

**A Closer Look at Neighborhood Conservation Districts:  
West Hillsborough Neighborhood, NC**

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## ABSTRACT

The purpose of this study is to investigate the process of establishing a Neighborhood Conservation District (NCD) for the West Hillsborough Neighborhood in the Town of Hillsborough, NC. The West Hillsborough Neighborhood, one of Hillsborough's older and most distinctive neighborhoods, sits adjacent to the Bellevue Manufacturing Company and the Eno Cotton Mill. Hillsborough, like many other small towns in the United States, is facing rapid development and growth pressures. Neighborhood Conservation Districts have become an increasingly popular tool used by planners to safeguard the distinct local character of neighborhoods. In order to better understand the process of forming an NCD, the criteria for establishing one and the various approaches to them, three case studies will be examined in North Carolina. The case studies include: Northside, Chapel Hill, Avent West, Raleigh, and Cedar Street, Greensboro, all of which are at different phases of the implementation process of writing a NCD into their zoning ordinance.

## 1. INTRODUCTION

*Hillsborough today faces pressures for growth unlike those felt during the previous 250 years. Developments are lining up at our borders, ready to begin with an invitation or without. But the course they take is not inevitable. We, the citizens, have the power and the responsibility to examine, judge, and if necessary to constrain these forces that now surround us, to defend those features of town they hold dear so that they are not destroyed.*

- Vision 2010: Comprehensive Plan

Hillsborough, North Carolina, a town steeped in history, was platted by William Churton in 1754. As the county seat for Orange County, the town at one time rivaled Raleigh for the location of the state capital<sup>1</sup>. Located north of the Eno River and near the Indian Trading Path, Hillsborough is continually growing in size. In 2000, it consisted of 4.6 square miles; due to increasing developmental pressures, it subsequently annexed land to reach its current size of 5.35 square miles.<sup>2</sup> Hillsborough is centrally located in North Carolina's piedmont region, easily accessible via interstate 85 and 40, and is

approximately 12 miles from Durham and 38 miles from Raleigh. The town has a population of 6,162 people, which has been steadily increasing over the years.<sup>3</sup> The two main sectors of employment in Hillsborough are the tourism and retail industry. Many residents of Hillsborough commute to the Research Triangle Park, Chapel Hill, Durham and Raleigh for employment.<sup>4</sup>

Although, Hillsborough has maintained its small town character, it is experiencing active developmental pressure from neighboring towns and cities. In an effort to carefully manage future growth, Hillsborough appointed a Vision 2010 Plan committee in 1990, and, in 1991, adopted the Vision 2010 Plan.<sup>5</sup> The Plan serves to guide growth and development, and sets forth objectives and policies to ensure that future growth complements rather than detracts from character of Hillsborough.<sup>6</sup> Included in the plan is the goal to preserve and protect existing neighborhoods of historical significance.

The Historic District of Hillsborough encompasses the 400 acres of the original town limits set in 1754, and protects more than 100 hundred homes, churches and buildings from the late 18<sup>th</sup> and 19<sup>th</sup> century.<sup>7</sup> The Historic District has preserved the character of the oldest, largest homes in town, which has dramatically enhanced property values. Today the historic district has nearly reached a saturation point, with few homes left to be refurbished and few vacant lots left on which to build.<sup>8</sup> Such saturation and price inflation is therefore encouraging potential homebuyers to look outside the historic district. For homebuyers who want to remain close to downtown in a walkable community, the West Hillsborough Neighborhood is becoming an increasingly attractive option.

West Hillsborough originated as a mill village that served the Bellevue Manufacturing Company and the Eno Cotton Mill. Historically, these manufacturing plants were great contributors to the town's economy. West Hillsborough housed the mill workers, and contained a vibrant cohesive community that was disrupted with the decline of textile industry in the latter half of the twentieth century. West Hillsborough has a distinctive historic fabric characterized by small mill houses on modest lots and narrow streets. The

character and stability of the neighborhood faces growing challenges as large-scale development projects in the area get underway. These development projects include the redevelopment of the vacant Bellevue Mill into high-end apartments; the Eno Riverwalk, which will link West Hillsborough to downtown; Gold Park, a large park to be located adjacent to the neighborhood; and Weaver Street Market, a community oriented grocery store, all of which will further encourage residential relocation to the area. Although, each intends to greatly enhance the character and provide additional amenities to the area, there is concern that without proper protection, these new development projects may overwhelm one of Hillsborough's historically rich neighborhoods.

A Neighborhood Conservation District (NCD) is a preservation tool that is less regulatory than a historic district, but operates as a zoning tool to protect a neighborhood's distinctive character, and to protect it from inappropriate development. Currently, in the Town of Hillsborough there is no NCD written into the zoning ordinance. In order to fulfill the goals stated in the Vision 2010 Plan, it is evident that the Town of Hillsborough will have to take action to prevent neighborhoods from being overrun by developers, ensuring that development projects are within the scale or nature of the existing homes. A NCD would allow the neighborhood to tailor a set of guidelines and restrictions to meet their needs and prevent new development from altering the historical integrity of the area.

## **2. PURPOSE OF RESEARCH**

### **2.1 Methodology Overview**

In order to gain insight into the implementation process of establishing a Neighborhood Conservation District, research from three case studies were examined in this paper. The case studies were referenced and used as templates to better assist the Town of Hillsborough in establishing a NCD for the West Hillsborough Neighborhood. Additionally, interviews, public records, zoning ordinances, local data, and secondary research were used to extrapolate information. The objective of the research is to provide the Town with recommendations and a guiding course of action.

## **2.2 Scope of Research**

This study will provide the Town of Hillsborough, Planning Department, Board of Commissioners and residents with background research on how to go about the process of establishing NCDs, as well as the urgency of protecting neighborhoods of historic value. In light of recently proposed large-scale development initiatives in the area, this paper seeks to show that a NCD is a viable and necessary preservation tool to protect the character and stability of West Hillsborough. Key findings, based on the case studies, NCD literature, public records and on-site analysis, will be compiled in a recommendation package that will be specifically tailored to meet the needs of the Town and the West Hillsborough Neighborhood.

## **2.3 Limitations**

Because NCD approval is ultimately based on City/Town Council approval, the political environment of a locality greatly impacts the outcome of a NCD. Therefore, when evaluating NCDs in each case study it is important to remember the political and local context that has enabled them to succeed. In order for West Hillsborough to successfully complete the NCD process, a substantial amount of community work is needed in the form of public meetings, the dissemination of educational literature, and construction of design guidelines that would work within the parameters of community and town expectations and desire. NCDs are a relatively new preservation tool, and are still being experimented with in cities and towns across the nation. And as time passes, we will be able to determine their effectiveness, as well as understand any adverse effects that may result on target and adjacent neighborhoods.

## **3. METHODOLOGY**

The methodology for this research was divided into four stages:

First, three case studies at various stages in the NCD process were examined in order to determine how other Neighborhood Conservation Districts have been drafted and understand the various obstacles and challenges that have cropped up in the process. Each case study was examined with respect to its history, the impetus that drove the process,



growth patterns and demographics, the implementation process, and the challenges and barriers faced by the community and town in achieving this designation. To avoid any differences in regulations between states all three of the case studies are located in North Carolina.

Second, an analysis of West Hillsborough was conducted to determine the physical characteristics, demographics, zoning, land use, and other neighborhood characteristics. In addition, proposed new development projects within close vicinity of the West Hillsborough Neighborhood were identified.

Third, neighborhood meetings were attended to understand the community dynamic. The interviews as well as the community involvement provided a mechanism for gaining insight into barriers and obstacles that might occur in the NCD process, as well as better understand of the community's concerns about the future stability of their neighborhood.

Fourth, based on the results of this in-depth research as well as suggestions from other city planners who have experience in the NCD process, a set of strategies were formulated to be proposed to the Town of Hillsborough. It is hoped that this information will guide the Town of Hillsborough toward a successful implementation of the NCD process in the West Hillsborough Neighborhood.

## **4. LITERATURE REVIEW**

### **4.1 History of Neighborhood Conservation Districts**

A Neighborhood Conservation District (NCD) is a regulatory tool in which a zoning layer is overlaid on top of a base zoning district to protect and revitalize older, distinct neighborhoods from inappropriate development.<sup>9</sup> A NCD has become an increasing popular mechanism for cities to protect their older historic neighborhoods because it allows greater flexibility than that which is typically afforded by locally designated historic districts.<sup>10</sup> Because the term varies from city to city and is tailored according to

the specific needs of its environment, a NCD is sometimes referred to by other names<sup>1</sup>, but the concept and goal behind a NCD is universal—to protect the key attributes of these neighborhoods, and prevent the infiltration of undesirable development that would compromise the social and physical integrity of the area.<sup>11</sup>

Typically, NCD's are administered by planning and zoning personnel, including historic preservation officials. NCDs usually emerge from the public planning process as a result of neighborhood residents seeking a course of action to prevent the potential deterioration of their neighborhood.<sup>12</sup> On the other hand, city planners may propose a NCD for a neighborhood, but ultimately, the success of NCD rests on the approval of the local residents. On the surface, NCDs address the history and aesthetic character of a neighborhood; but in addition, they deal with underlying issues such as maintaining a variety of housing types, including affordable housing, ensuring infrastructure improvements, and social services to the area.<sup>13</sup> This becomes critical when market forces and developmental pressures disrupt the balance of a community.

#### **4.2 Defining a Neighborhood Conservation District**

Although, there is not a uniform definition of a NCD, Marya Morris (1992) author of *Innovative Tools for Historic Preservation Planning Advisory Service Report* provides a clear comprehensive example:

Conservation districts are areas, usually residential neighborhoods, with certain identifiable attributes, embodied in architecture, urban design, and history, that are subject to special zoning or land-use regulations. The purpose for creating these districts vary somewhat from city to city, but, in general, the districts are a land-use or zoning tool used to preserve neighborhood character, retain affordable housing, and protect an area from inappropriate development by regulating new construction. In some cities, they are a means of implementing a neighborhood plan. They can also serve as a catalyst for rehabilitation of existing buildings. Conservation districts can be used to protect neighborhoods or districts that have significant architectural and historic merit and a distinct character but that do not qualify for historic status or have lost some of their integrity through incompatible additions and new development (p.14).

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<sup>1</sup> Neighborhood Conservation Districts (NCDs) are also referred to as Neighborhood Conservation Overlay (NCO) Districts.

The designation of NCDs can be tricky for a town, since they are typically neighborhoods that have endured significant changes over time, but still contribute to the overall local identity and history of the town. NCDs are often associated or equated with Historic Districts (HDs); and for this reason, it is important to know the key differences, which include:

- Rehabilitation work in most NCDs do not require strict adherence to Secretary of Interior Standards; and therefore, allows residents more flexibility and a choice in determining what aspects of their neighborhood should be preserved. However, this diminishes the regulatory power of a NCD, and provides less protection than a HD.
- In contrast to a HD, which focuses on the details pertaining to individual buildings, a NCD concentrates on the overall appearance and character of the neighborhood.
- The majority of NCDs do not put as much weight on design review. Instead, buildings are regulated according to their massing, scale and orientation. However, if NCDs have strict design guidelines including specific architectural details, they behave no differently than HD—thus, not providing a true alternative preservation tool.
- Unlike HDs which depends on the preservation commission to provide discretionary review, NCDs typically, rely on the town or city's administrative approach. The administrative approach allows staff to review the information and determine if it complies with quantifiable design standards.

#### **4.3 Preservation Theory: What Constitutes Historical Significance**

In order to properly designate a NCD or a HD, it is critical to understand the criteria used to determine the historical significance of a property and place. According to the National Park Service's Standards for Preservation, a property is considered significant if it possess one of r more of the following characteristics:

- If the property is at least 50 years or older.
- If the property is connected to events that contributed to the local history, or to the lives of significant people from the community
- If the property exhibits construction or design characteristics that are reflective of a particular period in history
- If the property contains a signature trademark of an architect or master craftsman.
- If the property conveys a natural sense of belonging to the natural setting and community.

The term “period of significance” is used to describe a property that is associated with a particular time in history, and reflects that period by its architecture, design and construction materials. Historic Districts have a more exact “period of significance” than conservation districts.<sup>14</sup> However, over time the older existing housing stock is altered as new buildings are built and adaptations and alterations are made, causing an historic district to contain contributing and non-contributing properties. Another important concept to note is the *integrity* of a property. The degree of integrity of a building is determined by how well it is remained intact with respect to its structural composition, the use of original materials, and its ability to be recognized as a product of its own time.<sup>15</sup>

## **5. CASE STUDY: NORTHSIDE, CHAPEL HILL**

### **5.1 Location**

Northside neighborhood, in the town of Chapel Hill, encompasses the area from Rosemary Street to the south, North Columbia Street to the east, McMaster’s Street to the north, and the Chapel Hill Town boundary to the west.<sup>16</sup> (See Appendix A, Figure 1)

### **5.2 History and Issues Surrounding the Study Area**

Northside, originally named Potter’s Field, was settled in the latter decades of the 19<sup>th</sup> century, after the Civil War, when freed slaves were given the right to own land.<sup>17</sup> Growth in Northside occurred for the most part in two stages: before the Great

Depression and after World War II.<sup>18</sup> A significant increase of population occurred after 1922 when William Pritchard sold a large portion of his farm to the town, the area east of Church Street.<sup>19</sup> Gradually, the area was developed as more and more people were attracted to the area due to its proximity to the University and downtown businesses.

Many affluent black families of Chapel Hill resided in Potter's Field.<sup>20</sup> Blacks, excluded from high paying jobs, found employment in the service industry in downtown shops, working as domestic servants for wealthy white families in Chapel Hill, and working for the University as groundskeepers, housekeepers, and cooks.<sup>21</sup>

Potter's Field gained the name "Northside" when the Orange County Training School (OCTS), became Northside elementary school.<sup>22</sup> The OCTS, built in 1910, was one of the first public secondary schools for blacks in Orange County.<sup>23</sup> Its presence in the neighborhood served as a proud symbol of accomplishment, where many black children received an education, and community groups gathered. Presently, the Southern Orange Human Services Complex resides in the building that was once the OCTS.<sup>24</sup>

William P. Hargraves Community Center, the first black community center in Northside, built in 1930, is an example of Northside's vibrance and the community building spirit of its residents.<sup>25</sup> The initial impetus for the center was the community's desire to provide black children with a place to play, since they were prohibited from using white recreational facilities. The community center was originally started by neighborhood men, but was completed by the Navy in WWII, with the understanding that the Navy could use the center to house all-black soldiers stationed in Chapel Hill.<sup>26</sup>

In the years following World War II, the town of Chapel Hill underwent numerous changes.<sup>27</sup> The University expanded; the town's population grew and development increased; however, the conditions in Northside remained static.<sup>28</sup> For years, Northside received minimal attention from the town; and through the early 1970s, the community lacked paved roads and a sewer system. In the late 1960s and 1970s, under the federal

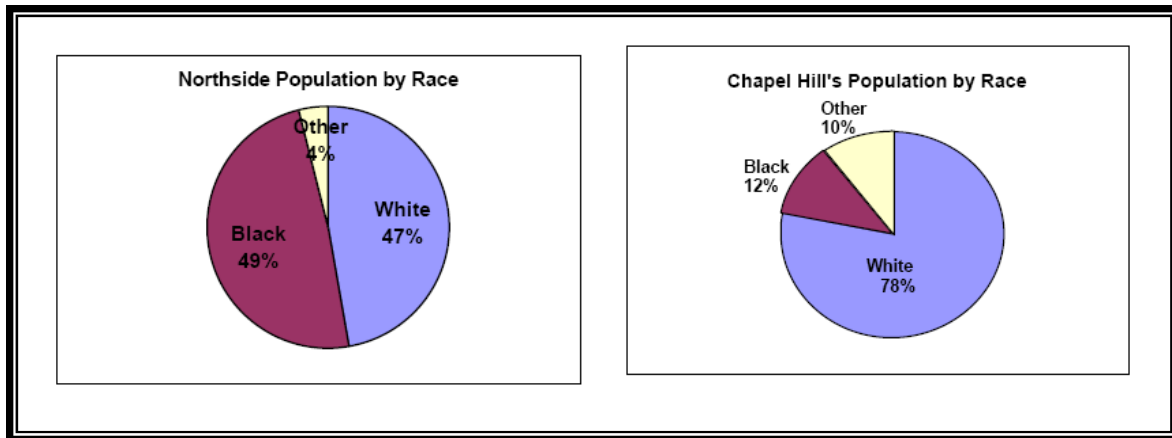
Urban Renewal program, structures in Northside were condemned and others were rehabilitated.<sup>29</sup>

During the years of Urban Renewal, community residents successfully fought the displacement of families, and thwarted the town's proposal to build all of Chapel Hill's public housing within its boundaries.<sup>30</sup> A second wave of improvements occurred in the mid 1980s with funds provided by the Community Development Block Grant, which improved streets, enhanced infrastructure, and included renovations to the Hargraves Community Center.<sup>31</sup>

In 1985, the Northside Neighborhood Association was formed to address developmental pressures that were encroaching on the neighborhood, and to request the town's assistance in protecting the character of the community.<sup>32</sup> A study was conducted on Northside to determine whether the area could be deemed a historic district. Because many historic structures were destroyed during the years of Urban Renewal, and other structures were significantly modified, Northside was unable to be designated an historic district.<sup>33</sup> The alternative was to site the area as a conservation district, which is less stringent than a historic district, but still discouraged the development of large multi-unit complexes.

