

**MEETING OF THE
ZONING COMMISSION
August 10, 2015**

Z-15-07-003 4405 United Street (southwest of United Street and west of Lehigh Street) – Rezoning request from R-5 (Residential Single-Family) to CD-O (Conditional District-Office) with the following conditions: (1) Tax parcels 0025316 (4405 United Street) and 0025315 (4411 West Market Street) will record an instrument to combine the two parcels prior to any utilization of tax parcel 0025316 for parking. (2) No structure shall be placed on the property. – For property located at 4405 United Street, generally described as southwest of United Street and west of Lehigh Street. (0.65 acres) – Stephen E. Klee on behalf of David A. Carter. **(APPROVED)**

Mr. Marshall asked to be recused from this case because his law firm represents Cone Hospital on a continuing basis.

Mr. Gilmer moved to recuse Mr. Marshall from this case, seconded by Mr. Blackstock. The Commission voted unanimously in favor of the motion.

Ms. Smith described the subject property, as well as surrounding properties, and noted issues in the staff report.

Acting Chair Parmele asked if there was anyone wishing to speak in favor of the request.

Adam Litrell, 1212 Hightower Drive, Knoxville, Tennessee, is with Realty Trust Group who represents Cone Hospital on a variety of real estate matters. Cone Health's initiative for this project is to consolidate all of their IT department services at one location. Housing the IT employees in one location would increase employee efficiency and free up critical space inside the various hospital campuses for other functions. The office building they are looking at is approximately 51,500 square feet and is currently 50 percent occupied. Cone would be able to use the building without significant changes to the interior. Cone Health plans to convert and move into the building in phases due to their own timeline and existing leases in the building. They will occupy 50 percent of the building by the second quarter of 2016 through phasing. They plan to occupy the entire building by 2018. They expect to have approximately 265 employees in the building. Due to the nature of the IT Department, there can be a denser use inside the office building than what the current parking layout would allow. There are now approximately 200 parking spaces on the site and to make the property usable, they need to acquire 4405 United Street to add 60 spaces to the parking lot. By reconfiguring the existing lot they plan to end up with approximately 270 parking spaces.

Charlie Melvin, 300 North Greene Street, is an Attorney representing Cone Health. The main real estate part of this transaction is the office building and the addition of the parking lot would make the office building more usable. Responding to a question from Mr. Lester, Mr. Melvin confirmed that Cone Health does not intend to increase the size of the building itself. Responding to a question Mr. Kirkman stated that the presented intention is for Cone Health to combine this parcel with the adjacent office building parcel. Condition 2 prohibits any structure from being placed on the property intended for use as a parking lot. Mr. Melvin stated that if the request is approved, the lot will be combined and legally will be a part of the office building.

Contact was made with the Neighborhood Association who arranged an initial meeting. Several concerns were expressed at the meeting. The first concern dealt with the integrity of the Highland Park neighborhood. Mr. Melvin said that the zoning condition makes the lot part of the existing office building and the ordinance requires extensive landscaping around the property. The location, surrounding facilities, and required landscaping would help to maintain the integrity of the neighborhood. The proposed parking lot will facilitate

an office building that has struggled to reach full occupancy. Another concern involved the transitional increase in occupancy of the building. Mr. Melvin explained that full occupancy will occur gradually over a period of three years. There were also concerns about traffic and as a result, Davenport Engineering was employed for a Traffic Impact Study. The gradual transition will allow for transportation considerations to be addressed for the safety of neighborhood residents as well as Cone Health employees.

Responding to questions, Mr. Litrell said that Cone Health employees would have phased clock-in and clock-out working times. One of the benefits of this property is its location and how easy it is to get to all of the different hospital locations. He stated that without adequate parking, Cone Health would not pursue the office building.

Speakers in Opposition:

Julie Schindler, 4307 United Street, is Co-Chair of the Highland Park Neighborhood Association. She provided an overview of the neighborhood and its convenient walkable access to amenities and places of employment. She expressed concerns with the traffic configuration associated with the proposed parking lot and the increase in traffic on streets that cannot handle the new influx of vehicles. Drivers from West Market Street turning onto United Street will not be able to see multiple vehicles entering and exiting the business driveway until they have turned directly into the traffic. The resulting congestion and collision exposure will eventually tempt commuters on Market Street to avoid the United Street intersection and to use the busy Sheets lot as a cut through to United Street. She felt the character of the vibrant, established, walkable neighborhood would be changed into a traffic cut-through with debilitating congestion and dangerous traffic obstacles that discourage prospective new home buyers and renters in the affordable Highland Park neighborhood.

Lucille Sears, 504 Rosewater Court, owns the property at 4236 United Street. She was concerned for children in the neighborhood who walk or run across the busy and congested United Street to use a nearby park.

