



Z-10-08-001

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

Zoning Commission Hearing Date: August 9, 2010

**GENERAL INFORMATION**

<b>APPLICANT</b>	City of Greensboro
<b>HEARING TYPE</b>	Overlay District
<b>REQUEST</b>	An ordinance to establish the <b>Downtown Design Overlay District (DDO)</b>
<b>CONDITIONS</b>	<b>None</b>
<b>LOCATION</b>	Generally west of Murrow Boulevard, south of Fisher Avenue, east of the Atlantic and Yadkin Railway tracks and north of Bragg Street (Downtown Greensboro)
<b>PARCEL ID NUMBER (S)</b>	<b>Multiple</b>
<b>PUBLIC NOTIFICATION</b>	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). <b>1,671</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	528.60 Acres
<b>TOPOGRAPHY</b>	Undulating
<b>VEGETATION</b>	Urban built environment

## Planning

### Public Comments

The Downtown Design Overlay (DDO) is the result of several years of work between staff and numerous downtown stakeholders to create an agreed upon framework for quality, pedestrian oriented development in downtown Greensboro. The overlay district boundary is designed to “fill in the gaps” in the center city where design review does not already currently exist or is anticipated in the future.

Individual properties within the Downtown Design Overlay are further assigned one of three “character area designations” which reflect primary characteristics of development in these areas. These character areas are Urban Residential Mixed Use, Pedestrian Mixed Use and Historic Core.

The Downtown Design Overlay once established will directly reference a Downtown Design Manual, containing details on the review process and applicable guidelines based a property’s character area designation. The Downtown Design Manual contains a series of weighted guidelines with two review tracks based on a project’s ability to meet a set threshold of points by addressing individual guidelines. If the threshold (75%) is achieved then the project receives a staff only review. If the threshold is not achieved then a citizen group, the Property Owners Review Team is consulted and a non-binding recommendation is provided which, along with staff comments, may be considered should the project need some form of City Council action.

**A hard copy of the Downtown Design Overlay District (DDO) manual is attached. It can also be found online at <http://www.greensboro-nc.gov/departments/Planning/urbandesign/manual/>**

City staff received a variety of public comments on the latest proposed version of the Downtown Design Overlay and Manual. Comments and staff responses directly related to the overlay district boundary and associated character areas (the items to be evaluated by Zoning Commission) are below.

**1. How can Manual be amended once adopted? Should include an “opt out” provision for individual properties to be removed automatically if changes to the Manual are approved. The PORT should also review and provide a recommendation on any proposed changes**

*Response: The Downtown Design Manual and Overlay, once adopted, can only be amended following two formal public hearings and cannot be amended administratively. Language has been added to the Manual clarifying this. Based on research by the City Attorney and Planning staff, property cannot automatically “opt out” of zoning once established. As currently proposed the PORT has no official role in review of proposed changes to the Manual or Overlay but this responsibility could be added if there is consensus to do so.*

**2. Properties on the north side of Fisher Avenue, between Simpson and Wharton Street, should either be excluded from this overlay or have a different designation other than Urban Residential (implies non-residential uses are discouraged).**

*Response: Staff will work with all stakeholders to address concerns about the inclusion and/or designation of individual properties within the Downtown Design Overlay. Changing the designation of “Urban Residential” to “Urban Residential Mixed Use” is proposed to acknowledge a mix of uses in this character area (though the overlay does not regulate specific uses) that defer to the size and scale of nearby residential development. Requests*

*for specific changes may be evaluated by the Zoning Commission during consideration of the appropriate overall boundary and character area designations*

**3. Use a petition process to identify support for DDO and Manual, something similar to the 51% threshold (owners and land area) required by Neighborhood Conservation Overlay Districts**

*Response: The Neighborhood Conservation Overlay District process does not work well for Downtown due to its size (~1,200 properties) and ownership makeup (significant acreage is controlled by LLCs, trusts, out-of-town owners and local, state and federal governments/institutions).*

**STAFF RECOMMENDATION**

Staff recommends **approval** of the requested **Downtown Design Overlay District (DDO)** and associated character area designations.