### **5.3 Growth Patterns and Demographics**

According to the 2000 census, the population of Northside is approximately 1, 632 people comprised of 47 percent white, 49.1 percent black, and 3.9 percent other races.<sup>34</sup> Out of the total population, 36.7 percent of the residents indicated incomes below the poverty line (this number is slightly misleading due to the large number of students residing in the neighborhood). The Town of Chapel Hill, in comparison to Northside has a mean family income just below \$60,000 and is comprised of 78.2 percent whites, 11.6 percent blacks, and 10.2 percent other races.<sup>35</sup>



Northside, historically a residential neighborhood, primarily consists of small single family homes. Within the neighborhood there are three public housing units, two apartment complexes and a couple of houses constructed by Habitat for Humanity. The 2000 census recorded 24 percent of the housing in Northside as owner occupied and 76 percent as renter occupied. The large percentage of renters is attributed to the public housing units as well as the neighborhood's close proximity to the university, which has provided affordable housing for college students.<sup>36</sup> (See Appendix A, Figure 2 for a distribution of renter and owner occupied homes in the area as well as single-family and duplex homes)

Rosemary Street, parallel to Franklin Street, provides the southern-most boundary of the neighborhood and offers the only retail property in the Northside area. Recently, a new multi-use complex of high end condominiums and offices at the corner of Rosemary and Mitchell was constructed, and proposals for more new multiple use development are expected to continue on Rosemary Street. The neighborhood is home to several service organizations located including the Hargraves Center, the Orange County Human Services complex, and several churches.<sup>37</sup>

#### **5.4 Neighborhood Conservation District Implementation Process**

In January of 2003, the Town of Chapel Hill adopted the legislation for a Neighborhood Conservation District, a zoning overlay district, into their Land Use Management Ordinance. The NCD zoning ordinance delineates procedures for neighborhoods to

follow if seeking a NCD designation. Northside, Chapel Hill's first NCD, served as the catalyst for writing the NCD into the Town's Land Use Management Ordinance.<sup>38</sup>

In Chapel Hill, a proposal for NCD designation is initiated in one of three ways: 1.) at the request of the Town Council, 2.) at the request of owners representing 51% of the *land area* within the proposed district, or 3.) at the request of 51% of *property owners* in a proposed district.<sup>39</sup> In the case of Northside, the NCD process was initiated by residents concerned about the increase in conversion of single family homes into rental properties.

Once the initiation requirements have been completed, the neighborhood must fulfill the eligibility criteria set forth by the Town. (Criteria listed in the Town's Land Use Management Ordinance, 3.6.5a.) At this point, the Planning Board, or a Committee appointed by the Town Council with representation from the Planning Board, works with neighborhood residents to compose a neighborhood conservation plan including design regulations. After Northside was deemed eligible, a neighborhood committee was established, comprised of neighborhood residents and planning officials who met over a five month period, from May to November of 2003, to determine the details to the conservation plan and design guidelines.

The Town's Land Use Management Ordinance 3.6.5 states the neighborhood conservation plan should include:

1. maps indicating the boundaries, age of structures, and land use of the proposed district;
2. maps and other graphics and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district; and
3. design standards for new construction, additions or alterations to the street facades of existing buildings or structures within the proposed district.

On February 7, 2004, the Planning Department organized a workshop with neighborhood residents to discuss the potential design guidelines for Northside NCD.<sup>40</sup> The Committee reviewed the feedback from residents to establish design guidelines that reflected their



needs and concerns. By the end of February, the Chapel Hill Town Council adopted regulations for the Northside NCD. The proposed neighborhood design guidelines were unanimously approved by the Neighborhood District Advisory Committee, and recommended to the Council. On June 30, 2004, the design guidelines after receiving approval of the Town Council were officially adopted.<sup>41</sup>

### **5.5 Technical Requirements: Design Guidelines**

Section 3.6.5 of the Chapel Hill's Land Use Management Ordinance, includes a set of design guidelines, which addresses building orientation (setbacks), site design (landscaping, lighting, sidewalks, building arrangement), parking (driveway access and orientation), fencing, porches, and windows, building masses, building height, roof pitches, maximum house size, and maximum floor area ratio that apply to all NCD's established in the Town of Chapel Hill. All new proposed development within the conservation district boundary will be required to adhere to the design regulations "to the extent that it is feasible to do so."<sup>42</sup> Houses and development built or proposed prior to the inception of the neighborhood conservation district are grandfathered, and do not have to change to the new design guidelines. NCD standards and regulations only apply to new development or additions.

### **5.6 Regulatory Context**

In Chapel Hill, policy decisions are effectively carried out in accordance with state law by the Mayor and eight Town Council Members.<sup>43</sup> The Town Manager works closely with the Mayor and Council to assist them in their initiatives and directives. In the event of new construction or addition to the street façade of an existing building within the NCD boundaries, the Town Manager must approve the design plan to verify its in compliance with the with zoning ordinance before issuing a building permit. The Town Council is in charge of appointing several boards and commissions including advisory committees and task forces.<sup>44</sup> A key responsibility of the Council is to hold public hearings concerning subdivision zoning, special use and master land use plans as well as petition requests.<sup>45</sup> As a result, Chapel Hill's Town Council members play a pivotal role in the decision-making process of a neighborhood conservation district.

## **5.7 Interview with Planning Staff**

On January 16, 2007, an interview was conducted with Sally Greene, a member of the Chapel Hill Town Council, who has also served on the Chapel Hill Planning Board since 2002. Ms. Greene, actively involved in many local planning issues, served as a Planning Board representative on the Northside Neighborhood Conservation District Advisory Committee.<sup>46</sup> Ms. Greene discussed the issues that spurred Northside residents and the Town Council to establish a NCD in Northside, the process and obstacles in establishing a NCD in Northside, and how Northside's NCD process compared to other NCDs in Chapel Hill.

Ms. Greene explained that, initially, Northside residents approached the Town Council with concerns about the increase in duplex construction and rental units. Investigating the issue of duplexes, the Town Attorney stated there was no legal action to directly ban duplexes in a low density residential neighborhood such as Northside. As a result, the Town recommended the establishment of a NCD, which through an overlay zoning ordinance, the neighborhood could prohibit developers from building or converting existing homes into duplexes. While the Town was going through the public process of NCD designation as well as hammering out the specific duplex regulations with the land-use management ordinance, the Chapel Hill Town Council passed a temporary moratorium on duplex construction. Two conflicting sides subsequently emerged. One consisted of long-time Northside residents, and the other was composed of students living in the neighborhood. Before the Town Council was able to formulate the specific regulations of the NCD, it was important for them to get the land-use ordinance passed. Northside residents were actively involved in creating the NCD regulations, thus allowing them to decide the kinds of development they would like to allow in their neighborhood. It was felt by many long-time residents that duplex construction increased the number of renter occupied units in the community, and was largely responsible for the deterioration of the neighborhood's character.

Northside's NCD, Chapel Hill's first NCD, took over a year to complete. On June 30, 2004, the Northside's NCD regulations and design guidelines were successfully

implemented into the land use zoning ordinance. Ms. Greene emphasized that the process took many months of regularly scheduled meetings by committees and the holding of numerous public meetings and workshops. In addition a voting committee of 12 members was formed, including residents, investors/developers, UNC students, and town officials in order to ensure that viewpoints of all the major constituencies of the neighborhood and town were represented. .

Ms. Greene observed that one of the biggest obstacles in the NCD process was getting people to attend public meetings and be involved. Although, a neighborhood consensus on this issue would have been ideal, the Chapel Hill Town council did not have the 51 percent resident approval required in order for implementation, but Northside's NCD designation had been deemed by the Town Council to be in the town and community's best interest, and was therefore approved by the Council.

Ms Greene stated the Town of Chapel Hill now has three other established NCDs<sup>2</sup>, and two neighborhoods in the process of NCD designation; however, all NCDs are individually tailored to meet the needs of a specific neighborhood and the concerns and issues surrounding one might not be applicable to another. In fact, she mentioned that not only are no two NCDs alike, but the process and the manner in which each evolved is largely determined by the demographics, politics, and perceived threats to the neighborhood. For instance, the Greenwood neighborhood in Chapel Hill is comprised of predominantly affluent white residents who requested the Town Council's aid in establishing a NCD. The inception of the NCD was in reaction to a developer who had purchased a property and was intending to demolish the existing home and build a duplex. Neighborhood residents, strongly opposed to the potential construction of a duplex and the presence of a rental unit in a single family neighborhood, approached the Town Council as a unified entity and requested the designation of a NCD. The Council, after examining the issue, determined that the NCD was a viable solution to preserve the character of the neighborhood, and unlike Northside's NCD process which took many months of deliberation, the Council was able to skip the lengthy public process, and

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<sup>2</sup> The three other established NCDs in Chapel Hill include: Greenwood, Kings-Mill Morgan Creek, and Pine Knolls.

implement the NCD since the Greenwood residents had clearly formed a neighborhood consensus. As a result, the Greenwood NCD process was drastically expedited and was instated over a short period of time.

In order for NCD designation to be successful, Ms. Greene explained that a lot of preliminary community work that needs to happen. In most cases, residents need to be educated about the benefits of NCDs, since they are a relatively new preservation tool, and most residents view them as a regulatory tool that only places added restrictions on their property, and may hinder the resale value of their home. In addition, neighborhood groups and residents must be unified in their decision to apply for NCD designation. Ms. Greene believes that there is economic value in preserving the historic quality of a neighborhood; however, it may take time for the beneficial monetary impact to become apparent; but more importantly, she stated, it is the right thing to do.

Last, Ms. Greene talked about how the Coker Hills NCD designation failed. This, she explained was a good example of a community with two conflicting sides; and as a result, the Town Council did not feel it was in the best interest of the entire neighborhood to issue a NCD. She explained that the Coker Hill's Neighborhood Association, contrary to most other Neighborhood Associations, was voluntary and therefore not representative of the neighborhood. The president of the Coker Hills Neighborhood Association was adamantly in favor of NCD designation, and approached the Council seeking approval. However, it was quickly discovered that the president of the Neighborhood Association, and other members of the association were the minority in the neighborhood. As a result, the neighborhood was unable to attain 51 percent approval from residents, and the Council was unable give Coker Hills a NCD designation because it didn't reflect the interests of the general community. Currently, the Coker Hill's NCD designation process has stagnated and left the neighborhood polarized

## **5.8 Summary**

The process Northside Neighborhood went through in order to be designated a conservation district took many years of hard work and perseverance. In January of 2003, the Town Council adopted the provisions for creating a Neighborhood

Conservation Districts into the Town of Chapel Hill Land Use Management Ordinance.<sup>47</sup> A series of meetings and workshops took place between May and November of 2004 to discuss and revise the tentative new zoning overlay district to the Northside neighborhood.<sup>48</sup> On June 30, 2004, the design guidelines were approved and adopted by the Chapel Hill Town Council and by the Neighborhood Conservation District Advisory Committee.<sup>49</sup> On February 23, 2005, the Northside Neighborhood Conservation District was officially written into the land use zoning ordinance. Currently, Chapel Hill has four established NCDs and two neighborhoods that are in the process of NCD designation.

Northside underwent a particularly lengthy process to be designated as a NCD, in part because the enabling legislation had to be written and adopted; and additionally, because of the learning curve to traverse, introducing the community and its constituencies to the benefits of an NCD designation. The Town of Chapel Hill with an active Town Council views NCDs positively as a regulatory tool. If a neighborhood is unable to obtain 51 percent approval from neighborhood residents, then the Council may grant an NCD designation, if it is determined to be in the best interest of the entire community.

## **6. CASE STUDY: AVENT WEST, RALEIGH**

### **6.1 Location**

The Avent West neighborhood located in the City of Raleigh, borders the Raleigh I-440 Beltline, and is west and southwest of downtown Raleigh and North Carolina State University, and due west of the new and expanding Centennial Campus. The Avent West neighborhood extends to the north by Western Boulevard, on the east by Kent Road and properties adjacent to Brent Road, on the south by Avent Ferry Road and Athens Drive, and on the west by Powell Drive and Ravenwood Drive.<sup>50</sup> (See Appendix B, Figure 1 for neighborhood boundary)

### **6.2 History and Issues Surrounding the Study Area**

The Avent West neighborhood, located on the periphery of the downtown Raleigh and NCSU, initially arose in the early 1950s as a streetcar suburb for middle class families.

Similar to many other neighborhoods across the nation, after WWII, with the growing affordability of the automobile, many middle class Americans desired to be near the amenities of the city within the comfort of the country. Although, the bulk of the homes in the neighborhood were built between the 1950s and 1970s, infill development continued throughout the 1980s; and in 2001, a subdivision was added to the neighborhood. The neighborhood, initially desirable for its “country homes,” has faced increasing developmental pressures, which has slowly eroded its bucolic ambiance.<sup>51</sup>

### **6.3 Growth Patterns and Demographics**

During the 1960s, NC Highway 1 was converted to the I-440 Beltline and the neighborhood was bisected by the construction of the Melbourne Road Bridge.<sup>52</sup> The Beltline which serves as a major arterial road into the city has significantly increased the traffic noise in the neighborhood, creating a negative impact on property values as well as causing the neighborhood to transition from a predominantly owner occupied neighborhood, to a more transient renter based neighborhood.

In an effort to address the growing threat of developmental pressures, residents of the neighborhood formed the Avent West Neighborhood Association (AWNA), which serves as a catalyst to keep community members active and aware of local issues. The overarching mission of AWNA is: “To protect, preserve and enhance the existing character and neighborhood fabric of the Avent-West Community.”<sup>53</sup>

Prior to being developed into a residential community in the 50s, the Avent West neighborhood was used as a golf course starting in the 20s.<sup>54</sup> Currently, the Avent West neighborhood contains mostly single family homes, a variety of lot sizes and housing styles, and older mature trees and vegetation, which provides privacy from one residence to another as well as a distinct character that has developed with age. The neighborhood contains three City of Raleigh parks and four churches as well as A.B. Combs Elementary School, one of Wake County’s top magnet schools.<sup>55</sup>

The Avent West neighborhood contains 1167 homes, of which 99 percent are single family, and the remaining one percent are multifamily units.<sup>56</sup> The neighborhood has retained much of its original spatial design from the early 1950s, and has tree lined streets, and set backs of 20 feet. The neighborhood is roughly 700 acres, and is surrounded by high density development.<sup>57</sup> It has received continual threats from developers seeking to rezone the peripheral portions of the neighborhood for high density development. In addition, commercial and poorly maintained properties near the I-440 Beltline have negatively impacted adjacent Avent West, properties which are noticeably run down and in ill-repair.

