



Z-13-08-002

Planning & Community Development Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: August 12, 2013

GENERAL INFORMATION

APPLICANT Allen Sharpe, Sterling Development for Bobby E. and Nell S. Matthews

HEARING TYPE Rezoning

REQUEST **C-M** (Commercial-Medium) to **CD-CB** (Conditional District-Central Business)

CONDITIONS

1. Permitted Uses: All uses permitted in the Central Business District **except** bars, night clubs, and brewpubs; sexually oriented businesses; ABC stores; and convenience stores with fuel pumps.
2. Total building area not to exceed 20,000 square feet.

LOCATION **600 Battleground Avenue**, generally described as west of North Eugene Street and north of Battleground Avenue.

PARCEL ID NUMBER(S) **7864583787**

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

TRACT SIZE ~0.58 Acres

TOPOGRAPHY Generally Flat

VEGETATION None

SITE DATA

Existing Use Commercial structure

Adjacent Zoning
N C-M (Commercial-Medium)

Adjacent Land Uses
Social Security/Disability Office

E	CB (Central Business)	Deep Roots Market
W	C-M (Commercial-Medium)	Child Care facility
S	CB (Central Business)	Greenway @ Fisher Park Apartments

Zoning History

Case #	Date	Request Summary
		The property has been zoned C-M (Commercial-Medium) since July 1, 2010. Prior to the implementation of the Land Development Ordinance (LDO), it was zoned GB (General Business).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (C-M)	Requested (CD-CB)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service, and office uses.	Primarily intended to accommodate A wide range of uses including office, retail, service, institutional, and high density residential development in a pedestrian-oriented mixed-use setting (often, multiple uses may be located in the same building). The request limited the permitted Uses to include all uses permitted in the Central Business District except bars, night clubs, and brewpubs; sexually oriented businesses; ABC stores; and convenience stores with fuel pumps and further limited the maximum square footage of the buildable area to 20,000 square feet.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro 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 North Elm Street Visual Corridor Overlay Zone, which prohibits the establishment of new outdoor advertising signs therein.

The subject site is also located within the Urban Residential Mixed Use area of the Downtown Design Overlay District. See the Downtown Design Overlay Manual and Appendices for detailed design and compatibility guidelines.

Environmental/Soils

Water Supply Site drains to North Buffalo Creek Watershed

Floodplains N/A

Streams N/A

Other: If >1ac is disturbed, site must meet Phase 2 requirements.

Utilities

Potable Water Water and sewer are available and capacity is in line with request.

Waste Water

Airport Noise Cone

The subject property is not located in the Airport Noise Cone.

Landscaping Requirements – Not applicable to Central Business District

NA

Tree Preservation Requirements – Not applicable to Central Business District

Acreage	Requirements
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.58 ac.	NA
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Transportation

Street Classification: Battleground Avenue – Major Thoroughfare.
North Eugene Street – Major Thoroughfare.
West Smith Street – Major Thoroughfare.
North Edgeworth Street – Major Thoroughfare.

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

Traffic Counts: North Eugene Street ADT – 4,209 (GDOT, 2011).

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) adjacent to subject site, along Battleground Avenue.

Traffic Impact Study (TIS): No TIS required per TIS Ordinance.

Street Connectivity: N/A.

Other: Battleground Avenue right of way between North Eugene Street and West Smith Street has been closed.

Phase 3a of the Downtown Greenway will run along the North Eugene Street adjacent to this site. Construction scheduled to begin in March of 2014.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **CD-CB (Conditional District-Central Business)** zoning would allow land uses that are 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**. The requested **CD-CB (Conditional District-Central Business)** zoning district is generally consistent with this GFLUM designation. The subject site is also located within the downtown Activity Center area, as designated on GFLUM.

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

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.

Economic Development Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

Policy 7C: Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

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.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	n/a

Applicant Stated Reasons for Request

n/a

Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application

n/a

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

n/a

Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service).

n/a

Implications, if any, the Amendment may have for Other Parts of the Plan

n/a

Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3)

n/a

PLANNING BOARD COMMENTS

n/a

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1) Provide More Transportation Choices:

Goal A) Promote transportation and development patterns and types that contribute to decreased household transportation costs.

Goal B) Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

Principle 4) Support Existing Communities:

Goal B) Provide urban design services to ensure quality reinvestment in the Center City and surrounding neighborhoods, and in transit emphasis corridors.

Goal F) Promote neighborhood and economic development by fulfilling target area commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:

Goal A) Promote more efficient land development patterns.

Other Plans

n/a

STAFF/AGENCY COMMENTS

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of adjacent properties and with representatives of the Fisher Park neighborhood within which the subject site is located. Considering the proximity of the subject site to the planned and partially constructed Downtown Greenway, long-term transportation access and mobility for users of this proposed development would be greatly enhanced by provision of secure, accessible bicycle parking facilities on this site.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s): Downtown Urban Development Investment Guideline incentives (local).

Planning

The applicant's request to rezone 0.58 acres in this location to Central Business (CB) was reviewed by staff and evaluated on both immediate and longer term development impacts. The subject property is currently zoned C-M which is intended to accommodate a wide range of retail, service, and office uses. The CB district is also intended to accommodate a wide range of uses including office, retail, service, institutional, and high density residential development in a pedestrian-oriented mixed-use setting (often, multiple uses may be located in the same building) at the highest intensity of use throughout the city. Properties to the east and south of the subject site are zoned CB, properties to the west of the site are zoned C-M and properties to the north of the site are zoned Office (O).

The subject property is designated Mixed Use Central Business District on the Generalized Future Land Use Map (GFLUM). 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.

This rezoning request, if approved, is consistent with the Comprehensive Plan's Economic Development Goal to promote a healthy, diversified economy. It will also promote the Reinvestment/Infill Goal to promote sound investment in Greensboro's urban areas. As conditioned, the applicant will minimize the impact on traffic in the area and provide new services to the existing and future residents of the downtown area.

STAFF RECOMMENDATION

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