



PL(Z)-17-02

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

City Council Hearing Date: March 21, 2017

GENERAL INFORMATION

APPLICANT	Amanda Hodierne on behalf of Genuity Partners, LLC
HEARING TYPE	Rezoning Request
REQUEST	Rezone from CD-O (Conditional District-Office) to CD-CB (Conditional District-Central Business)
CONDITIONS	<p>1. The existing historical structures as of January 6, 2017 shall be retained.</p> <p>2 All uses permitted in the CB shall be permitted except Forestry and Crops; Fraternities and Sororities; Correctional Institutions; Bus and Rail Terminals; Shelters, Temporary and Emergency; Broadcast Facilities; Wireless Telecommunications Facilities; Funeral Homes and Crematoriums ;Auditoriums, Coliseums and Stadiums; Bars, Nightclubs and Brewpubs; Taxi Dispatch Terminals; Taxidermists; Veterinary Services; Pet Grooming and Kennels; ABC Stores; Convenience Stores with Fuel Pumps; Pawnshops; Sexually Oriented Businesses; Vehicle Sales and Service; Car Washes; Commercial Parking; Equipment Repairs and Rental; Medical and Dental Laboratories and Printing and Publishing.</p>
LOCATION	507 North Church Street
PARCEL ID NUMBER(S)	7864784844
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 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). 66 notices were mailed to those property owners in the mailing area.
TRACT SIZE	0.68 Acres
TOPOGRAPHY	Undulating
VEGETATION	Office/Residential landscaping

SITE DATA

Existing Use		Office space
	Adjacent Zoning	Adjacent Land Uses
N	R-7 (Residential Single-Family)	Single-family dwelling
E	O (Office)	Personal and Professional Services
W	R-7 (Residential Single-family)	Duplex
S	RM-26 (Residential Multifamily)	Multifamily dwellings

Zoning History

Case #	Date	Request Summary
4037	January 23, 2016	<p>The subject property was rezoned from CD-O to CD-O with the following conditions:</p> <ol style="list-style-type: none"> 1.) The existing structures will remain. 2. A maximum of 2 residential dwelling units shall be permitted. 3.) The following uses in the Office District shall be permitted: Professional and Personal Services, Medical and Dental Offices; Day Care Center; Educational Facility; Tourist Home (Bed and Breakfast) and Retreat Center.

ZONING DISTRICT STANDARDS**District Summary ***

Zoning District Designation:	Existing (CD-O)	Requested (CD-CB)
Max. Density:	N/A	N/A.
Typical Uses	<p>Conditioned to allow up to 2 residential dwelling units, Professional and Personal Services, Medical and Dental Offices; Day Care Center; Educational Facility; Tourist Home (Bed and Breakfast) and Retreat Center.</p>	<p>Conditioned to allow all uses permitted in the Central Business District shall be permitted Except: Fraternities and Sororities; Correctional Institutions; Bus and Rail Terminals; Shelters, Temporary and Emergency; Broadcast Facilities; Wireless Telecommunication Facilities; Movie and Other Theaters; Park and Ride Facilities; Eating and Drinking Establishments with Drive-Through Facilities; Funeral Homes and Crematoriums; Taxi Dispatch Terminals; Taxidermists; Veterinary Services; Pet Grooming and Kennels; ABC Stores; Convenience Stores with Fuel Pumps; Pawnshops; Sexually Oriented Businesses; Vehicle Sales and Service; Car Washes; Equipment Repairs and Rental; Medical and Dental Laboratories; and Printing and Publishing.</p>

**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 in the Fisher Park National Register Historic District and the locally designated Fisher Park Historic District overlay zone. The Dixon-Leftwich-Murphy House (northeast) is individually listed in the National Register of Historic Places, and is a Guilford County Historic Landmark. The McAllister House (southwest) is a contributing structure in the Fisher Park National Register Historic District. At a meeting of the Historic Preservation Commission on January 25, 2017, the Historic Preservation Commission issued a recommendation of approval for the proposed re-zoning.

The subject site is also located within the Central Business Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils

Water Supply Watershed Site is located in North Buffalo Creek Sub-basin, non-water supply watershed

Floodplains >2000FT

Streams N/A

Other: If >1acre is disturbed and the BUA amount is increased, site must meet Phase 2 requirements – water quality and water quantity control must be addressed. If neither of these actions occur, then site must address water quantity control.

Utilities (Availability)

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

There are no Landscaping and Tree Conservation requirements within the CB zoning district.

Transportation

Street Classification: North Church Street – Minor Thoroughfare.
Leftwich Street – Local Street.

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

Traffic Counts: None Available.

Trip Generation: N/A.