#### **6.4 Neighborhood Conservation District Implementation Process**

Prior to establishing the Neighborhood Conservation Overlay (NCO) district, the Raleigh City Council and City Planning staff, fueled by local residents, appointed a citizens task force to create an Avent West Neighborhood Plan. From May of 2003 through November of 2004, the task force engaged the public by conducting meetings and seminars; and eventually, presented a draft neighborhood plan to Raleigh's City Council in November of 2004.<sup>58</sup> The Neighborhood Plan, approved by the Raleigh Planning Commission, is currently awaiting approval from the Comprehensive Planning Committee of the Raleigh City Council. In order to receive approval, the task force has altered its minimum lot size requirement from ¼ acre to 1/3 acre. At present, the Avent West neighborhood has an average lot size of about ½ acre.<sup>59</sup>

Before the Neighborhood Plan is adopted the Comprehensive Planning Committee must notify all property owners in the area of the revision, and based on the community's feedback and response, the Committee as well as the full Council, will vote on the adoption of the plan.<sup>60</sup> The plan, if approved, can then be adopted into Raleigh's Comprehensive Plan, and serve as reference guide for future development in the neighborhood.

Once the plan is adopted, the neighborhood may proceed with rezoning the area into a Neighborhood Conservation Overlay district, which is recommended in the neighborhood

plan.<sup>61</sup> At this time, the regulations for the minimum lot size, as well as the other recommendations, cited in the plan may be implemented. The overall purpose of the plan is to prevent higher density zoning from encroaching into the existing single family neighborhood.

### **6.5 Technical Requirements: Design Guidelines**

The design guidelines established by the Avent West neighborhood association address minimum lot size, location for permissible parking, width of driveways, appropriate setback for front and side yards, maximum building height, location of the main entrance of a household, amount of paved area for parking in front of a house, and parking standards for multifamily households.<sup>62</sup> The design guidelines stated in the Neighborhood Conservation Overlay District (NCOD) are only applicable to new houses, additions or newly created lots, and does not pertain to any non-conforming existing properties. In addition to design guidelines, the Neighborhood Plan includes development guidelines. For instance, the plan states that the criteria for all subdivision development, lot configuration, parking requirements, and for new development to promote mixed uses and maintain the neighborhood character and scale.<sup>63</sup>

According to zoning regulations listed in Raleigh's Planning and Development, Section 10-2054, the permitted uses for a neighborhood conservation district include all general uses, conditional uses and special uses allowed in the underlying district as well as the overlay district, which may include street design, greenway standard, right-of-way requirement, and built environment requirements.<sup>3</sup>

### **6.6 Regulatory Context**

The Avent West Neighborhood Association (AWNA) is comprised of all residential property owners within the neighborhood's boundaries that are at least eighteen years or older and have paid the annual membership dues.<sup>64</sup> The AWNA is governed by a Board of Directors, which are elected by the members of the association. The Board of Directors

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<sup>3</sup> For more detailed explanation of uses, please visit Sec. 10-2054. Neighborhood Conservation Overlay District at <http://www.municode.com/resources/gateway.asp?pid=10312&sid=33>.



are responsible for upholding the community vision, preserving and maintaining the character of the existing neighborhood, and addressing the financial and policy obligations necessary to achieve their goals. The Neighborhood Plan, approved by City Council, is applicable to all residents within the boundary stated by the Plan, not just AWWA members.

Raleigh's City Council consists of eight members who serve for a two year term. The City Council has a number of duties including establishing and adopting laws and policies, maintaining the City's budget, and oversees the establishment of Neighborhood Conservation Districts.<sup>65</sup>

### **6.7 Interview with Planning Staff**

On January 26, 2007 an interview was conducted with James Brantley, the Communications Planner for the City of Raleigh's Planning Department. The interview was conducted in order to gain understanding into the process of how the City of Raleigh approaches and establishes Neighborhood Conservation Districts. Brantley spoke at large about the NCD process in the City of Raleigh, as well as some of the challenges that have faced the Avent West neighborhood in establishing a NCD.

Brantley indicated that the City of Raleigh has had an NCD program in place for 18 years, and as a result, the City of Raleigh has successfully implemented roughly 14 Neighborhood Conservation Districts. He described the NCD process as having two steps. The first step is creating a neighborhood plan, which can be initiated by residents of the neighborhood or the City Council; and the second is establishing neighborhood conservation district. According to Brantley, in most cases, if not all, a neighborhood plan is initiated by residents of a community seeking a regulatory mechanism to thwart or control unwanted growth in their neighborhood. Developing a neighborhood plan is a lengthy process that provides a full analysis of the neighborhood and allows residents to set goals for their community. Once the Council accepts a neighborhood proposal, the Council appoints a task force, comprised of a variety of neighborhood constituencies in order to reflect all the varied neighborhood interest groups. Ultimately, the planners are

responsible for the neighborhood plan, but it is the task force that serves as an advisory committee to the planners. The task force is in charge of holding public meetings, and meeting privately to discuss feedback and draft the plan.

Brantley directed me to the Raleigh's Neighborhood Planning Process webpage where the following information was gathered.<sup>66</sup> A neighborhood plan is carried out in three phases. The first phase involves conducting an extensive analysis of the design and physical characteristics of the neighborhood, i.e., evaluating lot sizes, setbacks, building height, lot frontage, as well as engaging the community in public meetings to identify the major concerns and issues of the residents. In phase two, the planners consult with the task force, and draft a set of recommendations based on the information learned in phase one of the planning process. The recommendations are drafted to reflect the neighborhood's interests, and address land use and zoning issues within the neighborhood. However, the plan does not include recommendations regarding architectural styles, building maintenance, or landscaping. In phase three, the planners and the task force decide how to best implement the recommendations, and whether a change of zoning is necessary to protect and regulate the neighborhood. One zoning tool commonly used in the neighborhood planning process is the Neighborhood Conservation overlay district. The overlay zoning district is an additional set of zoning regulations that are tailored according to the requests of the neighborhood and placed over the existing zoning regulations.

In order for the neighborhood plan draft to be implemented, a public hearing of the draft's details are brought before the City Council and Planning Commission. Property owners within the boundary of the neighborhood are notified of the hearing. Approval from the Planning Commission and Council allows the plan to be adopted into Raleigh's Comprehensive Plan. The neighborhood plan must be officially approved before a neighborhood can apply for a zoning change. To receive a zone change, a petition containing all the names and addresses of property owners in the area to be rezoned and adjacent properties needs to be collected, and signed by the *majority* of the property

owners. Therefore, a neighborhood plan is a prerequisite for the implementation of a neighborhood conservation overlay district in Raleigh.

In Raleigh, a neighborhood must meet the following criteria in order to be eligible for neighborhood conservation district designation. The development in the area must be at least 25 years in age, 75 percent of the area must be developed, the area must be a minimum of 15 acres in size, and possess a unifying, distinctive character. The aforementioned criteria are necessary for a Neighborhood Conservation overlay district but NOT for a neighborhood plan.

## **6.8 Summary**

In Raleigh, a neighborhood plan must be conducted before a neighborhood can be designated as a Neighborhood Conservation Overlay district. A neighborhood plan is created by neighborhood residents with the assistance of city officials to establish a set of guiding principles, goals, and recommendations that the community envisions for its neighborhood. In order for the neighborhood plan to be officially recognized, it must be approved from Raleigh's City Council, which will allow it to be adopted into the Raleigh Comprehensive Plan. The purpose of a neighborhood plan is to allow residents to formulate a strategic course of action to address unfavorable developmental pressures that are threatening the stability of their community.

The Avent West neighborhood plan has been approved by the Raleigh Planning Commission, which put into motion the designation of the Neighborhood Conservation overlay district. Final approval of the NCD awaits revision on lot size and the support of 51 percent of resident population. Because of the large area encompassed in the NCD designation boundary, the neighborhood has had difficulty receiving 51 percent resident approval of property owners within the boundary. The Raleigh City Council is hesitant to move forward with the NCD designation without receiving 51 percent approval of property owners within the boundary.

## **7. CASE STUDY: CEDAR STREET, GREENSBORO**

### **7.1 Location**

The Cedar Street area, also known as the Bellemeade District, is bounded on the west by the railroad tracks running along Prescott Street, to the north by Battleground Avenue, to the east by Eugene Street, and to the south by Friendly Avenue.<sup>67</sup> The area is called “Cedar Street” because it is Cedar Street that serves as the spine or main thoroughfare to the neighborhood.<sup>68</sup> (See Appendix C, Figure 1 for neighborhood boundary)

### **7.2 History and Issues Surrounding the Study Area**

Cedar Street, located on the Northwest border of the Central Business district of Greensboro, is one of the few remaining residential neighborhood bordering downtown.<sup>69</sup> Historically, the area was predominantly comprised of single family homes that dated back to the Civil War; however, recent and proposed new development projects as well as the demolition of historic structures has caused single family residents to seek the assistance of planners to ensure that new development contributes rather than detracts from the area’s historical character. The neighborhood’s main area of contention is between the large property owners interested in dense multi-family or commercial development and single family home owners interested in preserving the neighborhood’s character and number of owner occupied units.<sup>70</sup>

In 2005, the neighborhood underwent a major development project consisting of a new minor league baseball stadium, First Horizon stadium, in the eastern end of the study area.<sup>71</sup> Additionally, a Downtown Pedestrian Greenway was proposed to replace the rail line on its western border, and Bellemeade Village has proposed for development in the northeast and western sides of the neighborhood to provide better connectivity to the downtown district.<sup>72</sup> Currently, the neighborhood is characterized as having a strong historic character throughout the study area, especially along Cedar Street, and a funky eclectic mix of commercial and retail buildings along the periphery of the neighborhood.

In June of 2005, the Department of Housing and Community Development released a report titled “Existing Conditions in the Cedar Street Area”<sup>4</sup>, which highlighted the following issues of concern:

- Decades of new development that has not respected the historic character of the area;
- Absentee landlords and land speculation that has led to poorly maintained properties;
- Large tracts of vacant (mostly publicly owned) industrial land on the western fringe of the study area;
- Large expanses of unscreened parking on the eastern fringe of the study area that create “moats” disconnecting the neighborhood from downtown;
- Wide, high-speed thoroughfares that isolate the area, impede pedestrian access and discourage owner occupancy; and
- A lack of neighborhood “identity” and a coordinated neighborhood organization.

### **7.3 Growth Patterns and Demographics**

The residential core of the neighborhood reflects a spatial and design uniformity with smaller set backs, narrow streets, and the majority of residential structures facing the north-south streets rather than the side streets. Setbacks in the neighborhood vary on a street by street basis. Cedar Street has setbacks that range from 7 to 15 feet on the west side of the street and 30 to 35 feet on the east side.<sup>73</sup> On Spring Street, residential structures are set back 17 to 26 feet, while on Guilford Avenue setbacks range from 7 to 17 feet. On Bellemeade Street, a small storefront sits only four feet from the street.<sup>74</sup>

The study area, sparsely populated, is most densely populated along Cedar Street and around the apartment complex on Friendly and Cedar Street. The median age of the study area’s population falls into two distinct ranges. The population west of Cedar Street has a median age range of 35 to 45 years old.<sup>75</sup> The streets near the University of North Carolina at Greensboro and Greensboro College, on the eastern side of the study area,

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<sup>4</sup> For more information on “Existing Conditions in the Cedar Street Area” visit [http://www.greensboro-nc.gov/NR/rdonlyres/84A3AC98-F6B0-4024-B926-F2D27D1DE9B6/0/Cedar\\_Street\\_ExistCond\\_Rpt\\_Final.pdf](http://www.greensboro-nc.gov/NR/rdonlyres/84A3AC98-F6B0-4024-B926-F2D27D1DE9B6/0/Cedar_Street_ExistCond_Rpt_Final.pdf).

have the highest concentration of student rental units causing the median age range to decrease to 15 to 34 years old.<sup>76</sup>

According to 2004 real estate data, only 17 percent of residents are owner occupants, which are scattered mainly throughout the central area of the Cedar Street area.<sup>77</sup> The remainder of the study area's residents rent from absentee landowners. Census data from 1990 to 2000 indicate that the number of owner occupied residents has not significantly changed. However, adjacent neighborhoods, such as the Westerwood neighborhood has lost approximately 10 percent of its owner occupant residents, and Fisher Park neighborhood has increased in owner occupancy by 5 percent.<sup>78</sup> According to the Department of Housing and Community Development, this implies that Westerwood is following in Cedar Street's footsteps, and is gradually experiencing the same "turnover" of homeowners to rental units, as has already happened in Cedar Street.<sup>79</sup>

In the Cedar Street study area there are nine different zoning districts. The nine zoning districts include Light Industrial (LI), Multi Family (RM-26), General Office (GO-H), Central Business (CB), General Business (GB), Light Industrial, Conditional Use (CU-LI), General Office, Conditional Use (CU-GO-M), General Business, Conditional Use (CU-GB), and Single Family (RS-7).<sup>80</sup> A third of the land, roughly 29 percent, is zoned light industrial, 26 percent in zoned multifamily residential, with the least amount of land, less than 1 percent, zoned for single-family housing. In the residential zoning district, 85 of the 99 structures were originally constructed as detached single-family housing. Approximately, 34 percent of the detached residential structures have been converted to multi-family or office uses.<sup>81</sup> (See Appendix C, Table 1)

In 2002, a survey was conducted by the Department of Housing and Community Development, which determined of the 140 structures located in the downtown area, including the Bellemeade district, about 103 of those structures (74%) were classified as "contributing" historic structures.<sup>82</sup> Two specific properties date back to 1888 Sanborn maps, the TR Aiken House at 217 Cedar Street (1896) and the Joseph F. Albright House

at 229 North Cedar Street (late 1880s). The Grace United Methodist Church at 438 West Friendly Avenue dates back to 1925 Sanborn maps.<sup>83</sup>

The bulk of the residences that have maintained their historical integrity are located along Cedar Street, in the residential core of the neighborhood.<sup>84</sup> However, as one travels to the periphery of the study site, the historical character gradually diminishes. Properties located at the boundary have experienced the most alterations and modifications. In 1996 the historic Ireland House was lost to fire, and the recent construction of the First Horizon stadium required the demolition of the old Burlington Industries building.<sup>85</sup> As of 2002, seven structures have been torn down, and in 2005, six more structures were slated for demolition to allow for the new construction of office space on Spring Street and townhouses to be built on the corner of Bellemeade and North Cedar Street. Residents are concerned that the developmental changes occurring at the periphery of the neighborhood are not only altering the historic character of their neighborhood, but will continue to creep inward unless action is taken to prevent such development.<sup>86</sup>

Based on a traffic analysis provided by the Greensboro Department of Transportation, the streets with the highest traffic flow are Battleground, Eugene, and Friendly, and then next in order, Smith, Edgeworth and Spring Street. Despite the residential character of the neighborhood, many residents carry the perception that because of the large street widths, high traffic volume, and the faster speed traveled on certain streets that the area serves as a non-residential corridor.<sup>87</sup> In addition, poorly marked pedestrian crosswalks, and the lack of sidewalks, especially in the northern section of the study site (near Battleground), have reduced the walkability of the site.<sup>88</sup>

Interest in the Cedar Street area has been fueled by the growth and reinvestment into downtown Greensboro. Small investors and businesses are attracted to Cedar Street because of its close proximity to downtown and its cheap land costs, and have begun to purchase residential properties and convert them into office use. From 1992 to 2005, the Cedar Street has received seven rezoning proposals, five of which have been approved.<sup>89</sup>

Guilford County, one of the largest property holders in the neighborhood, owns roughly 440,000 square feet.<sup>90</sup> Roughly, 40 percent of the land is located near the rail line and Prescott Street, which is mostly vacant except for a building on the north end and a parking lot.<sup>91</sup> The other 60 percent of land that the county owns, approximately 273,000 square feet, predominantly consists of parking lots that are located along Eugene, Lindsay, and Edgeworth Street.<sup>92</sup>

The City of Greensboro, a much smaller property holder in the neighborhood, owns less than 28,000 square feet in the neighborhood.<sup>93</sup> The majority of the City's property has remained vacant, except for a small parking lot on Lindsay Street. (See Appendix C, Figure 2 for a map of vacant land and parking lots in the study)

Within the Cedar Street study area there are a few private property owners that own large chunks of land, in some cases, an entire half of a block.<sup>94</sup> This potentially allows for large scale development—such as McMansion, and other developmental projects that are incongruous to the historic residential character of the neighborhood.

