



Z-11-03-003

**Planning & Community Development  
Zoning Staff Report and Plan Amendment Evaluation**

**Zoning Commission Hearing Date: March 14, 2011**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Redevelopment Commission of Greensboro et al
<b>HEARING TYPE</b>	Rezoning
<b>REQUEST</b>	<b>CD-CB</b> (Conditional District-Central Business) to <b>CD-CB</b> (Conditional District-Central Business)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1) All uses allowed in Central Business, <b>except</b> for the following: Junked motor vehicles, car washes, laundry or dry cleaning plants, large appliance repairs, truck and trailer leasing, building supply sales, convenience stores and service stations with fuel pumps, motor vehicles and boat sales and repairs, drive-in and drive-thru restaurants, tire sales, sexually-oriented businesses.</li><li><del>2) Parking shall be provided for all uses according to the rate of parking required per Table 30-5-3-1 of Development Ordinance. Minimum parking rates may be reduced to but not less than 33% of the Table 30-5-3-1 rates upon submittal by the owner and approval by the City of a parking plan that includes shared parking agreements with adjoining owners, locating transit stops within the development along with evidence of transit service to the site, and/or evidence of additional public parking within 500 feet of the site.</del></li><li><del>3) Immediately adjacent on-street parking shall be counted in meeting required parking count.</del></li><li>2) No parking shall be located closer to the street right-of-way than the front façade of newly constructed buildings on the lot, except for designated loading and drop-off zones.</li><li>3) Surface parking visible from a public street shall be screened with decorative fencing and/or landscaping. Fencing used to screen parking areas shall be a minimum of seventy percent (70%) open.</li><li>4) No loading docks shall be located facing South Elm Street or East Lee Street.</li><li>5) All new buildings shall be set back a minimum of ten feet (10') from the street curb.</li><li>6) Non-residential and mixed-use buildings shall be built at</li></ol>

or within three feet (3') of the front property line, except for parking decks, buildings set behind or adjacent to a designated green space, and buildings at intersections which provide for a larger pedestrian space at the intersection.

- 7) A minimum of 2/3 of the first story façade of buildings fronting South Elm Street and East Lee Street shall be windows, of which at least eighty-five percent (85%) shall be transparent.
- 8) The first floor height of all non-residential and mixed-use buildings shall be a minimum of twelve feet (12').

*(Strike through denotes deleted conditions)*

**LOCATION** Generally located south of **East Lee Street**, east and west sides of **South Elm Street** and south of **West Bragg Street**.

**PARCEL ID NUMBER(S)** **Multiple**

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

**TRACT SIZE** ~12.92 Acres

**TOPOGRAPHY** Rolling

**VEGETATION** Negligible

**SITE DATA**

**Existing Use** Old factories, office space and residences

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CB (Central Business), C-M (Commercial-Medium) and LI (Light Industrial)	Used car lots and offices and flex space
E	TN (Traditional Neighborhood) and LI (Light Industrial)	Single-Family dwellings and an office complex
W	RM-12 (Residential-Multi Family), R-5 (Residential-Single Family) and LI (Light Industrial)	Residential uses and offices
S	RM-18 (Residential-Multi Family), CD-O (Conditional District-Office) and LI (Light Industrial)	Child day care, offices, and single-family dwellings.

**Zoning History**

Case #	Date	Request Summary
3706	12/08/2008	<p>These properties were rezoned from <b>RM-18</b> (Residential-Multi Family), <b>CB</b>(Central Business), <b>LI</b> (Light Industrial), and <b>GB</b>(General Business) to <b>CD-CB</b> (Conditional District-Central Business) with the following conditions:</p> <ol style="list-style-type: none"> <li>1) All uses allowed in Central Business, <b>except</b> for the following: Junked motor vehicles, car washes, laundry or dry cleaning plants, large appliance repairs, truck and trailer leasing, building supply sales, convenience stores and service stations with fuel pumps, motor vehicles and boat sales and repairs, drive-in and drive –thru restaurants, tire sales, sexually-oriented businesses.</li> <li>2) Parking shall be provided for all uses according to the rate of parking required per Table 30-5-3-1 of Development Ordinance. Minimum parking rates may be reduced to but not less than 33% of the Table 30-5-3-1 rates upon submittal by the owner and approval by the City of a parking plan that includes shared parking agreements with adjoining owners, locating transit stops within the development along with evidence of transit service to the site, and/or evidence of additional public parking within 500 feet of the site.</li> <li>3) Immediately adjacent on-street parking shall be counted in meeting required parking count.</li> <li>4) No parking shall be located closer to the street right-of-way than the front façade of newly constructed buildings on the lot, except for designated loading and drop-off zones.</li> <li>5) Surface parking visible from a public street shall be screened with decorative fencing and/or landscaping. Fencing used to screen parking areas shall be a minimum of seventy percent (70%) open.</li> <li>6) No loading docks shall be located facing South Elm Street or East Lee Street.</li> <li>7) All new buildings shall be set back a minimum of ten feet (10') from the street curb.</li> <li>8) Non-residential and mixed-use buildings shall be built at or within three feet (3') of the front property line, except for parking decks, buildings set behind or adjacent to a designated green space, and buildings at intersections which may provide for a larger pedestrian space at the intersection.</li> <li>9) A minimum of 2/3 of the first story façade of buildings fronting South Elm Street and East Lee Street shall be windows, of which eighty-five percent (85%) shall be transparent.</li> <li>10) The first floor height of all non-residential and mixed-use buildings shall be a minimum of twelve feet (12').</li> </ol>

