling In Our Framework goal to encourage higher density, mixed-use, walkable infill development. The request also supports the Comprehensive Plan’s Growing Economic Competitiveness strategy to build a prosperous, resilient economy that creates equitable opportunities to succeed.

The Comprehensive Plan’s Future Land Use Map designates this property as Commercial and the Comprehensive Plan’s Future Built Form Map currently designates this property as Urban General and is located in a District Scale Activity Center. Applicable characteristics of the Urban General classification include, but are not limited 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

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.

The 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.