Sidewalks:	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along the frontage of this property.
Transit in Vicinity:	Yes, GTA Route 17 (Lawndale Avenue) is within 600 ft of subject site, along Smith Street.
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-CB (Conditional District – Central Business)** zoning, as conditioned, would allow land uses that are not compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Mixed Use – Central Business District**. While the CB district is generally viewed as consistent with this generalized future land use designation, this specific property and **CD-CB (Conditional District – Central Business)** request is not readily connected to the core of downtown and thus is inconsistent with the associated policies of the Mixed Use Central Business future land use classification. The definition of the Mixed Use Central Business classification speaks notes that it encourages a true mix of uses at the highest scale and density within the City with unique standards tailored to the urban character of downtown.

Connections 2025 Written Policies

Land Use Goal 4.1 – Growth Strategy: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

Policy 4A: Remove present impediments to infill and investment in urban areas.

Policy 4B: Target capital investments to leverage private investment in urban areas.

Policy 4C: Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

Land Use Goal 4.2 - Downtown: Promote reinvestment, preservation, diversification, and selective intensification of activity in Downtown Greensboro, to reinforce its importance as the economic, cultural and civic center of the City while protecting its heritage and historic resources and enhancing its urban character.

Policy 4E: Promote diversification and intensification of Downtown Greensboro.

Community Character, Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5E: Improve the aesthetic quality of publicly owned and maintained landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

Housing and Neighborhoods, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C: Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A: Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Connections 2025 Map Policies

Mixed Use Central Business District: This designation applies only in and around Downtown Greensboro. It emphasizes the urban character and the mix and intensity of activities uniquely suited to the central city. This designation is intended to permit a true mix of all uses, except heavy industrial, at the highest levels of scale and density within the City and with unique development standards tailored to the urban character of Downtown. It is particularly important to move the Downtown towards becoming a center of activity not only in the day, but also at night and during weekends, by promoting a mix of commercial, entertainment, residential, and other uses (see policies and narrative in Section 4.5.2). To help achieve this goal, creative forms of housing, such as lofts within restored historic structures and residential units in the often unoccupied second stories above ground-level retail, should be encouraged.

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 the proposed rezoning and change of use with representatives of the Fisher Park Neighborhood, within which the subject site is located, and with representatives of the adjacent Greensboro Downtown Residents Association.

Based on the proximity of the subject site to the Central Business District, the planned Downtown Greenway, and planned bicycle lanes on North Church Street, long term safety and accessibility for users and employees at the subject site would be greatly enhanced by provision of secure, convenient bicycle parking facilities.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal), and
- Economic Development Impact Zone 1 (local).

Staff Analysis

The 0.68-acre subject property is currently office space. North and west of the request are primarily single-family dwellings (zoned R-7). East of the request, across North Church Street, are personal and professional services (zoned O). Immediately south of the request are multifamily dwellings (zoned RM-26) with an elevated section of Fisher Avenue/Murrow Boulevard located just beyond the multifamily dwellings.

The Comprehensive Plan's generalized future land use map designates this area as Mixed Use Central Business District. This designation applies only in and around Downtown Greensboro and emphasizes the urban character and mix and intensity of activities uniquely suited to the central city. This designation is intended to permit a true mix of all uses, except heavy industrial, at the highest levels of scale and density within the City and with unique development standards tailored to the urban character of Downtown.

While the Central Business (CB) zoning district generally is consistent with the Mixed Use Central Business future land use map designation of the Comprehensive Plan, staff also evaluates rezoning requests for alignment with the written policies and guidance that are key components in the Comprehensive Plan. These policies include the Downtown Goal to promote reinvestment and selective intensification in Downtown Greensboro to reinforce its importance as the economic, cultural and civic center of the City and enhance its urban character. They also include key points from the definition of the Mixed Use Central Business future land use classification that encourages a true mix of uses at the highest scale and density within the City with unique standards tailored to the urban character of downtown. It should also be noted that this property is on the very edge of the area associated with the Mixed Use Central Business classification and the property is a contributing structure within the Fisher Park Local Historic District, and has strong association with the neighborhood rather than the downtown core.

The subject property is physically separated from the downtown core by currently undeveloped property and an elevated roadway that severely restricts clear connections to the higher intensity development and activity associated with the downtown area. This is further reflected with the lack of urban amenities (clear pedestrian connections, public parking facilities, and the like) that support the higher levels of scale and intensity associated with downtown. The elevated Murrow Boulevard roadway between this property and other properties contiguous to the downtown core serves as a significant barrier between the subject property and the downtown area, as reflected in the current

boundaries of the Downtown Design and Fisher Park Historic District Overlays. Given these physical constraints and lack of urban amenities and infrastructure a rezoning to the Central Business district does not appear warranted at this time.

Staff Recommendation

Staff recommends **denial** of the requested **CD-CB** (Conditional District-Central Business) zoning district.