Only 17 percent of the residences are owner occupied, the majority are rental properties.<sup>95</sup> Similar to other communities with a high rental population, and low number of homeowners, the community is suffering from a communal disinvestment that is reflective in its physical appearance, and further perpetuates the cycle of deterioration. Out of 22 structures on the central block of Cedar Street, only 5 are owner occupied.<sup>96</sup>

Surface parking comprises roughly 320,000 square feet (7.5 acres) or the equivalent of 26 neighborhood parcels in the study site. Approximately, 4 acres or 180,000 square feet have been left vacant.<sup>97</sup> Vacant lands are scattered throughout the site, but the majority are located on or near the downtown as well as on major thoroughfares such as Eugene and Edgeworth. The Department of Housing and Community Development speculate that property owners are holding onto undeveloped land in hopes that reinvestment in downtown will increase the demand and price of land in the Cedar Street area.<sup>98</sup> The



map above illustrates the publicly owned properties in red, and the vacant properties in black.

#### **7.4 Neighborhood Conservation District Implementation Process**

In most cases, Neighborhood Conservation Overlay district proposals are brought before the Planning Department by concerned local residents. First, the Planning Department must determine whether the neighborhood is eligible for NCO designation. Designation is contingent on criteria stated in the Development Ordinance, which indicates that NCO designation must be for an area larger than one block face, and 75 percent of the land must have been developed at least 25 years prior to the proposal.<sup>99</sup> The last criterion relies on a more subjective measure, which requires that the neighborhood exhibit a distinct and cohesive character. Next, the Planning Department must notify all property owners and interest groups to disseminate information regarding the purpose, benefits, and future steps of NCO designation. Once the majority of the community approves the NCO concept, the groundwork is set in motion. With the assistance of City Staff, neighborhood residents work to draft a neighborhood plan as well as design guidelines, which are then reviewed at a public hearing by the Planning Board, Zoning Commission and City Council.<sup>100</sup> The pace of the process is largely dependent on how well a community is organized and motivated. When the Neighborhood Conservation Plan and Design Guidelines attain approval from the City officials, the plan is then used to guide future development.

#### **7.5 Technical Requirements: Design Guidelines**

According to an ordinance amending the Greensboro Code of Ordinances with respect to zoning, planning and development, a Neighborhood Conservation Plan should include Design Guidelines. The Design Guidelines pertain to the new construction of any building or structure, or the relocation of an addition to an existing building or structure. Depending on the type of land use (single family, multifamily, commercial, etc) within the study area, the Design Guidelines may vary accordingly. Design guidelines, are not limited to, but may address the following criteria:

- a. building height, massing, and orientation;

- b. principal elevation feature, pattern and number of openings, building materials, roofline and pitch;
- c. dimensional requirements, setbacks, lot size, density, and floor area ratio;
- d. parking and loading requirements, garage entrance location, driveways, and sidewalks;
- e. landscaping, fences and walls, lighting, and signage; and
- f. general site planning for both primary and accessory structures.

## **7.6 Regulatory Context**

In the City of Greensboro, the enabling legislation for a Neighborhood Conservation Overlay District is in the process of review, and is scheduled for a City Council public hearing on April 17, 2007 for final approval.<sup>101</sup> A Neighborhood Conservation Overlay District in the City of Greensboro can be established in one of three ways. It can be initiated by a petition containing 25 % of the land owners in the study area; requested by the City Council; and lastly, initiated by a neighborhood plan that recommends an NCO.

At this point, the Planning Department determines if the requested study area is eligible for NCO approval. If the neighborhood does NOT meet the following eligibility criteria it will be notified by the Planning Director with an explanation as to why it was not deemed eligible.<sup>102</sup> If the neighborhood chooses to, it may appeal to the Board of Adjustments. If the neighborhood is eligible, the Planning Director is required to hold public informational meetings, and with the assistance of the neighborhood, the planning staff begins to write the guidelines for the NCO. Once the proposed the Neighborhood Conservation Plan, including Design Guidelines, is drafted, the Planning Director must schedule a public meeting to inform the residents of the proposed Overlay District about the nature of the pending requirements. The Plan is then reviewed at public meetings by the Planning Board and Zoning Commission; and, with any added recommendations, is sent to the City Council for approval. The City Council must hold a public hearing to consider adoption of the both the Overlay District and the Plan.<sup>103</sup>

Greensboro's City Council, which authorizes final approval of the neighborhood plan and NCO district, is comprised of an elected Mayor and eight Council members. The main duties of the Council are to set policies and enact ordinances that are in the best interest of the City of Greensboro.

### **7.7 Interview with Planning Staff**

On January 3, 2007, an interview was conducted with Ben Woody, a Planning Specialist of Greensboro's Planning Department. Woody has been actively involved in getting Neighborhood Conservation Overlay legislation implemented into the city's Land Development Ordinance. Currently, there are a few neighborhoods that are eligible and seeking NCO designation, but are awaiting the enabling legislation to be approved by City Council. Woody spoke in regards to the process of writing NCO legislation into Greensboro's Land Development Ordinance as well as the implementation process that a neighborhood must go through in order to receive NCO designation. In addition he explained his recommendations for the Town of Hillsborough.

In Greensboro, according to Woody, the planning department has undertaken the NCO process slowly. There was a lot of confusion among residents about what NCO designation entailed. Many residents, initially associating NCO designation with Historic District designation, were turned off by the idea. In an effort to dispel myths and fears regarding NCOs, the City's Planning Department and the Housing and Community Development Department spent a significant amount of time working with eligible neighborhoods—conducting thorough neighborhood analyses and setting up public meetings.<sup>104</sup>

The NCO enabling legislation, awaiting City Council's approval, only allows eligible neighborhoods to create NCO, but does not actually establish the design guidelines for an overlay district. Because each neighborhood tailors an overlay district to fit their needs, they are created on an individual basis. The Cedar Street neighborhood has undergone the first three major steps, and is currently struggling to compile a petition containing 51 percent of the affected property owner's signatures, needed to attain NCO approval.

According to Woody, this is especially tough for a neighborhood like Cedar Street since it has already transitioned into a predominantly renter-occupied neighborhood, and has few remaining homeowners. Absentee landowners, typically oppose NCO designation, since they fear that added property restrictions will decrease their ability to utilize their property to its highest and best use.

Woody articulated the importance of being proactive rather than reactive with NCO designation. For instance, had Cedar Street been able to adopt a NCO prior to losing most of its homeowners, the process of attaining the approval of property owners would most likely have been much easier. Because of this, Woody stressed the urgency for the Town of Hillsborough to begin the NCO process for the West Hillsborough neighborhood which still has a strong base of homeowners.

## **7.8 Summary**

The City of Greensboro is in the process of establishing a Neighborhood Conservation Overlay District zoning ordinance. The Planning and Housing and Community Development Department have proposed a NCO district enabling ordinance which is scheduled to be reviewed by the Greensboro City Council on April 17, 2007 for final approval. If the enabling legislation is approved and adopted into the Greensboro Code of Ordinances, the Cedar Street Neighborhood may proceed with its neighborhood plan, which recommends the adoption of a NCO district. Currently, the Cedar Street neighborhood has conducted the preliminary work of examining the neighborhood's existing conditions, and creating strategies to ensure that the goals and visions of the neighborhood are sufficiently met.

## **8. HISTORICAL OVERVIEW OF HILLSBOROUGH, NC**

Hillsborough, located in Orange County, North Carolina, is a small town with an extensive history. The site now known as Hillsborough was chosen by William Churton in 1754 who selected 400 acres of hilly terrain where the Old Indian Trading Path intersects with the Eno River.<sup>105</sup> The Indian Trading Path, a route that extended from

Virginia through the Carolinas, was a well-traversed path used by Native Americans who inhabited the area from AD 1000 to 1710.<sup>106</sup> The town, unlike many other colonial towns, was designed by Churton with a prescribed plan. The plan proposed public squares to be located at the intersections of main streets, with a portion of each corner lot set aside for the squares. Hillsborough, influenced by this plan, exhibits a grid-like street pattern, but does not have public squares at the intersections of main streets.<sup>107</sup>

Hillsborough, strategically located at the crossroads of the major colonial roads, became a center of heated political activity during the late 18<sup>th</sup> century. A long list of historical events occurred in this small town, which include hosting the third Provincial Congress in 1775; the invasion of General Charles Cornwallis with the occupation of Hillsborough in 1781; the hosting of numerous meetings with the state's legislative body and General Assembly in the town's courthouses and churches. In 1788, North Carolina delegates gathered in Hillsborough and are credited with writing the Bill of Rights of the US Constitution.<sup>108</sup>

After the Revolutionary War, the town's political spotlight and population decreased, but was soon revived by the advent of affluent newcomers from the Tidewater Counties. The University of North Carolina, sited on the hilltop of Chapel Hill in 1792, was only twelve miles from Hillsborough, and added to the illustrious nature of the area.<sup>109</sup> During the antebellum years, Hillsborough became a fertile ground for bright and educated genteel folks; including successful businessmen, doctors, lawyers, politicians, and writers who chose Hillsborough as their home, building large beautiful estates with distinct architectural styles ranging from Georgian and Federal to Greek Revival and early Victorian, which are still preserved today in Hillsborough's Historic District.<sup>110</sup>

After the Civil War, Hillsborough's economy slowly progressed from an agriculturally-based economy to a textile-based economy. The Eno Cotton Mill, constructed in 1896 and the Bellevue Manufacturing Company, constructed in 1904, spurred the formation of the West Hillsborough Neighborhood, which as its name indicates, sits to the west of downtown Hillsborough.<sup>111</sup> A small downtown commercial center emerged, at the

intersection of Churton and King Street, consisting of a small dime store, hardware store, movie theatre, pharmacy and other shops providing for the daily needs.<sup>112</sup> The town had a population of only 707 residents in 1900, grew to 1,329 residents in 1950, before leveling off with a population of 1,349 in 1960.<sup>113</sup>

In the 1960s, portions of I-85 were completed, making the once isolated town more accessible to travelers, Durham residents, and other nearby towns.<sup>114</sup> Undeveloped land along the outskirts of town became highly desirable to businesses and new residents seeking to take advantage of this unspoiled and affordable resource. Hillsborough, unprepared for this surge in population and new hunger for auto-dominated development, did not have any zoning restriction in place to regulate this unwieldy growth.<sup>115</sup> What resulted was a sprawling mess of development: strip malls, big box retailers, fast food chains and a Wal-Mart that sucked the vitality from the downtown shops that previously supplied the daily needs of the local residents. The downtown shops, unable to compete with the presence of big business, were pushed out, and the downtown adopted a new image of specialty stores and boutiques, catering to a growing tourism industry.<sup>116</sup>

Hillsborough, located at the junction of interstates 40 and 85, is conveniently accessible to the Research Triangle Park, Durham, Chapel Hill and other towns in the central piedmont region. Currently, it has a population of 6,162, and is steadily growing, attracting a liberal, artsy demographic lured by its history, small town charm, and its preservation of its past.<sup>117</sup>

## **9. WEST HILLSBOROUGH, NC**

### **9.1 West Hillsborough's History and Evolution**

The West Hillsborough Neighborhood and a small commercial district sprang up in response to the Eno Cotton Mill and the Bellevue Manufacturing Company. The neighborhood, not more than a mile or two from town, was a self-sufficient entity, requiring minimal interaction with downtown Hillsborough. The division between West Hillsborough and downtown Hillsborough was further exacerbated by social class

tensions between the poor mill workers and the relatively wealthy downtown residents. Although the two mills have since closed, the mill buildings and many of the houses have remained, capturing the legacy of the once vibrant mill village.

The Eno Cotton Mill, the first to be built in 1896 before the introduction of electricity, operated by steam power, and was located on the north bank of the Eno River near the rail line and the depot.<sup>118</sup> Built by local residents, Allen J. Ruffin, Charles A. Durham, and James Webb, in an architectural style typical of mills built at the turn of the century in the southeast.<sup>119</sup> The mill is a two-story brick building with tall multi-pane windows, which began operation as a yarn mill. The mill owners fostered a paternalistic relationship with their employees; they built and maintained 150 houses; attracted families who were highly desirable for their dependable and loyal nature, and in the process, established a close knit community.<sup>120</sup>

The Eno Cotton Mill Village was dispersed into various small sub-neighborhoods. The neighborhoods adjacent to the mill were known as Front Row, Old Hill and New Hill. The neighborhood houses that were built along the side of the Occoneechee Mountain, across from the Eno River known as the Mountain Village.<sup>121</sup> The houses were small in size, one to four rooms, constructed out of wood, with chimneys in the center. Rooms rented for twenty-five cents a week, and as modern amenities such as electricity became available, houses were gradually upgraded for an added cost; however, they had outdoor bathroom facilities and water supplies.<sup>122</sup>

As the mill community grew, and more and more families came to work, the mill owners benevolently accommodated the growing needs of the community. They built a school, the West Hill Grade School, and provided land for the Methodist Church on Eno Street. Soon thereafter, other churches sprouted up—including the First Pentecostal Holiness Church, the Church of God, and Pilgrim Holiness church.<sup>123</sup> Although, it was not uncommon for mill workers to have 12 hour shifts, they were able to combine work and play. The community enjoyed the baseball field, located east of the railroad depot on the north side of the river, drawing crowds for games, and had regular Saturday night dances

with local musicians.<sup>124</sup> Gradually, a commercial district emerged, including grocery stores, cafes, barbershops, a dime store, and a movie theatre creating little need or desire for mill villagers to venture to downtown Hillsborough.<sup>125</sup> In fact, one former mill worker, recorded by Carolyn E. Norris in her work titled “The Eno Mill Village,” said “I don’t guess I went to Hillsborough till I was 16 years old.”<sup>126</sup>

The Bellevue Manufacturing Company, the second cotton mill to arrive on the scene, situated within a few hundred yards of the Eno Cotton Mill was built on the west side of South Nash Street near the rail depot, but on the north side of the tracks. Production began in 1909 with the first building, and was expanded in 1923 to form a U-shaped building that emulated the architectural style of the Eno Cotton Mill.<sup>127</sup> The mill chartered by Shepperd Strudwick, Sr and T. Norfleet Webb, both from prominent Hillsborough families, manufactured a variety of cotton products.<sup>128</sup> On the north side of the Bellevue Mill a small mill village emerged. Wood-framed, gabled roof houses with small porches were built on a need by need basis, lining dirt roads that slowly acquired names.<sup>129</sup> On the south side of the mill, the South Nash Street stores continued to serve the growing mill population.

During the 1920s, both of the mills continued to be managed by local owners, and experienced minor union demonstrations, in comparison to the large violent union demonstrations that erupted at other southeastern mills.<sup>130</sup> With the 1929 stock market crash, the textile industry suffered hardships like those that afflicted the rest of the nation. By the 1930s, both mills were purchased by the Carr family. Production of the mills shifted from cotton goods to government products to reflect the nation’s wartime efforts. During the years of WWII, Hillsborough’s economy enjoyed prospered because continual demand for its industrial goods, keeping the local mills booming.<sup>131</sup>

Toward the mid twentieth century, both mills were sold to non-Hillsborough companies. In 1945, the Bellevue mill was purchased by, Hesslein and Company; and in 1952, the Eno Cotton Mill was purchased by Cone Corporations of Greensboro.<sup>132</sup> Unlike the founding families of the Eno Cotton Mill, Cone Corporations did not continue to foster a



paternalistic relationship with its employees, but instead conducted itself in a more business-like fashion, and thus, did not want the added responsibility of maintaining the mill village.<sup>133</sup> The Eno mill villages were dismantled; homes were offered for sale at a price of twenty five dollars a room to have them relocated. The landscape of West Hillsborough dramatically changed. Houses were hoisted off of their pillars, placed onto large trucks, and carted across a rickety bridge to vacant land surrounding the Bellevue mill.<sup>134</sup> Mill workers were given first priority to purchase their homes, and other homes were sold to investors and developers.