Kathryn Neese Pegram, 1916 Milan Drive, owns several rental houses on United Street. She expressed concern that workers will be increasing traffic in the neighborhood. She felt that a precedent will be set if this request is approved. A total of 128 spaces were approved by the Commission in the past and it should remain at that number. She stated that neighborhood safety is the number one priority.

Lawrence Ellison, 4243 United Street, indicated that people who walk in the neighborhood may be hit by speeding cars because of limited sidewalk accessibility.

Rebuttal in Support:

Mr. Melvin pointed out that the rezoning request will not change the existing office building. It has been there for years and is underutilized. They would like to utilize it better with the addition of the adjacent parcel.

Mr. Lester asked Mr. Melvin to speak to the safety concerns raised by the neighborhood. Mr. Melvin said that if the rezoning is approved and the acquisition of the building proceeds, a site plan will be submitted. This submittal starts the City's process of evaluation. A detailed study will be implemented by the site plan submittal and Cone Health will also make the Traffic Impact Study available.

Responding to a question, Mr. Kirkman explained that the LDO would require one parking space per 400 square feet since this office building is greater than 10,000 square feet. This ratio is the minimum requirement for parking and equates to 128 spaces for the office building. A survey shows that there are currently 203 available spaces.

Acting Chair Parmele asked for comments on moving the existing drive down the street to the proposed new entrance. Mr. Litrell said that it is better to move entry and exit points further from an intersection to allow cars to get in and out of the parking lot. John Davenport, Davenport Engineering, 305 West Fourth Street, Winston Salem, North Carolina, agreed that it is the best practice for access management to have driveways further away from signalized intersections. The driveway is currently close to the intersection and moving it further away will make it safer for cars to operate.

Rebuttal in Opposition:

Julie Schindler commented on the hazards of fuel trucks that are not allowed to be on United Street. She expressed safety concerns about moving the entrance onto the small two-lane residential street that cannot handle increased traffic. She suggested other parking options that might be available.

Lucille Shaw stated that she was still in opposition to the request and reiterated her concern about children in the neighborhood who get off of school buses and cross the street along with children in the area who walk to get to the park.

Kathryn Pegram restated her concerns about safety and traffic.

Alicia Quan, 4327 Harvard Street, indicated that there is a third entrance to the proposed parking lot on Dartmouth Street. If the other two areas experience too much traffic, then vehicles will be forced to cut through major residential streets in the neighborhood.

There being no other speakers, Acting Chair Parmele closed the Public Hearing.

Staff Report:

Mr. Kirkman stated that this is designated as **Mixed Use Commercial** on the Generalized Future Land Use Map (GFLUM). 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. The request supports the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy and the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. The proposed CD-O (Conditional District-Office) zoning district will be limited to a parking lot only for use by the adjacent existing office facility. Staff is recommending approval of the request.

Comments:

At the request of Mr. Lester, staff explained the Technical Review Committee process and the types of considerations that could be made in terms of safety and traffic. All of the different departments that are involved will be looking for the most appropriate location for access, how the access will impact safety and the flow of traffic on United Street, and if improvements will be needed. The review is a more technical site specific evaluation. It was noted that safety and traffic concerns of the neighborhood would be taken into consideration by Greensboro Department of Transportation (GDOT).

Mr. Gilmer commented that the request will enhance the neighborhood and will have a positive impact on the community as it will serve as an economic tool by helping businesses in the area. In addition, he felt that phasing the time that employees come into work and the new arrangement of the driveway will help minimize traffic.

Mr. Griffin stated that neighbors have raised valid safety concerns but the City has a process it follows that will assess the legitimacy of the zoning request itself. He felt the process should be followed to allow the various departments to address the concerns.

Mrs. Bachmann felt that both the developer and neighborhood residents have brought up very good points. While the request is for additional parking spaces, it does not necessarily mean there will be additional traffic. There is a process in place for neighbors to continue to work with the developer to address safety concerns. In addition, she felt that moving the driveway will be an improvement to what exists today. She plans to support the request with the understanding that with the TRC in place, there will be a complete review to insure the appropriate safety of the neighborhood.

In the matter of **Z-15-07-003**, Mr. Placentino moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment for a portion of 4405 United Street from R-5 (Residential Single-Family) to CD-O (Conditional District-Office) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest because it is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; the request is consistent with the Economic Development goal to promote a healthy and diversified economy; and the request does provides measures to protect neighborhoods from negative impacts of development; seconded by Mr. Gilmer. The Commission voted 7-0-1 in favor of the motion. (Ayes: Parmele, Placentino, Gilmer, Bachmann, Griffin, Blackstock, Lester. Nays: None. Abstain: Marshall.)