



Z-18-12-004

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

Zoning Commission Hearing Date: December 17, 2018

GENERAL INFORMATION

APPLICANT	David Sloop for Marketplace Commercial Investments, LLC
HEARING TYPE	Rezoning Request
REQUEST	LI (Light Industrial) and C-M (Commercial Medium) to CB (Central Business)
CONDITIONS	N/A
LOCATION	518 North Spring Street
PARCEL ID NUMBER(S)	7864486757
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). 48 notices were mailed to those property owners in the mailing area.
TRACT SIZE	0.32 Acres
TOPOGRAPHY	Flat
VEGETATION	N/A

SITE DATA

Existing Use	Office Use
Adjacent Zoning	Adjacent Land Uses
N C-M (Commercial Medium) and LI (Light Industrial)	Pet Kennel/Grooming and Pest Control
E C-M (Commercial Medium) CB (Central Business) and	Auto Service and Multi-family

W	PUD (Planned Unit Development)	Vacant Land
S	C-M (Commercial Medium)	Auto Service

Zoning History

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

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CM)	Existing (LI)	Requested (CB)
Max. Density:	N/A	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.	Primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.	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 Pedestrian 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 Central Business Overlay Zone, which prohibits 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 Site drains to N. Buffalo Creek, non-watersupply watershed Watershed

Floodplains > 2000LF

Streams N/A

Other: Water Quantity control must be addressed at time of development.

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: Spring Street – Major Thoroughfare.
Fisher Avenue – Major Thoroughfare.

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

Traffic Counts: Fisher Avenue AADT = 4,000 (NCDOT, 2017).

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 within 250' of subject site, along Battleground Avenue.

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

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 Residential** and **Mixed Use CBD**. The requested **CB (Central Business)** zoning district is generally consistent with the **Mixed Use Residential** and **Mixed Use CBD** GFLUM designations.

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 Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

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.

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.

Cedar Street / Bellemeade Area Strategic Plan

Goal #1: Stabilize, protect, enhance and complement the existing neighborhood's character, diversity and appearance.

Goal #2: Encourage appropriate future development of a variety of uses (business, commercial and residential) in the neighborhood.

Goal #4: Create a pedestrian, bicycle, and resident friendly environment in the area that encourages walking to downtown, First Horizon Stadium, universities/colleges, and adjacent neighborhoods.

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 Cedar Street / Bellemeade Area Neighborhood, within which the subject site is located.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets tax credits (federal).

Staff Analysis

The 0.32 acre subject property is currently zoned LI (Light Industrial) and is currently vacant. North and West of the request are a pet kennel and undeveloped property (zoned LI, CD-C-M and PUD). East and South of the request are parking lots and a vehicle service use zoned CD-C-M and C-M.

The Comprehensive Plan's Future Land Use Map designates this area as Mixed Use Residential. This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced.

The 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) at the highest intensities in the

city. CB zoned properties are also generally those that are located in immediate proximity to shared public infrastructure like parking facilities and parks in order to maximize available land for development.

This requested rezoning is connected to a property that is not designated Mixed Use Central Business in the Comprehensive Plan, which delineates where the eventual boundary of the central business district is intended to be. This property was also not identified as being part of the central business district in the adopted Cedar Street/Bellemeade Area Strategic Plan or in the accepted Downtown Area Consolidated Plan.

Additionally this property is not contiguous to any property currently zoned CB and is not directly connected to any shared public infrastructure, such as public parking facilities or public open spaces, that both visually and physically connect the types of development found in downtown. Also, the applicant's desire to add retail uses to this site (not allowed with the current LI zoning) can be readily accommodated through rezoning to other commercial zoning districts such as C-M or C-L

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

Staff Recommendation

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