



Z-19-09-004

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

Zoning Commission Hearing Date: September 18, 2017

GENERAL INFORMATION

APPLICANT	City of Greensboro
HEARING TYPE	Special Use Permit
REQUEST	<p>Request to allow an Electronic Message Board in the Pedestrian Mixed Use Character Area of the DDO (Downtown Design Overlay), with the following conditions:</p> <ol style="list-style-type: none">1. The electronic sign will have a total area no greater than 500 square feet on the principal façade facing south (Abe Brenner Pl.) and no greater than 250 square feet on the secondary façade facing west (N. Elm St.)2. The sign will meet the following from the Downtown Design Overlay:<ul style="list-style-type: none">• Display static message content for a minimum of 8 seconds;• Not exceed a brightness of 5,000 nits (candelas per square meter) during daylight hours, nor exceed 500 nits (candelas per square meter) from dusk to dawn; and• Display only on-premise advertising
CONDITIONS	N/A
LOCATION	300 North Elm Street and 125 Summit Avenue
PARCEL ID NUMBER(S)	0000849 and 0000846
PUBLIC NOTIFICATION	<p>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). 96 notices were mailed to those property owners in the mailing area.</p>
TRACT SIZE	4.914 Acres
TOPOGRAPHY	Relatively flat

VEGETATION Commercial

SITE DATA

Existing Use Entertainment Facility (under construction)

Adjacent Zoning		Adjacent Land Uses
N	CB (Central Business)	Office and Vacant Building
E	CB (Central Business)	Museum and park
W	CB (Central Business)	Hotel and Parking Deck
S	CB (Central Business)	Office

Zoning History

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned CB (Central Business) and has been since the adoption of the Land Development Ordinance (LDO) in July 2010. Prior to the adoption of the LDO, the property was zoned CB (Central Business)

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CB)	Requested (A special Use Permit is requested to allow an electronic message board in the pedestrian mixed use character area of the DDO (Downtown Design Overlay)
Max. Density:	N/A	N/A
Typical Uses	All uses except industrial and agricultural uses.	A Special Use Permit requested to allow an electronic message board in the pedestrian mixed use character area of the DDO (Downtown Design Overlay).

**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 Pedestrian Mixed Use Character Area of the Downtown Design Overlay. Consult the Downtown Design Manual “Process/Guidelines” and “Appendices” for detailed applicable requirements and design guidance.

The subject site is located within the West Friendly Avenue Visual Corridor Overlay Zone, the North Elm Street Visual Corridor Overlay Zone, and the Central Business Overlay Zone, all of which prohibit establishment of new outdoor advertising signs therein.

Environmental/Soils

Water Supply Watershed Site drains to North Buffalo Creek, non-watersupply watershed

Floodplains > 2000 FT

Streams N/A

Other: If disturbance is greater than 1 acre and the impervious are is increased the site must meet Water Quality requirements.

Utilities

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping and Tree Conservation not applicable in CB Zoning

Transportation

Street Classification: N Elm Street – Major Thoroughfare.
Summit Avenue – Major Thoroughfare.

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

Traffic Counts: N Elm Street ADT = 8,259 (GDOT, 2014).