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing <b>(CD-CB)</b>	Requested <b>(CD-CB)</b>
Max. Density:	N/A	N/A
Typical Uses	<p>Solely intended for application in the central core of the city. The district is established to encourage high intensity, compact urban development. The district is intended to accommodate a wide range of uses including office, retail, service, institutional, and high density residential developments in a pedestrian-oriented mixed-use setting (often, multiple uses may be located in the same building).</p>	<p>Solely intended for application in the central core of the city. The district is established to encourage high intensity, compact urban development. The district is intended to accommodate a wide range of uses including office, retail, service, institutional, and high density residential developments in a pedestrian-oriented mixed-use setting (often, multiple uses may be located in the same building).</p>

*\*These regulations may not reflect the actual requirements for all situations; see the City of Greensboro Zoning Code for actual regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation – N/A**

**Environmental/Soils**

Water Supply Watershed     Site is non-watersupply watershed & drains to South Buffalo Creek

Floodplains                     >2000ft

Streams                             N/A

Other:                                If site is High Density & >1ac is disturbed, site must meet Ph.2 requirements for Quantity & Quality

**Utilities**

Potable Water                     N/A

Waste Water                        N/A

**Airport Noise Cone**

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

**Landscaping Requirements**

**In addition to Condition # 3 above:**

**Applicability**

Multi-family, nonresidential and mixed-use development in RM-40, MU-M, MU-H, CN and CB districts are subject to the urban landscaping requirements of this section. The landscaping requirements of the DDO, Downtown Design Overlay, apply within the Downtown Design Overlay district.

**Pedestrian Landscaping**

Pedestrian landscaping is required along all street frontages. Pedestrian landscaping requirements can be met by one or a combination of the following 4 options:

- A. providing a street planting yard measured from the edge of the right-of-way or back of sidewalk (whichever is farther from the centerline) that includes 2 canopy trees per 100 linear feet or 6 understory trees per 100 linear feet when located within 15 feet of overhead utilities;
- B. providing a minimum 10-foot wide sidewalk with canopy trees planted in tree wells (with grates) at 30-foot intervals;
- C. providing a minimum 10-foot wide sidewalk that is at least 50% covered with weather-protection materials (such as canopies and awnings); or
- D. providing a plaza between the building and the right-of-way a minimum of 10 feet in width along 50% of the building wall that consists of pavers or hardscape material different from the sidewalk and permanently fixed planters with vegetation.

**Vehicular Use Area Screening**

- A. The perimeter of all vehicular use areas must be screened from any abutting residentially zoned property. Such screening must consist of one or a combination of the following 2 options:
  1. A 4-foot-high masonry wall; or
  2. A planting yard with a minimum width of 5 feet, a 100% sight-obscuring fence with a height of at least 6 feet and at least one evergreen understory tree per 30 linear feet of planting yard (planted on the outside of the fence).
- B. The perimeter of all vehicular use areas containing 10 or more parking spaces or 400 square feet or more paved area must be screened from all abutting rights-of-way. Such screening must consist of one or a combination of the following 2 options:
  1. A minimum 5-foot wide planting yard and enough evergreen shrubs to form a continuous visual screen at least 2.5 feet in height and a maximum of 3.5 feet in height; or
  2. A minimum 5-foot wide planting yard with a combination of vegetation and open decorative fencing at least 2.5 feet in height and a maximum of 3.5 feet in height.

**Surface Parking Lot Landscaping**

Requiring landscaping within parking areas is intended to shade and improve the attractiveness of large areas of pavement.

**A. Required Landscaping**

Parking lot planting yards are required in parking lots containing 10 or more spaces. Parking lot planting yards must include at least one canopy tree for every 10 parking spaces.

1. Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, in driveway medians, or at the end of parking bays.
2. The landowner may provide required landscape islands or planting areas using one or more of the planter sizes below. Each parking space must be entirely within the designated distance of a parking lot planting areas, as specified below:

**Table 10-4: Location of Parking Lot Planting Areas**

Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
200-499	1	100
500-899	3	130
Over 899	5	150

3. Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot. The Planning Director is authorized to grant a Type 1 Modification to the standards of Table 10-4 in accordance with Sec. 30-4-11.
4. Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements  
Acreage**

**Requirements**

12.92 ac. Properties within or surrounded by the Central Business District are exempt.

**Transportation**

Street Classification: S. Eugene Street – Major Thoroughfare, Elm Street – Collector Street, Arlington Street – Collector Street, Bragg Street – Collector Street, E. Lee Street – Major Thoroughfare.

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

Traffic Counts: S. Eugene Street ADT = 17,416 (2007), Elm Street ADT = 5,377 (2007).

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 and trails are existing in the area.

Transit in Vicinity: Yes, route 13, Martin Luther King, Jr. Drive.

Traffic Impact Study: No, not required per TIS Ordinance.  
(TIS)  
Street Connectivity: N/A.  
Other: N/A.

## **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 Commercial**. The requested **CD-CB** (Conditional District-Central Business) zoning district is consistent with this GFLUM designation.

### **Connections 2025 Written Policies**

Reinvestment/Infill Goal: Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

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

POLICY 4C.1: Establish standards for and promote new forms of compact development.

Downtown Goal: 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.

POLICY 4E.2: Support private initiatives for downtown investment.

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

POLICY 5D: Preserve and promote Greensboro's historic resources and heritage.

Economic Development Goal: 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.2: Encourage "home-grown" and community-based businesses and entrepreneurs with special emphasis on increasing the number of minority-owned businesses in traditionally underserved parts of the community.

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

POLICY 7C.1: Ensure that adequate land is zoned and has infrastructure available for the various stages of business development.

POLICY 7C.3: Identify brownfield sites and underutilized/abandoned properties and buildings and expedite opportunities for development.

**Connections 2025 Map Policies**

Mixed Use Commercial: This 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. Where applied to older highway corridors characterized by “strip” commercial uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential units over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New “strip” commercial development is discouraged.

**CONFORMITY WITH OTHER PLANS****City Plans – Downtown Area Consolidated Plan**

A portion of this site is covered by the Downtown Area Consolidated Plan. The Downtown Area Consolidated Plan calls for mixed development throughout the downtown area, direct engagement of properties with the future Downtown Greenway, and promoting means to actively reuse historic buildings and to develop properties that promote a variety of transportation options.

**Other Plans – N/A****Staff/Agency Comments****Community Development**

The additional flexibility in the parking-related conditions for this site and proposed development will enhance the ability of this redevelopment project to reduce the site’s long-term reliance on automobile access, and will facilitate a more pedestrian, bicycle, and transit friendly environment. The subject site is located within the area eligible for Energy Efficiency and Conservation Block Grant funds (federal), within the area eligible for New Markets Tax Credits (federal), within the area eligible for Recovery Zone Bonds under the American Recovery and Reinvestment Act (federal), partly within the area eligible for Historically Underutilized Business Tax Credits (federal), partly within the area eligible for Neighborhood Stabilization Program funds (federal), and within the area eligible for Urban Progress Zone tax credits (state).

**Planning**

The subject site is located south of East Lee Street and the east and west sides of South Elm Street. The subject site is partly undeveloped and partly occupied by older industrial and commercial buildings. The applicants intend to redevelop this entire site as an infill project to accommodate high intensity, compact urban development with a wide range of uses including office, retail, service and high density residential developments in a pedestrian-oriented setting. Other older historic structures will also be rehabilitated and maintained.

These properties were rezoned in 2008 to CD-CB (Conditional District-Central Business) zoning district with parking requirements and other restrictions as conditions. Staff believes that the Central Business district, as intended, is to be more flexible to encourage high intensity, compact urban development. The district is intended to accommodate a wide range of uses including office, retail, service, institutional and high density residential developments in a pedestrian-oriented mixed-use setting.



In addition, there is no district-wide parking requirement for this zoning district and staff feels that it will be appropriate for the district to function better if these parking requirements are eliminated altogether. The intent and purpose of the district will be better served without negatively impacting the over mix of uses found in this part of the city.

This proposal meets both the Reinvestment/Infill Goal and the Downtown Goal. It promotes a new form of compact development and also promotes 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.

Staff believes that this request is consistent with the intent and purpose of the zoning code and the Comprehensive Plan (Connections 2025). Staff is also of the opinion that the request will be generally compatible with the existing development and trend in the surrounding area

### **STAFF RECOMMENDATION**

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