What resulted is what presently is known as the West Hillsborough neighborhood. These former Eno Mill Village homes are now geographically scattered, interspersed with vacant lots, trailers, and non-historic infill homes built since 1970.<sup>135</sup> The housing transplant not only changed the nature of the residential community, but diminished the vitality of the commercial district. The Eno Plant closed in 1984, and in its wake left over 500 employees jobless, as well as leaving a devastating mark on Hillsborough's economy.<sup>136</sup> With the closing of the Eno Plant, came the closing of the post office, stores and a movie theatre. Vacant businesses were boarded up, creating a sad, depressing mark on the environment that once embodied them. The area, although incorporated into the town's city limits in 1976, received minimal investment, and became a haven for criminal activity.<sup>137</sup>

Prior to the Bellevue Mill, one of the first establishments in West Hillsborough was the Military Academy built by Charles C. Tew in 1859, envisioned to be the "North Carolina Citadel."<sup>138</sup> The school was to provide young southern men with a superior military and education training, and was purposely located on the town's western boundary, outside the center of town. The prominent three-story brick barracks with a castle-like roofline was demolished in 1938, but the commandant's house with a similar style still stands. Listed on the National Register of Historic Places, the commandant's house, a private residence, has remained architecturally intact, and is located on Barracks Road in West Hillsborough.<sup>139</sup>

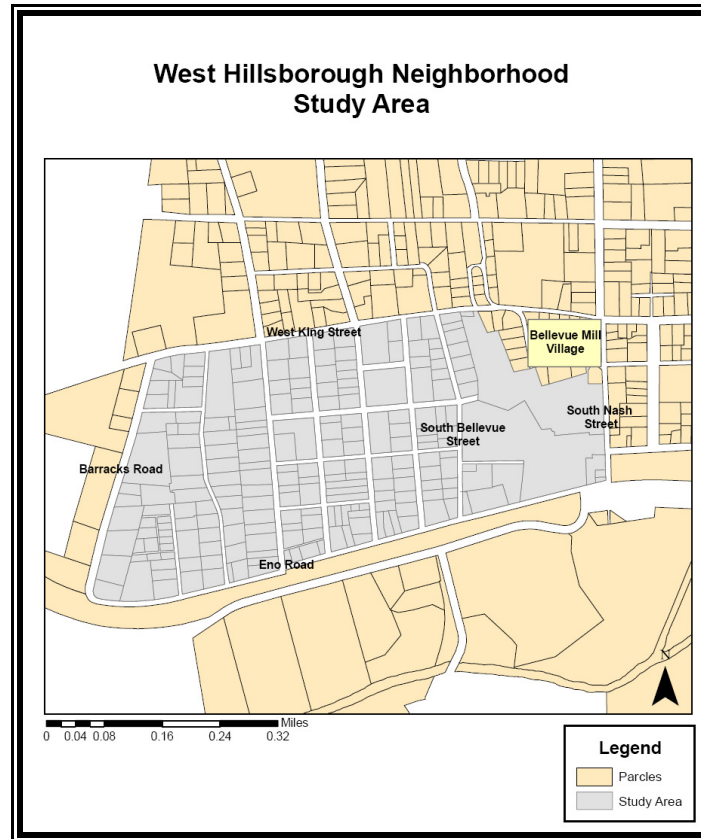
The Bellevue Mill continued to remain in operation until 1987 when the property was sold to its present day owners, Flynt Fabrics and Finishing Company.<sup>140</sup> Under Flynt's management, the mill required large amounts of water, and went into severe debt trying to finance a nine million dollar reservoir north of Hillsborough. The Bellevue mill closed in 2000, ending Hillsborough's textile-industry legacy.<sup>141</sup> The town of Hillsborough as well as the West Hillsborough neighborhood were both hit hard with the loss of these two economic engines.

In recent years, the Town of Hillsborough has attracted many people to its rural setting, historic charm, proximity to a number of research and cultural centers, and to its supply of affordable housing. However, the supply of affordable real estate in the downtown area is becoming scarce. In fact, West Hillsborough, which abuts the historic district, remains one of the few areas within walking distance to downtown with moderately priced housing. In the last five years, West Hillsborough has slowly been shedding its image as a poor, unsafe, run-down place, and has started to turn over a new leaf. Young couples, upper-income individuals, and families are buying up properties, fixing them up, and revitalizing the community. With the pending redevelopment of the Bellevue mill, Gold Park, Weaver Street, and the Eno Riverwalk, all accessible by foot from the neighborhood, it is becoming increasingly clear that there is need to balance the preservation of the historic fabric of the area with the needs of a vibrant modern community.

## **9.2 Study Area Description**

West Hillsborough, as its name indicates is located west of downtown Hillsborough, and is bounded by South Bellevue Street to the east, Barracks Road to the west, and Eno Road to the south, and West King Street to the north. Excluded from the boundaries of the study area is the Bellevue Mill Village northeast of the Bellevue Mill, which is bounded by Webb Street, Knight Street (accessed from South Nash Street) and Holt Street. Residents of the Bellevue Mill Village, although close in proximity to the study area are separated by the Bellevue Mill, and do not identify themselves with West Hillsborough (Map 1 or Appendix D, Figure 1).

**Map 1: Study Area**



## **10. EXISTING CONDITIONS**

### **10.1.a General Demographics of the West Hillsborough Neighborhood**

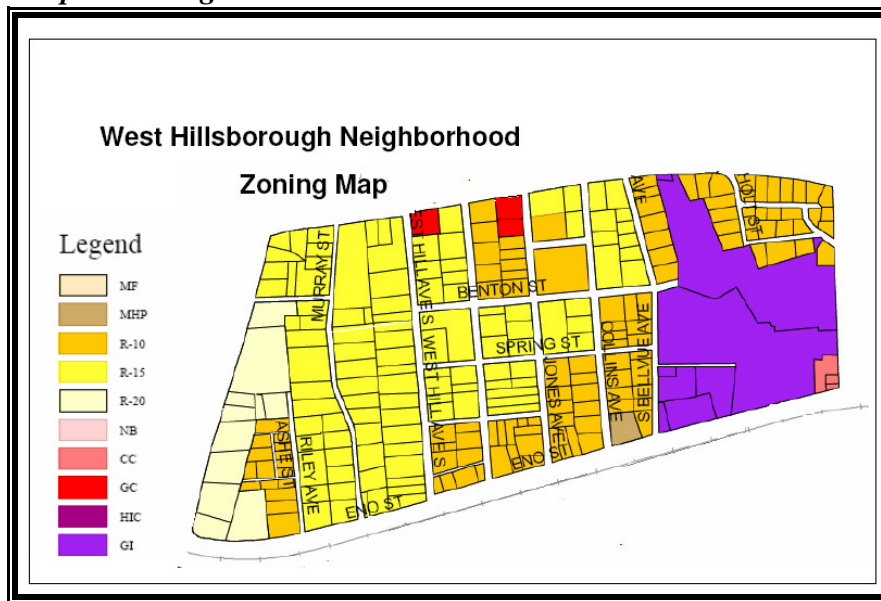
In order to gain insight into the area's stability the following data will be examined: the zoning and land use, the historic architecture and neighborhood ambiance, property ownership and condition of properties, surrounding land uses, and proposed development projects. Appendix D, Table 1., provides an overview of the demographics of West Hillsborough.

### **10.1.b Zoning and Land Use**

The West Hillsborough study area contains six different zoning districts (Map 2 or Appendix D, Figure 2). The six zoning districts include Medium Intensity Residential (R-20, R-15), High Intensity Residential (MHP- Mobile Home Park), Central

Commercial (CC), General Commercial (GC), General Industrial (GI) Districts. Section 2 of Hillsborough's Zoning Ordinance provides an overview of the special uses of each district. R-20 and R-15 Districts are described as moderate intensity residential developments that support recreational, community service and educational uses. The MHP, comprised of only 28,239 square feet of the study area, provides for the special conditions associated with mobile home park living. The CC District located on the eastern corner of the study site, adjacent to the Bellevue Mill, provides suitably located and sized sites for commercial, office, and service uses, including limited automotive, convenience goods, durable goods, and other similar uses within the central area of the Town. The GC District, consists of three parcels in the middle northern region of the study site, and provides suitably situated and sized sites that allow a broad range of commercial, office and service uses. GI District, the former location of the Bellevue Mill, has submitted a special use permit to redevelop the existing building into 85 residential units.

**Map 2: Zoning**



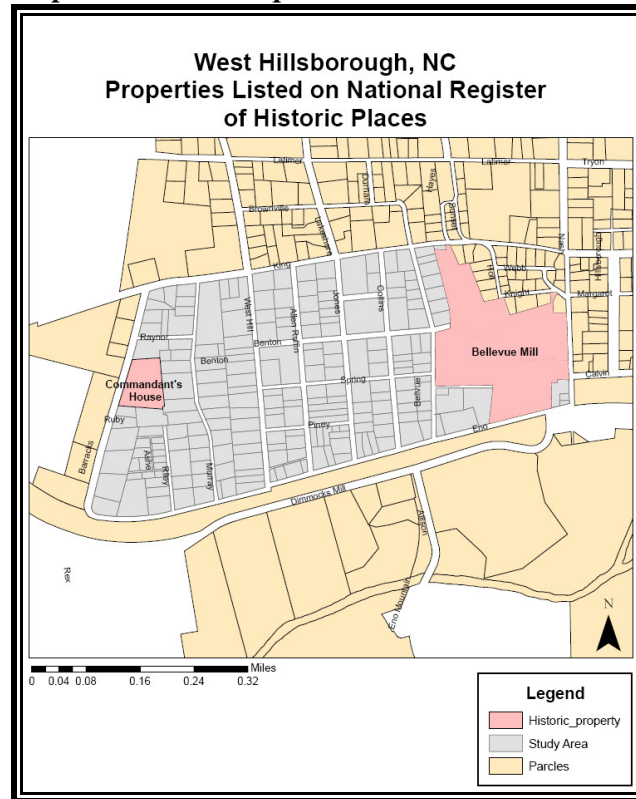
Current zoning in West Hillsborough in no way prevents or discourages the demolition of homes. Given that most of the neighborhood consists of small mill houses lacking modern amenities desired by home buyers, and vacant or underdeveloped land, development pressure to demolish existing homes and rebuild larger new homes may be an issue of concern. West Hillsborough, then, faces the dilemma of how to allow for

physical and social improvements to the neighborhood without allowing these improvements to displace long-term residents or destroy its historic fabric.

### 10.1.c Historic Architecture and Neighborhood Ambiance

The neighborhood contains two properties that are listed on the National Register of Historic Places: the Commandant's House located on Barracks Rd and the Bellevue Mill (Map 3 or Appendix D, Figure 3). Unlike the homes in the Historic District which date back to the 18<sup>th</sup> century, West Hillsborough is primarily a neighborhood of twentieth-century origins.

**Map 3: Historic Properties**

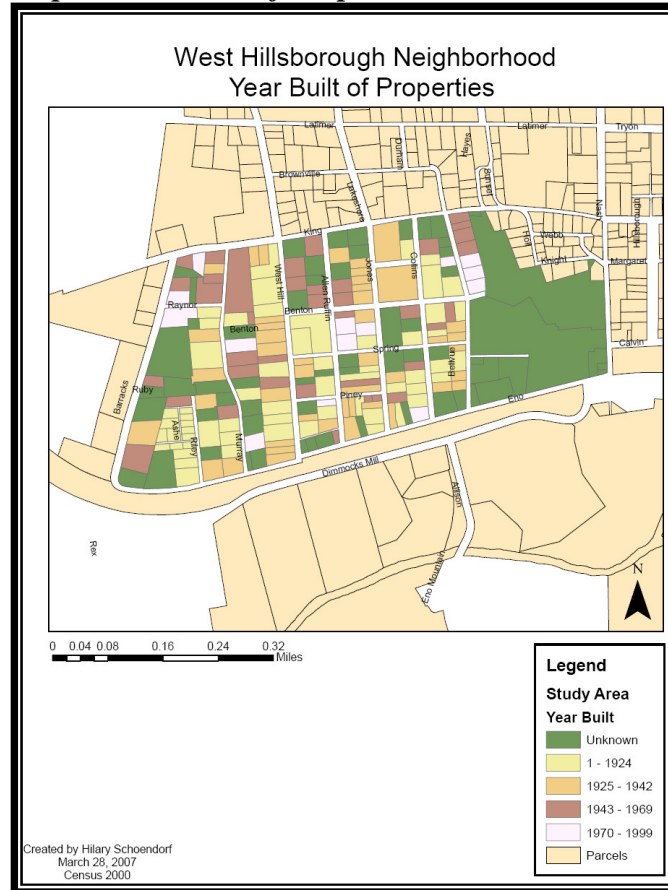


Beyond the Commandant's House that dates to the 1850s, most of West Hillsborough was built in direct response to the arrival of the textile mills at the turn of the century. Many of the homes in West Hillsborough were former mill houses moved to their present day location from the Eno Mill villages across the railroad tracks.<sup>142</sup>

The character of West Hillsborough is dominated by the presence of mill style houses. However, there are a number of other, larger historic houses from other architectural and

historical periods, but these homes are often geographically scattered. As Map 4 (Appendix D, Figure 4) illustrates, only a handful of properties have been built in the last half of century<sup>5</sup>.

**Map 4: Year Built of Properties**



It is hard to say which homes would be considered “contributing” historic structures since there is no definitive statement on what constitutes a contributing historic structure. However, a non-contributing structure is a structure that is generally less than 50 years old, or has undergone significant alterations that detract from the historic character of the building. Overall, a contributing property needs to exhibit historic significance and integrity.

<sup>5</sup> Many of the properties characterized as “unknown” are either vacant lots, lots with trailers or historic properties on the National Register of Historic Places.

