



# Z-18-05-006

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

Zoning Commission Hearing Date: May 21, 2018

### GENERAL INFORMATION

<b>APPLICANT</b>	J. Randall Dixon for St. Leos Limited Partnership, LLP
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	C-M (Commercial Medium) to CB (Central Business)
<b>CONDITIONS</b>	N/A
<b>LOCATION</b>	608 Battleground Avenue
<b>PARCEL ID NUMBER(S)</b>	<b>7864582831</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>46</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	0.36 Acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	N/A

### SITE DATA

<b>Existing Use</b>	Daycare Center	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	C-M (Commercial Medium)	Office and Professional Services
E	CD-CB (Conditional District – Central Business)	Restaurant and Microbrewery
W	CD-C-M (Conditional District – Commercial Medium)	Office
S	CB (Central Business)	Multi-family Dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned C-M (Commercial Medium) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned GB (General Business).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CM)	Requested (CB)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Solely intended for application in the central core of the city. The district is established to encourage high intensity, compact urban development.

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The subject site is located within the Residential Mixed Use Character Area of the Downtown Design Overlay District. Consult the Downtown Design Manual “Process/Guidelines” and “Appendices” for detailed applicable requirements and design guidance.

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

The subject site is located adjacent to the Greenhill Cemetery Gatekeepers House (situated to the west), which was listed on the National Register of Historic Places in 1979, and is designated as a Guilford County Landmark Property. It was constructed in the late 1880s and is an example of the Gothic Revival style. From *Greensboro, An Architectural Record*:

“A delicately detailed, late example of the Gothic cottage style, this frame structure was built in 1888-1889 by Greensboro to serve the public cemetery freshly opened to its north. Its picturesque, steeply pitched cross-gables are draped with pierced barge-boards spiked with kingposts. The front and side porches are edged with turned posts and pointed-arch spandrels. The paired angled front entries, recessed behind a peaked archway, originally opened into two separate areas of the house, the living quarters of the gatekeeper at the west and the cemetery office at the east.”

From the National Register Nomination Statement of Significance:

“The Green Hill Cemetery Gatekeeper's House is a late and simplified version of the popular Gothic Cottage style which was embraced by the American public during the middle and late century. The house is the only surviving example of the Gothic Cottage style in Greensboro and is the last known Victorian cemetery gatekeeper's house in North Carolina. The

construction of the house and the choice of the Gothic cottage style were the result of the work of Judge David Schenk, a prominent local leader in the community planning and development activities undertaken by Greensboro in the last quarter of the nineteenth century. Because of the philosophical associations of the Gothic style with the theme of death in the nineteenth century, it was an especially appropriate style choice for a structure at the gate of a pastoral cemetery.

“The house reflects the impact of the publications of Andrew Jackson Downing, popularizer of the picturesque cottage mode. While not identical, the house with its full, ogee-arched porch, central peaked gable, and decorative bargeboards is similar to Designs II and IV of Downing's Cottage Residences (1853). The well-preserved building (circa 1888-1889) exemplifies not only the breadth but also the longevity of the popularity of the picturesque Cottage. Criteria Assessment:

- A. “The Green Hill Cemetery Gatekeeper's House is associated with the municipal improvement activities which took place in the City of Greensboro in the last quarter of the nineteenth century, being built as a part of the first community cemetery in the city.
- B. “The Green Hill Cemetery Gatekeeper’s House is associated with Judge David Schenk, a locally prominent and progressive civic leader, who was instrumental in the decision by the city to build the house and who chose the Gothic Cottage style for its design.
- C. “The Green Hill Cemetery Gatekeeper's House is the only surviving example of the Gothic Cottage style in the City of Greensboro and is the last known Victorian cemetery gatekeeper's house in North Carolina. The house is a well-preserved example of the work of such advocates of the picturesque mode as A. J. Downing who were responsible for the long popularity of the style in the United States.”

### **Environmental/Soils**

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

Floodplains < 2000LF

Streams N/A

Other: If >1acre is disturbed and the BUA is increased, site must meet Phase 2 requirements – water quality and water quantity control must be addressed.

### **Utilities (Availability)**

Potable Water Available

Waste Water Available

### **Airport Overlay District & Noise Cone**

n/a

### **Landscaping & Tree Conservation Requirements**

There are no requirements for Landscaping or Tree Conservation in the CB district.

**Transportation**

Street Classification:	Battleground Avenue – Major Thoroughfare. Wharton Street – Collector Street.
Site Access:	All access(s) must be designed and constructed to the City of 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 Drive) is adjacent to subject site, along Battleground Avenue.
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 **CB (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 CBD**. The requested **CB (Central Business)** zoning district is generally consistent with the **Mixed Use CBD** GFLUM designation. The Growth Strategy Map identifies the subject site as being located within the **Downtown Activity Center** and the **Downtown Reinvestment Area**.

**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.

**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.

**Reinvestment Area:** Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in

Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Areas are neighborhoods and districts within Greensboro's urban areas that would most benefit from actions to promote compatible infill development and other forms of investment and reinvestment.

**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**

#### ***Downtown Area Consolidated Plan***

**Policy 1)** Promote higher intensity, quality mixed use development in Downtown, with particular emphasis on pedestrian oriented development that includes the renovation and redevelopment of historic properties.

**Strategy a)** Identify and prioritize underutilized sites and strategies for redevelopment.

**Strategy b)** Further evaluate and address impediments to new Downtown investment.

**Strategy c)** Adopt/implement design overlay for Downtown.

**Policy 2)** Enhance transportation connections and corridors, with emphasis on linking pedestrian, bicycle, transit and roadway facilities to enhance economic investment, housing and key Downtown destinations.

**Strategy a)** Complete Downtown Greenway and associated links.

**Strategy b)** Evaluate/implement Downtown area transit circulator.

**Strategy c)** Expand transportation options in Downtown.

**Policy 3)** Develop comprehensive strategies and commitments for public capital investments and development incentive programs to encourage quality private investment.

**Strategy c)** Leverage Downtown Greenway for new investment.

**Policy 4)** Strengthen and expand connections between Downtown, adjacent neighborhoods, colleges/universities and other nearby economic drivers.

**Strategy a)** Remove barriers between Downtown, adjacent neighborhoods and nearby economic drivers.

**Strategy b)** Identify/enhance key Downtown gateways.

**Strategy d)** Enhance public safety and appearance between Downtown, adjacent neighborhoods and nearby economic drivers.

**Strategy e)** Cross promote Downtown, adjacent neighborhoods and nearby economic drivers.

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of the Greensboro Downtown Residents' Association, within which the subject site is located.

Based on the location of the subject site within the Central Business District and proximity to the Downtown Greenway, 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):

- Opportunity Zone tax credits (federal), and
- Urban Development Investment Incentives (local).

### **Staff Analysis**

The 0.36-acre subject property is currently zoned C-M (Commercial Medium) and used as a daycare. North and West of the request are offices and personal service uses (zoned C-M). East of the request are a restaurant and micro-brewery (zoned CD-CB). South of the request is a multi-family development (zoned CB).

The Comprehensive Plan's Future Land Use Map designates this area as Mixed Use Central Business District. 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.

The proposed CB zoning district in general allows 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). The Comprehensive Plan supports a mix of uses, both through the Mixed Use Central Business designation and the general policy to promote reinvestment, preservation, diversification, and selective intensification of activity in Downtown Greensboro. The proposed rezoning request is also supported by the Downtown Consolidated Plan's goals to promote higher intensity, quality mixed use development in Downtown.

The request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **CB** (Central Business) zoning district.