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 Routes 1 (West Wendover Avenue), 3 (North Elm Street), 7 (Friendly Avenue), 8 (Battleground Avenue), 9 (West Market Street), 17 (Lawndale Drive) are within 600 ft of the subject site, along Friendly Avenue and GTA Route 14 (Bessemer Avenue/ Phillips Avenue) is adjacent to subject site, along E Lindsay St).
Traffic Impact Study: (TIS)	No TIS required per TIS Ordinance.
Street Connectivity:	N/A.
Other:	N/A.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The requested **SUP (Special Use Permit)** to allow an Electronic Message Board in the **Pedestrian Mixed Use Character Area of the DDO (Downtown Design Overlay)**, with the following conditions: 1) The electronic sign will have a total area no greater than 500 square feet on the principal façade facing south (Abe Brenner Pl.) and no greater than 250 square feet on the secondary façade facing west (N. Elm St.); and 2) The sign will meet the following from the Downtown Design Overlay: Display static message content for a minimum of 8 seconds; Not exceed a brightness of 5,000 nits (candelas per square meter) during daylight hours, nor exceed 500 nits (candelas per square meter) from dusk to dawn; and Display only on-premise advertising; 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 **SUP (Special Use Permit)** to allow an Electronic Message Board in the **Pedestrian Mixed Use Character Area of the DDO (Downtown Design Overlay)**, with the following conditions: 1) The electronic sign will have a total area no greater than 500 square feet on the principal façade facing south (Abe Brenner Pl.) and no greater than 250 square feet on the secondary façade facing west (N. Elm St.); and 2) The sign will meet the following from the Downtown Design Overlay: Display static message content for a minimum of 8 seconds; Not exceed a brightness of 5,000 nits (candelas per square meter) during daylight hours, nor exceed 500 nits (candelas per square meter) from dusk to dawn; and Display only on-premise advertising; is generally consistent with the **Mixed Use Central Business District** GFLUM designation. The Growth Strategy Map designates the subject site as being within the **Downtown Activity Center**.

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.

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.

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 7A: Target city investment and regulatory policies for economic development.

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.

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 this proposed SUP (Special Use Permit) to allow an Electronic Message Board in the Pedestrian Mixed Use Character Area of the DDO (Downtown Design Overlay), with the following conditions: 1) The electronic sign will have a total area no greater than 500 square feet on the principal façade facing south (Abe Brenner Pl.) and no greater than 250 square feet on the secondary façade facing west (N. Elm St.); and 2) The sign will meet the following from the Downtown Design Overlay: Display static message content for a minimum of 8 seconds; Not exceed a brightness of 5,000 nits (candelas per square meter) during daylight hours, nor exceed 500 nits (candelas per square meter) from dusk to dawn; and Display only on-premise advertising; with owners of adjacent properties and with representatives of the Greensboro Downtown Residents Association.

Staff Analysis

This analysis is based on factual information provided to staff as indicated in this report. The recommendation of staff below is only to be considered to the degree that this information is determined to be consistent with the competent evidence presented at the Special Use Permit hearing before the Zoning Commission. It is not intended to replace the objective fact finding role of the Commission at this hearing.

The subject property contains 4.914 acres and is currently under initial site development for the downtown performing arts center. As part of this venue, the applicant intends to incorporate an electronic message board with the primary façade facing Abe Brenner Place and the secondary façade facing N. Elm Street. This site is located within the Pedestrian Mixed Use character area of the Downtown Design Overlay (DDO).

The Downtown Design Overlay requires any new development or any redevelopment of property that involves the significant renovation of the first floor of a building to be reviewed using the weighted guidelines of the DDO, based on the character area that covers the particular site. Projects must meet at least 75% of the total design guideline points for that character area to be approved by City staff. Within the Pedestrian Mixed Use Character area the points associated with signage require any electronic message boards to have an approved Special Use Permit. As part of this Special Use Permit request, the applicant has offered additional conditions, taken from the recommended guidelines outlined in the Downtown Design Overlay, to enhance compatibility with surrounding properties and downtown development in general.

All surrounding properties to the north, east and south of the request are currently zoned Central Business (CB) and contain a variety of uses including offices, park, hotel, museum and parking facilities.

Electronic message boards are also subject to the provisions of Section 30-14-8 of the Land Development Ordinance. Electronic message boards on property located in the CB zoning district must also be turned off between the hours of midnight and 7:00 a.m., and the display area is limited to 75% of the total sign face, with a maximum 33% being white or bright colors.

To get approval for a Special Use Permit, the Zoning Commission must determine that this request conforms to the intent and purpose of the Zoning Ordinance and the Comprehensive Plan in:

1. That the proposed use will not be detrimental to the health or safety of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
2. That the proposed use at the particular location provides a service or facility that will contribute to the general well-being of the adjacent and nearby residential properties.
3. That the location and character of the proposed use will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Plan.

Staff Recommendation

Staff recommends **approval** of the requested **Special Use Permit**.