### 10.1.d Property Ownership and Conditions

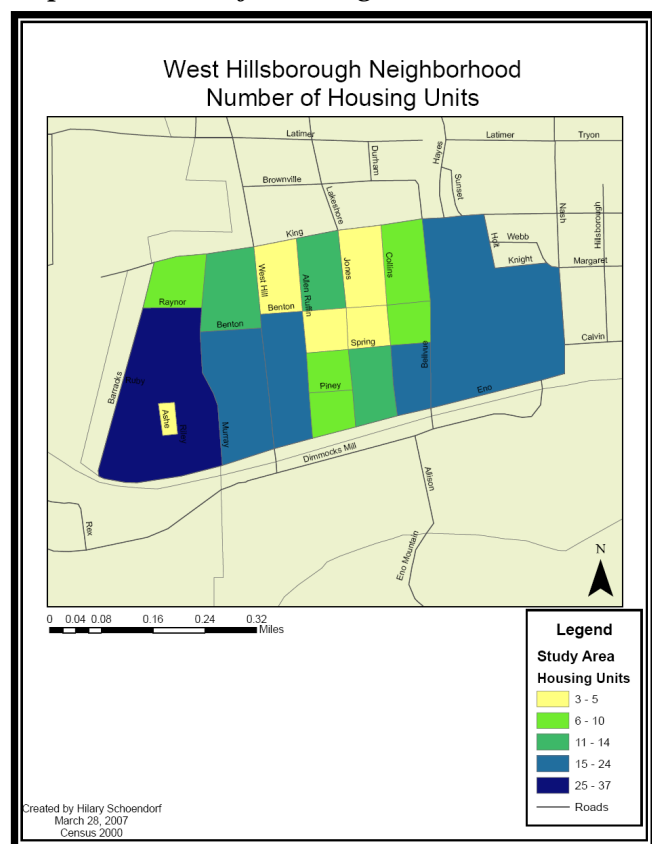
In the last decade, West Hillsborough has experienced a surge of interest in its real estate due to the affordable prices of its homes, the rapid growth of the Town of Hillsborough, and the abundance of vacant and underdeveloped land. A number of properties are undergoing renovations, gradually reviving the character of the neighborhood, and encouraging other houses to follow suit. The importance of underdeveloped land has increased since a town ordinance in 2004 was approved that prohibited the replacement of trailer homes with other trailer homes.<sup>143</sup>

**Map 5: Number of Housing Units**

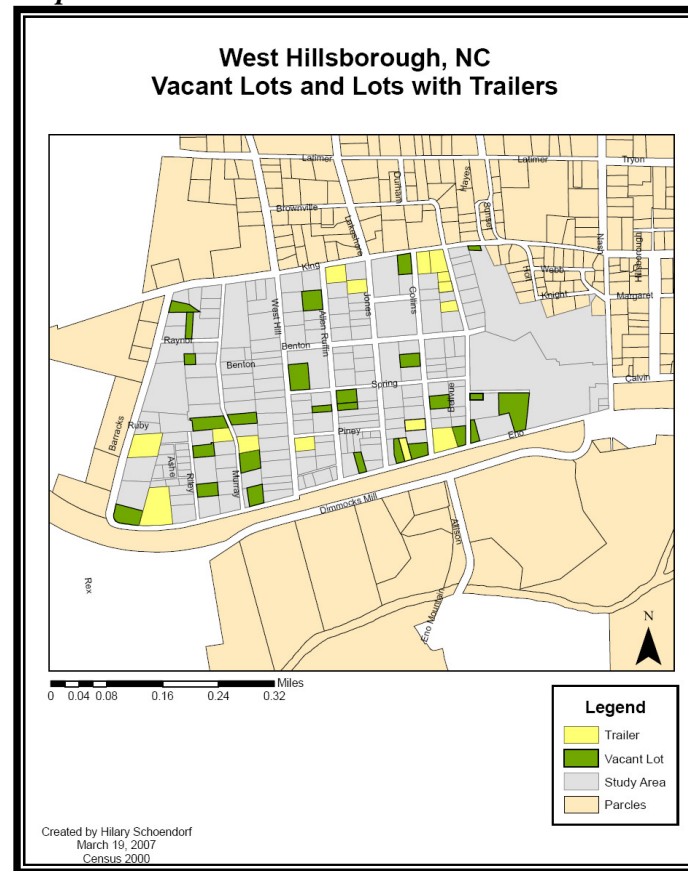
The West Hillsborough neighborhood contains 222 homes situated on approximately 126 acres (Map 5 or Appendix D, Figure 5). Based on 2004 Census data, 49 percent of the homes are owner occupied, 40 percent are renter occupied, and 11 percent of the parcels are vacant or contain trailers (Appendix D, Figure 6 & 7). The neighborhood is predominantly white (96%) and has a median age of 39 years (Appendix D, Figure 8 for median age by census tract).

The map 6 (Appendix D, Figure 9) below highlights the number of vacant

lots and lots that contain trailers. An issue of concern is that developers could easily buy these large lots and build a McMansion, altering the character and scale of the neighborhood. Many of the lots, irregular in size, have the potential to be subdivided. The prospect of new construction increases a urgency in establishing design guidelines to ensure that future new development complements, rather than detracts from the existing development.



**Map 6: Vacant Lots and Trailers**



### **10.1.e Churches - Commercial development – Parks**

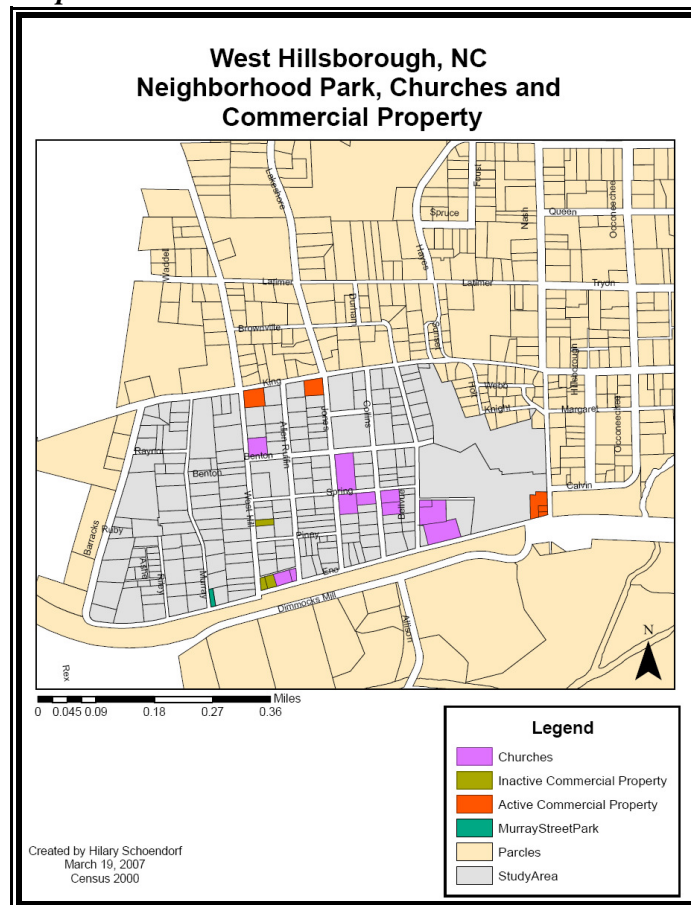
The neighborhood contains five churches: West Hill Baptist Church located at 209 Jones Avenue, Hillsborough Wesleyan Church at 117 Collins Avenue, First Community Baptist Church at 509 Eno St, Holiness Church at 117 West Hill Avenue, and Eno Methodist Church at 905 Eno Street (Map 7 or Appendix D, Figure 10). There are two properties in the neighborhood that once served as commercial properties (an old gas station and small store), and are now sitting vacant. These properties have the potential of being either reopened as commercial buildings or converted into residential properties.

Existing commercial properties in the neighborhood include: West End Garage located at 909 West King Street, Eno Rentals LLC located at 111, Jones Avenue, Larry's at 106 Jones Avenue, and the Nash Street Mill Shops located at 232 and 250 South Nash Street, situated in the southeast corner of the Bellevue mill. During the mills operational days, these shops served as a commercial center to the village, but had subsequently fallen into



disrepair until they were purchased by David Wagner in 2000.<sup>144</sup> Wagner renovated the stores, and currently owns the three shops located on the corner: Leland Little Auction & Estates, Mountain Side Cuts, and Sassy Scissors and Tanning. Murray Street Park sits at the intersection of Murray and Eno, and provides the neighborhood with a residential park.

**Map 7**



### 10.1.f Housing Affordability

Within the neighborhood there have been a significant number of homes purchased by newcomers, which have been rehabilitated. Although physical and aesthetic improvements made to the properties is beneficial to the community, these improvements lead to higher property valuations, and increase property taxes for all residents. The concern is that if unrestricted improvements are made to homes, then low-income or fixed income residents will no longer be able to afford to live in the neighborhood.

According to 2004 Census tract data, 14 percent of the residents in the West Hillsborough Neighborhood are 65 years or older (Appendix D, Table 1). Although, this may not seem like a high percentage, many of these residents have generations of family members living in the neighborhood who own multiple properties. The prospect of the properties falling into the hands of developers increases with each passing year, as long time residents age, become ill or die. In many instances, long time residents leave their property to their children or heirs residing outside the neighborhood or region. Typically they choose to manage the property as a rental unit or sell the property to the highest bidder. Eventually, as the process continues, the neighborhood will lose its older generation of residents that remembers the days when the mill was still in operation. Only with careful planning will the neighborhood continue to live on in a fashion that honors its history.

#### **10.1.g Pedestrian Accessibility**

As of now, West Hillsborough is physically isolated from downtown Hillsborough. This physical isolation hinders the integration of these diverse neighborhoods; which in turn, has perpetuated an ‘us vs. them’ notion between West Hillsborough and residents of the Historic District. A resident of West Hillsborough who wants to walk downtown must either walk on King Street (there are no sidewalks, but instead are steep embankments on both sides) or Eno Street (which is an unattractive industrial street used by tractor trailers).

However with the Bellevue mill redevelopment, Gold Park, the Riverwalk and a sidewalk proposed for Nash Street, the pedestrian mobility of the West Hillsborough neighborhood will significantly improve. The Bellevue redevelopment project, if approved by the Town Council, will provide access to the site from South Bellevue Avenue over a proposed new drive opposite Benton Street and extending across the creek to Holt and Knight Streets. Due to a pedestrian easement, the walk-path will be accessible to West Hillsborough residents. Another hardscape walkway is intended to connect the interior of the site to the west side of Nash Street. This allows West Hillsborough residents to walk downtown through safe neighborhood streets, as well as reach the Nash Street commercial strip that

is likely to flourish with the additional new tenants of Bellevue Mill. In addition, it promotes connectivity to the future Riverwalk as well as Gold Park.

#### **10.1.h Transportation**

The neighborhood is characterized as having narrow streets with no sidewalks, and is designed in a grid-like fashion. The majority of the streets in the neighborhood are only used for residential purposes with a few exceptions. West Hill and West King Street, both wider roads, serve as main thoroughfares and can accommodate more traffic at higher speeds. Many local residents, especially those with homes on South Bellevue, were greatly concerned about the increase in traffic that would be generated by the redevelopment of the Bellevue mill into 85 apartment units. According to a traffic impact study, conducted by WilBur Smith Associates in December of 2006, the proposed development will increase traffic in the neighborhood, but not to the extent that it will disrupt its character.

#### **10.1.i Neighborhood Group**

West Hillsborough has a neighborhood watch group that meets the first Thursday of every month to discuss local issues of concern. Discussion ranges from crime to trash pick up or to the location of the town's proposed sidewalks. The attendees are predominantly older long-term residents that have lived in the neighborhood for generations as well as a few newer members. There seems to be a general perception among the older residents that trailers are the source of the criminal activity in the neighborhood. In recent months, the main topic of conversation has focused on the redevelopment of the Bellevue mill and its potential affects on the social environment. Overall, residents share a genuine concern for making sure the character of the neighborhood stays the way it is, and that the West Hillsborough Neighborhood continues to be a pleasant place to live. There has been no discussion of a Neighborhood Conservation District.

#### **10.1.j Surrounding Land Use**

*Looking West*

West Hillsborough was incorporated into the town's city limits in 1976, and extends to the edge of its boundary. The land west of Barracks Road is part of the Town's Extraterritorial Jurisdiction (ETJ). According to Hillsborough's Strategic Growth Plan, this land outside of the city limits has been recommended to be incorporated into the town limits in the near future. Beyond Hillsborough's ETJ is a large swath of land owned by Duke Forest (Appendix E, Figure 1. Proposed Parks and Greenways).

#### *Looking North*

To the south of West Hillsborough are residential neighborhoods of single family homes, trailers and vacant lots available for development. Intermixed throughout the neighborhood are few commercial properties.

#### *Looking South*

The Southern Railroad track borders the southern boundary of West Hillsborough. Beyond the railroad tracks, included in the city limits, lies the Old Eno Cotton Mill, which has been converted into Hillsborough's Business Center and, houses a variety of small businesses. To the southeast of the Bellevue mill is the proposed Gold Park which will connect to the Eno Riverwalk (Appendix E, Figure 1. Proposed Parks and Greenways).

#### *Looking East*

To the east of West Hillsborough is Hillsborough's Historic District, which is bounded by Nash Street to the west, Corbin Street to the north, the Eno River to the south, and portions of Saint Mary's Road and Cameron Street to the east. The historic district encompasses the town's original boundaries as laid out in 1754, and includes the historic downtown as well as homes from the eighteenth and nineteenth century.

### **10.2 DEVELOPMENT PROJECTS IN THE AREA**

In Hillsborough's state of the town address given by the mayor in January of 2007, he called this following year, the "year of construction." Indeed, there are a number of large-scale development projects underway in the Town of Hillsborough, four of which

are within walking distance to West Hillsborough. These four projects include the Bellevue mill redevelopment, Gold Park, Eno Riverwalk and Weaver Street Market (Appendix E, Figure 1 & 2).

### **10.2.a Bellevue Mill Redevelopment**

The Bellevue Mill site consists of a 19.76-acre parcel bounded by South Nash Street, Eno Road, West King Street, and Bellevue Avenue<sup>145</sup> (Appendix D, Figure 1. Redevelopment Projects). Purchased by the Falk family over forty years ago, the mill complex has been vacant since 2000. As it sits now, the industrial buildings of 1909 and 1920s are situated next to the warehouses of A Southern Season, and are not an actively contributing property.

Bellevue Development LLC (referred to as the Development), owned by the Falk family, has proposed to the Town of Hillsborough a redevelopment plan for the industrial mill complex.<sup>146</sup> The plan is to convert the three existing two-story brick buildings into 85 units of high end multifamily apartments. These upscale apartments include high ceilings, generous square footage, walk-in closets, and skylights that will cater to a relatively affluent and professional demographic. The apartment complex will include 181 parking spaces, 3 landscaped courtyards, a community clubhouse, an exercise facility, pool and game room.<sup>147</sup>

Because the site is zoned industrial, the Development has submitted a Special Use Permit to proceed with their re-adaptive use proposal. Hillsborough's Zoning Ordinance authorizes a building to be converted into a different use without requiring rezoning "if the building façade retains sufficient detailing and characteristics true to its original industrial character."<sup>148</sup> The mill, listed on the National Register of Historic Places in 2002, is a certified historic structure, which allows the Development to utilize historic tax credits. In order to be in compliance with the Special Use Permit and historic tax credits, the original facades of the mill campus buildings must be retained.

The Bellevue mill, historically an economic and social driver of the community, is being restored into residential use, shedding the community of its blue collar roots. If approved, the project will not only restore a new life into the building, but will make Hillsborough an even more lucrative real estate market, driving up land values and increasing development pressure on the surrounding neighborhoods.

### **10.2.b Gold Park**

In 1995, the town of Hillsborough donated twenty-four acres at the south end of Nash Street, south of the railroad tracks in West Hillsborough for the site of Gold Park.<sup>149</sup> Historically, the land chosen for the site was used by mill workers as recreational facility and served as the Old Ball Park.<sup>150</sup> This project has been in the works, for over the last decade, and is slated for completion in January of 2008. The park is planned to include a multi-use playing field, play ground area, dog park, picnic areas, and open lawn space with pedestrian and bike trails that will connect to the Riverwalk.<sup>151</sup> (Appendix E, Figure 2 & 3).

### **10.2.c River Walk**

In the early 1990s, a group of local residents motivated by the desire to reestablish a connection with the Eno River, requested a walkable access to the river, which gained momentum in the community, and was soon incorporated into the Parks and Recreation Master Plan.<sup>152</sup> The Riverwalk is a 1.5 mile walking trail along the Eno River that is intended to connect Occoneechee Mountain Park on the west side of town with the Eno River State Park near US 70 bypass to the east. The Riverwalk would also connect West Hillsborough to downtown and would pass through Gold Park, providing an inviting means to walk from one locality to the other.<sup>153</sup> The Riverwalk, dependents on grants for funding, is on schedule to be completed in the next 2 to 3 years.<sup>154</sup> (Appendix E, Figure 2 & 4)

### **10.2.d The Gateway Center - Weaver Street Market**

The Weaver Street Market, a local cooperative grocery store, with a store in Carrboro and Chapel Hill, is opening a third store in Hillsborough. The store will be located off of

Churton Street in downtown Hillsborough in a three-story brick building called the Gateway Center.<sup>155</sup> The grocery store will own and occupy the entire first floor, and the other two floors will be for Orange County offices. Similar to the Carrboro store, the Hillsborough Weaver Street Market will have a green lawn to serve as a gathering place for community events. Construction on the Gateway Center has already begun, and the store is forecasted to open in early 2008.<sup>156</sup>

Adjacent to the Gateway Center, on the former Southern States property, which contains a one story-concrete block building constructed in 1948, previously used as a farmer supply store, is slated for demolition.<sup>157</sup> The site is planned to be redeveloped into a two story brick building and a four story brick building. The two-story building is to be the future home of the public library, and the four story building will serve as an office building (Appendix E, Figure 1).

### **10.3 SUMMARY**

Presently, West Hillsborough is in a vulnerable position. In the next five years, with the completion of the proposed development projects, the limited developable land, combined with its highly desirable location, the real estate in West Hillsborough is bound to experience a surge in demand. The reality is that unless protective measures are taken to assist the community, the neighborhood's fate will fall in the hands of those seeking to make the most profit, most likely those who have little interest in preserving the historic fabric of the neighborhood. A Neighborhood Conservation District can offer the residents of West Hillsborough a way to protect their neighborhood without having to adhere to the stringent regulations of a historic district.

The Town of Hillsborough dedicated to preserving its history and with an active preservationist community has an obligation to protect the West Hillsborough Neighborhood from inappropriate development. Otherwise the Town is at risk of losing one of its last historically rich neighborhoods.

#### **10.3.1 Summary of Findings**

- West Hillsborough sits adjacent to the Historic District where land is expensive and limited creating more development pressure on neighborhood.
- Interspersed in the West Hillsborough neighborhood are trailers and large vacant lots coupled with low land costs, increasing the neighborhoods susceptibility to developers buying up large lots and building McMansions.
- New development projects including redevelopment of Bellevue into high end apartment units, Gold Park, River Walk and Weaver Street Market will increase the demand for land in the area.
- The neighborhood has a rich local history and contains mill homes that date to the early 20<sup>th</sup> century.
- The neighborhood has a mix of uses in a small area (e.g. five churches, one park, Nash Street Shops as well as a few other commercial stores)
- Improved pedestrian access from the neighborhood to downtown Hillsborough with the completion of the Riverwalk, proposed sidewalk on Nash Street and a hardscape walk path proposed by the redevelopment project of the Bellevue mill.

### **10.3.2 West Hillsborough: Neighborhood Conservation District vs. Historic District**

Because of West Hillsborough's unique physical and social conditions, the neighborhood is better suited for a Neighborhood Conservation District (NCD) than a Historic District (HD). Many of the older mill homes have been moved and modified over the years, altering their historical integrity and jeopardizing their ability to fulfill the requirements for historic district designation. Although, a further in-depth architectural analysis would be needed to determine whether this neighborhood could be incorporated into the town's historic district, there is still a question of whether neighborhood residents would be amenable to the idea of historic district designation.

Historic districts tend to conjure up fears from homeowners—including a loss of property rights, not being able to use one's property to its highest and best use, and high maintenance costs. Although these fears have legitimacy, there are a number of benefits to historic district designation. Historic districts function similar to a designer label—publicly identifying the area as an area containing structures of historic value and



significance. As a result, people are willing to pay a premium for a specialized product that ensures a certain level of quality or authenticity. Because the value of a home is largely influenced by the state and condition of its surrounding properties and amenities, a homebuyer in an historic district is provided with a level of certainty and assurance that neighboring homes will remain well-maintained and cared for over time. In addition, the state of North Carolina awards historic, non-income producing property owners a 30 percent state tax credit for rehabilitation costs.

A Neighborhood Conservation District (NCD), less regulatory than a Historic District (HD), also serves to protect and preserve the historic fabric of neighborhood, focusing mainly on the overall appearance and character of the neighborhood. NCDs unlike HDs do not deal with specific architectural details, such as materials, ornamentation, and styles. Instead, NCDs are mainly concerned with regulating lot sizes, setbacks, building height and street design. By not focusing on the building materials (e.g., replacing windows with the original historical style, rather than the more economical version) NCDs diminish the threat of displacing homeowners who can no longer afford to rehabilitate their home and are forced to move elsewhere.

An NCD serves as a protective tool that enables a community to protect and preserve the historic character of their neighborhood, and in the process, prevents developers who are more concerned with profit than with maintaining the community's integrity from building outlandish homes or rental properties. Without any protective mechanism in place, West Hillsborough may fall victim to large out of scale development that would lead to higher property valuations and serve to increase property taxes for all neighborhood residents. Should this happen, low-income or fixed-income residents will be priced out, and the neighborhood will start to gentrify, displacing the original residents. Consequently, Hillsborough's supply of affordable housing will be reduced. The benefit of an NCD is that it allows residents to make physical improvements to their property in a way that is compatible with the scale and design of the neighborhood.

If there is concern that NCDs prevent properties from fully appreciating, then it is important to remember that property value is dependent on consumer demand. A neighborhood branded with an NCD seal of recognition informs the public that this area has historical significance and deserves the town's conservation efforts. Similar to a historic district, the neighborhood becomes a specialized, limited product which increases demand, and in turn, increases the value of housing. Although property owners in NCDs do not receive any state tax credits, they do receive the security of knowing the neighborhood's character will change very little over time, and new development will be consistent with the design of existing structures.

In the case of West Hillsborough, an NCD is in the best interest of the long-term residents, as well as those seeking to live in a predominantly single family neighborhood. By sacrificing some property rights, homeowners will most likely gain a healthy, safe, and aesthetically pleasing neighborhood in which to live. In fact, an NCD provides the neighborhood with a cohesive identity which boosts local pride and enhances the social fabric of the community.<sup>158</sup>

## **11. GOVERNMENTAL STRUCTURE OF HILLSBOROUGH**

### **11.1 North Carolina State Enabling Legislation**

North Carolina is a Dillon's Rule state, where the powers of the local governments are determined and defined at the state level by the North Carolina General Assembly. Unlike Home Rule states, where local governments have the power to enact development regulations without state enabling legislation, North Carolina's local governments must adhere to state legislation.

According to G.S. 160A-381 any city may adopt a zoning and development regulation ordinance to "regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land...for the purpose of promoting health, safety, morals, or the general welfare of

the community.”<sup>159</sup> Therefore, each municipality can evaluate the needs of their community and develop a zoning ordinance that works in accordance. However, prior to instating a zoning ordinance, G.S § 153A-341 requires a governing board to ensure that the proposed zoning amendment is in compliance with the local comprehensive plan as well as reflects the public interest. Therefore, in order for a Neighborhood Conservation District to be adopted by the Town of Hillsborough it has to align with the Town’s Comprehensive Plan as well as residents.

§ 153A-342 states that counties have the authority to subdivide jurisdictions into districts to “regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.” The districts may range from general use districts, which permits a variety of uses within general standards, overlay districts, which imposes certain regulations for a specific area, special use districts or conditional use districts which requires a special use permit or conditional use permit for a particular use, and finally, conditional zoning district, where the district adheres specific development conditions.

All properties within a district are subject to the same regulations; however, each district may impose different regulations. § 153A-342 stipulates that a “zoning area must originally contain at least 640 acres and at least 10 separate tracts of land in separate ownership and may thereafter be expanded by the addition of any amount of territory.”

§ 153A-343 grants the board of commissioners the primary authority to determine or alter the zoning regulations and restrictions as well as boundary of the district.

## **11.2 Comprehensive Plan: Vision 2010**

The Vision 2010 Comprehensive Plan serves as a document to guide the future growth of the Town of Hillsborough. The Vision 2010 is a comprehensive plan that was established in 1991 by a task force that took into account the existing conditions of Hillsborough, which included land use, public infrastructure, natural systems, population, regulations, thoroughfare plans, Orange County plans, natural features, and tax base. The plan outlines a set of objectives, policies, and guidelines for the Town officials and staff to use

in drafting work plans, reviewing development proposals as well as reviewing the progress made to achieve the objectives in the plan.

Listed as one of their main goals and objectives is to “Maintain and improve the qualities of existing neighborhoods and ensure the diversity of housing opportunities.”<sup>160</sup> The West Hillsborough neighborhood, one of Hillsborough’s oldest neighborhoods outside of the historic district, is also one of the more affordable areas to buy real estate within close proximity to downtown. Under this goal the Vision 2010 states, “Protect neighborhoods from encroachments by large-scale commercial, industrial, or multifamily developments through the locations of zoning districts and buffer requirements in the zoning regulations.”<sup>161</sup> The objective of a Neighborhood Conservation Overlay District is precisely the same as the aforementioned goal—to protect the character of a neighborhood from inappropriate development.

The plan also recommends that Hillsborough maintains and improves its natural and historic resources by:

- increasing education and public awareness among historic property owners of their stewardship responsibilities;
- investigating the desirability of additional historic districts or conservation areas;
- investigating changes to historic district boundaries; and
- increasing education and public awareness of the benefit and role of historic properties to Hillsborough.<sup>162</sup>

Lastly the plan recommends that “Hillsborough should be pro-active in addressing future needs of the community.”<sup>163</sup> The West Hillsborough neighborhood is in a vulnerable position, and the longer the neighborhood residents as well as the Town of Hillsborough wait to address the issue, the more difficult it will become to successfully implement a Neighborhood Conservation District. The neighborhood is still predominantly owner occupied and has retained much of its original historic architecture, but with landscape of Hillsborough changing rapidly, it is likely that new pressures and demands will be placed

on the West Hillsborough Neighborhood. If the neighborhood and town do not act quickly the opportunity to protect this historic resource of Hillsborough may be lost.

### **11.3 Town Government**

In order to understand the process of implementing a Neighborhood Conservation District, an outline of the Town's governmental structure is examined. A review of the duties and powers of the Town's local boards and commissions is provided.<sup>164</sup> (See Appendix E, Figure 5 for governmental structure of Hillsborough)

The Town of Hillsborough operates under a Council-Manager form of government. The Town Board, elected on a nonpartisan basis, serves as the legislative body in establishing policy and law. The Town Manager who is hired by the Mayor and Town Board oversees and manages the daily responsibilities of the Town's departments and staff as well as heads the preparation for the town's annual operating budget.

The mayor of Hillsborough, Tom Stevens is elected by the town, and serves a two-year term that expires at the end of this year. As the mayor of the Town, he oversees the Town Board meetings and represents the Town for ceremonial purposes. Stevens, a registered Democrat, and has been an active leader in promoting responsible growth in order to preserve Hillsborough's small town charm. The Town Board, comprised of five members, elected by the Town, serves a four year term and are in charge of appointing the Town Manager.

Other civilian advisory boards appointed by the mayor and town board include the Water and Sewer Advisory Board, the Planning Board, the Board of Adjustment, the Historic District Commission, the Parks and Recreation Board, the Tourism Board, the Hillsborough-Orange County Strategic Growth Board, and the Tree Board.

The Planning Board is a 10-member volunteer board appointed by the Town Board to review planning issues in the Town's zoning jurisdiction. Three members are appointed by the Orange County Commissioners to represent the town's Extraterritorial Jurisdiction

(ETJ). The ETJ is an area just outside of the town's limits, not incorporated by another municipality that in the future could be annexed by the Town; and is subject the zoning ordinances of the Town of Hillsborough. Residents in the ETJ do not pay town tax or receive town services. In addition, the Planning Board reviews and make recommendations to the Town Board on goals and objectives relating to rezoning, subdivision, and ordinance amendments of the town and the surrounding extraterritorial planning area.

The Board of Adjustment (BOA) consists of five members appointed by the Orange County Board of Commissions to represent the town and residents of the Extraterritorial Jurisdiction (ETJ). The board reviews site plans for non-residential and multi-family properties. It also hears appeals and variance requests regarding special use permits, and special exception permits.

The Town's Historic District Commission (HDC) was established by the Town Council in 1973. The commission is a seven member volunteer board appointed by the Town Board, and serves as both an advisory body to the Town Council and a quasi-judicial body that makes decisions about proposals for exterior changes, demolition of any properties as well as new construction within the Hillsborough Historic District. Members of the commission have a specialized knowledge or training pertaining to architecture, history, archeology or other preservation related fields. The commission's main objective is to identify, protect, and preserve Hillsborough's historic architectural resources and to educate the public about the preservation of the town's historic resources.

The Parks and Recreation Board consists of 11-members appointed by the Town Board to advise the Town and Planning Board about proposed and existing park and recreational facilities. The board works with various departments and neighborhood groups to ensure maintenance of the parks and construction of sidewalks. The Master Parks and Recreation Plan adopted by the Parks and Recreation Board in 1993, is in the process of being updated. The Master Parks and Recreation Plan reviews and assesses the Town's

park and recreation facilities and makes recommendations on their condition, state and need for improvement and expansion.

Tourism Board comprised of no more than nine members are appointed by the Hillsborough Board of Commissioners and serve to promote travel, tourism, and visitor services in the Town of Hillsborough. The board may work with other agencies to preserve and enhance the town's historic built and natural environment in an effort to promote tourism.

The Tree Board serves as an advisory committee to the Board of Commissioners, and hears all requests for planting, maintenance, and removal of street trees and park trees by the citizens of Hillsborough. The board serves to make recommendations and establish guidelines concerning the planting, protection and removal of the Town's trees.

The Hillsborough Orange County Strategic Growth Plan Steering Committee established in January of 2006 was formed to assess the current status of Hillsborough's growth to help guide its growth over the next 20 years. The committee has created a set of goals commonly shared by Hillsborough and Orange County. The goals serve to guide the Town's initiatives and include: 1.) Preserve and enhance the Hillsborough core area, 2.) Preserve significant cultural and natural resources, 3.) Coordinate growth with water/sewer availability, 4.) Grow in a fiscally-responsible way, 5.) Keep existing businesses healthy, and 6.) Assure continuity in public service provision.

## **12. RECOMMENDATIONS & STRATEGIES**

The West Hillsborough Neighborhood stands at a critical moment in history. The Town as well as the neighborhood can choose to let development take its course without any additional restrictions or regulations, or the Town and the neighborhood can work together to ensure that the neighborhood's trajectory upholds the goals and visions of its residents. Based on the existing conditions of the neighborhood and the future growth of Hillsborough, there is reasonable concern that warrants the proposal of a Neighborhood Conservation District for West Hillsborough.

## **12.a Recommendations to the Town of Hillsborough**

- Act in accordance of the goals set forth in the Vision 2010 Comprehensive Plan Goals:
  - Ensure new development and redevelopment maintains and enhances the special character of Hillsborough
  - Maintain and improve the qualities of existing neighborhoods and ensure the diversity of housing opportunities.
  - Maintain and improve Hillsborough's natural and historic resources.
  - Hillsborough should be pro-active in addressing future needs of the community.
- Introduce the idea of adopting a Neighborhood Conservation District to the West Hillsborough Neighborhood Watch Group.
- Use maps and graphics to show existing conditions of the neighborhood as well as the proposed development projects.
- Increase coordination and communication between and among the Town and stakeholders in the West Hillsborough Neighborhood.
- Conduct public meetings to further disseminate educational material addressing the details of a NCD.
- Appoint a task force composed of residents and planning officials to begin creating a neighborhood plan outlining the existing conditions and goals of the community.
- Take a pro-active stance and begin establishing enabling legislation for a NCD to be written into the Town's zoning ordinance.
- Encourage organizations like the Alliance for Historic Hillsborough to incorporate this neighborhood into the Town's strong network of financial, educational, and cultural programs committed to historic preservation.
- Consider a temporary moratorium on building permits for new construction that is not within scale of existing development in the West Hillsborough Neighborhood while undergoing the process of adopting enabling legislation.



- Address possibility of rezoning to ensure that land use remains to the benefit of the entire community (e.g. current zoning includes Mobile Home Parks, which detracts from the neighborhood’s character as well as fosters a perception of criminal activity, hindering pedestrian activity.)

## **12.1 Recommended Strategies**

The following are strategies to assist the Town of Hillsborough as well as West Hillsborough in proceeding with the NCD implementation process.

### **12.1.a Recommended Components of Consideration when creating a Neighborhood Conservation District**

The following key components are necessary to take into consideration when drafting a NCD for the West Hillsborough Neighborhood.

#### **1. Goals and Visions of the Community**

Each neighborhood proposed for NCD designation needs to clearly articulate what goals and visions they have for their community, and how an overlay designation serves to uphold and maintain the neighborhood’s vision.

#### **2. NCD Boundaries**

It is important to determine how large or small the NCD regulations will extend. In the Avent West case study, part of the difficulty in attaining the 51 percent approval from residents, has been due to the large territory covered in the boundaries.

#### **3. Neighborhood Character**

Neighborhood character is the interplay of the physical and social components that combine to give an area a distinctive environment. These components include land use, scale, and type of development, as well as historic features, pattern and volumes of traffic.<sup>165</sup>

#### **4. Cohesiveness**

The cohesiveness of a neighborhood can be hard to measure but critical when determining the boundaries of a NCD. The cohesiveness of a neighborhood is the elements that unite an area together. The boundaries should reflect the physical and social and physical cohesiveness of an area.<sup>166</sup>

## **5. Land Use**

If proposed development that has the potential to detract from the neighborhood character by introducing incompatible land use then policy should be in place to protect that locality.<sup>167</sup> West Hillsborough has a mix of commercial and residential uses, both of which contribute to the character of the neighborhood; however, because the area is predominantly residential, the commercial development should be respectful to this.

## **6. Urban Design and Visual Resources**

The Urban design characteristics of a neighborhood can be subtle, but are what distinguish one area from the next. Components of urban design include building bulk, form, size, scale, or arrangement as well as set backs, roof pitches, lot sizes, landscaping, and streetscape elements.

Visual resources include public view corridors and vistas, and the public's ability to access visual features of the neighborhood. Unpleasant development can impair or diminish one's access to visual resources.<sup>168</sup>

## **7. Historic Resources**

A thorough analysis should be conducted of structures or people who have significantly contributed to the history of the area. The West Hillsborough contains two structures on the National Register of Historic Places and an assortment of mill houses that date back to early 20<sup>th</sup> century, greatly lending to the distinctive neighborhood character.

## **8. Socioeconomic Conditions**

Changes in socioeconomic conditions, including population, employment, density, income, can directly or indirectly affect the neighborhood character. In West

Hillsborough, with the proposed Bellevue mill redevelopment project, and other park and recreation projects underway, property values in the neighborhood are expected to substantially increase. In turn, gentrification poses to be a seriously threat, displacing the original residents, many of which were mill workers who worked in the local mills.

## **9. Traffic and Pedestrian**

The flow of foot and vehicular traffic, and their intensity of use, contribute to the character of the neighborhood. Just as living next to a busy street is typically less desirable than living on a quiet residential street, it is important to evaluate nearby development and it how it affects traffic. Greater traffic volume generally decreases pedestrian activity.<sup>169</sup>

### **12.1.b Recommended Process of Establishing a Neighborhood Conservation District**

Based on established Neighborhood Conservation Overlay District ordinances for other towns and cities, the following process was composed

#### Step 1: Initiation of NCD

- Neighborhood Petition to the Planning Board
- City Council request an NCD
- Pursuant to adopted neighborhood plan recommends NCD

#### Step 2: Determination of Eligibility

- Planning Director determines eligibility of the neighborhood.
- If ineligible, then neighborhood may appeal to the Board of Adjustments.

#### Step 3: Study and Report

- A member of the planning department holds a public informational meeting.
- The City staff works with local neighborhood residents to begin writing a neighborhood plan, documenting physical characteristics and including a set of design guidelines.

#### Step 4: Public Hearing

- Once plan is completed, Planning Department holds a public hearing on the proposed NCD.

#### Step 5: Official Designation

- If NCD was initiated by petition from neighborhood residents, then another petition is required with the support of 51 percent of property owners and land area in the study area of the proposed NCD.
- If the Town Council initiated NCD, then no petition is required of neighborhood residents.

#### Step 6: Public Hearing

- A public hearing held by the Zoning Commission and Planning Board and forwards recommendations to the Town Council

#### Step 7: Town Council Approval

- Town Council holds public hearing to consider the adoption of the NCD

### **12.1c Recommended Steps of Action**

In most cases a Neighborhood Conservation District is initiated by the neighborhood residents, but in the case of West Hillsborough, initiation is originating outside the community. Ultimately, for the NCD process to proceed the support and approval of the neighborhood residents is necessary.

#### **Pre-Initiation Work: Community Preparation Work**

First, conduct an informational meeting with the West Hillsborough Neighborhood Watch Group and discuss the following questions.

- What do you like most about this neighborhood?
- What don't you like about this neighborhood?
- What is a Neighborhood Conservation District?
- Where do you see your neighborhood in the next 5 10 10 years?
- What are the roles of the Planning Board and Town Council?

- What are the steps in the NCD process?

Second, present maps and graphics of existing pressures facing the neighborhood, and discuss why a NCD may be advantageous to the community.

### **Pre-Initiation Work: Planning Department**

If the neighborhood fulfills the eligibility requirements and the residents respond favorably to NCD designation then begin drafting the enabling ordinance to establish a Neighborhood Conservation District as an overlay district. The ordinance provides the necessary legislation to grant an NCD, but does not actually establish an overlay.

### **Eligibility**

Each municipality determines their own eligibility requirements to warrant NCD designation. In examining the eligibility requirements for NCD designation in Chapel Hill and Greensboro there is little variance. Using their eligibility criteria, the West Hillsborough Neighborhood is eligible to be designated a Neighborhood Conservation District. Based on the City of Greensboro and the Town of Chapel Hill, here is an example of eligibility requirements:

- The area must contain a minimum of one block face (all the lots on the one side of a block);
- At least 75% of the land area in the proposed district has been developed, and is at least 25 years old;
- The area must possess one or more of the following distinctive features that create a cohesive identifiable setting, character and association.
  - Scale, size, orientation, type of construction or distinctive exterior building materials
  - Lot layouts, setbacks, street layout, alleys or sidewalks;
  - Special natural or streetscape characteristics, such as creek beds, parks, gardens or street landscaping
  - Land use patterns, including mixed or unique uses or activities; or
  - Abuts or links designated historic landmarks and/or districts

## **Study and Report**

Neighborhood residents and planning staff work to create a neighborhood plan.

- Develop a Neighborhood Vision Statement
  - A statement that articulates the goals and aspirations the community has for the future.
- Develop Plan Goal
  - Examples from other NCDs:
    - Stabilize, protect, enhance and complement the existing neighborhood's character, diversity and appearance
    - Encourage appropriate future development of a variety of uses in the neighborhood
    - Improve the perception and visibility of the area as a downtown neighborhood
    - Create a multi-modal friendly environment that encourages walking downtown and to other neighborhoods.
- Maps indicating the boundaries of the proposed NCD
- A description of the history of the neighborhood
- Maps with a description of the existing and common characteristics of the area
- Maps including zoning, land use, development, and distinguishing features of the neighborhood (architectural styles, natural features, design features, and institutional features)
- A description of the goals for the neighborhoods character of the area
- Design guidelines for new construction, additions, or alterations to the street facades

## **Final Procedure**

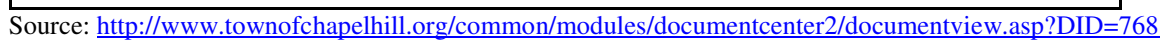
Once the enabling legislation is completed and approved as well as the aforementioned criteria, the Town Council shall review it for final approval before adopting it into the town's zoning ordinance.

### **13. CONCLUSION & NEXT STEP**

This study provides preliminary research into the process of establishing a Neighborhood Conservation District (NCD) for the West Hillsborough Neighborhood. Three local case studies were examined: Northside, Chapel Hill, Avent West, Raleigh, and Cedar Street, Greensboro. Each case study served as template of the NCD implementation process, highlighting challenges, as well as offering ideas for dealing with divisive local issues. A common theme among all three case studies was the importance of developing strong bonds of communication between the municipality and the local residents. The recommendations and strategies listed above are based on the current conditions existing in the West Hillsborough neighborhood. It is now in the hands of the Town and neighborhood residents to take the initiative and carry this plan forward. Building a critical level of community consensus is the most effective and sustainable way for residents to take charge of their neighborhood's future. In the process, residents are empowered with a sense of control over their neighborhood, and town officials feel a sense of security in making proactive policies when they know community members have discussed and support their proposed actions.

The Town of Hillsborough with its impressive historical legacy and its pride in historic stewardship has been honored by being designated as one of America's Dozen Most Distinctive Destinations, awarded by the National Trust of Historic Preservation in 2007. Protecting the historic fabric of the West Hillsborough Neighborhood, and ensuring that the neighborhood's character is preserved for future generations, not only benefits the residents of the community, but increases the attractiveness of the Town to others. Designating a NCD for West Hillsborough will further establish Hillsborough's image as a place that values its cultural, social and historical resources—giving residents a strong identity and visitors a reason to visit.

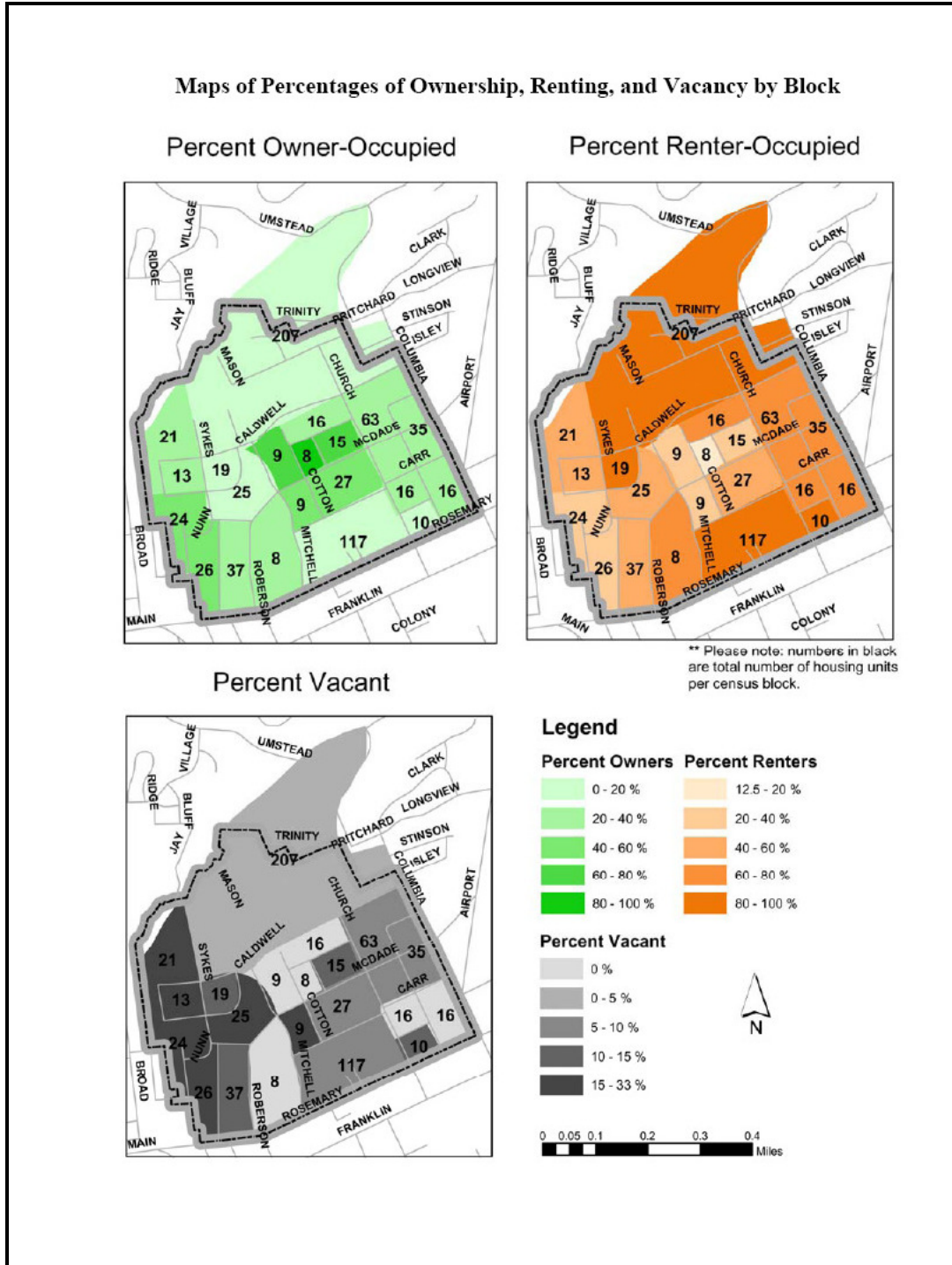
**Figure 1. Northside Neighborhood Conservation District Study Area**





## APPENDIX A – NORTHSIDE NEIGHBORHOOD

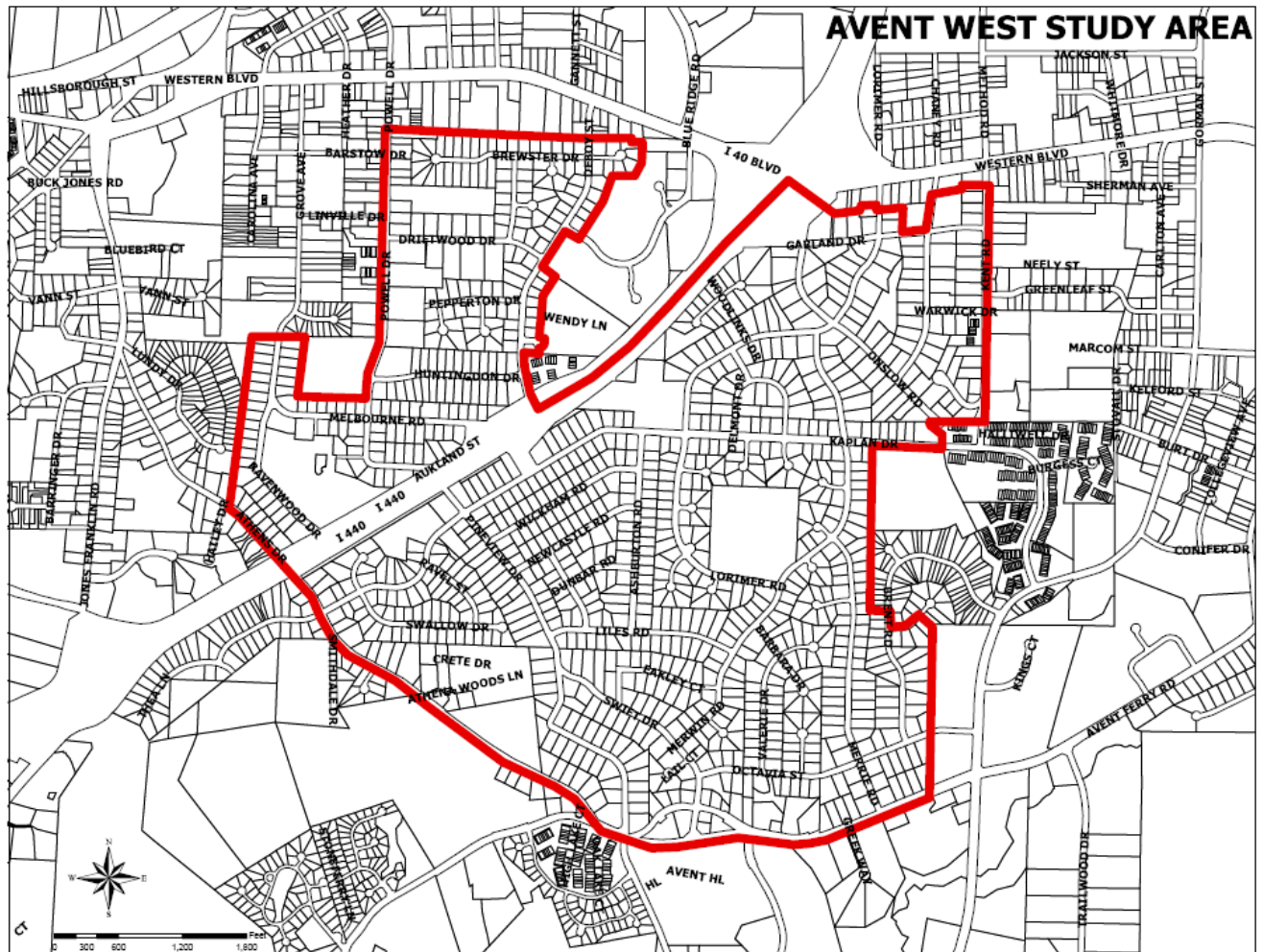
**Figure 2. Northside: Maps of Percentage of Owner Occupied, Renter Occupied and Vacant**



Source: Munson, Bobbie Jo. (2004, Nov). *A Mobility Assessment of the Northside Neighborhood Chapel Hill, North Carolina*. A report prepared for the Go Chapel Hill Program, Town of Chapel Hill.

## APPENDIX B – AVENT WEST NEIGHBORHOOD

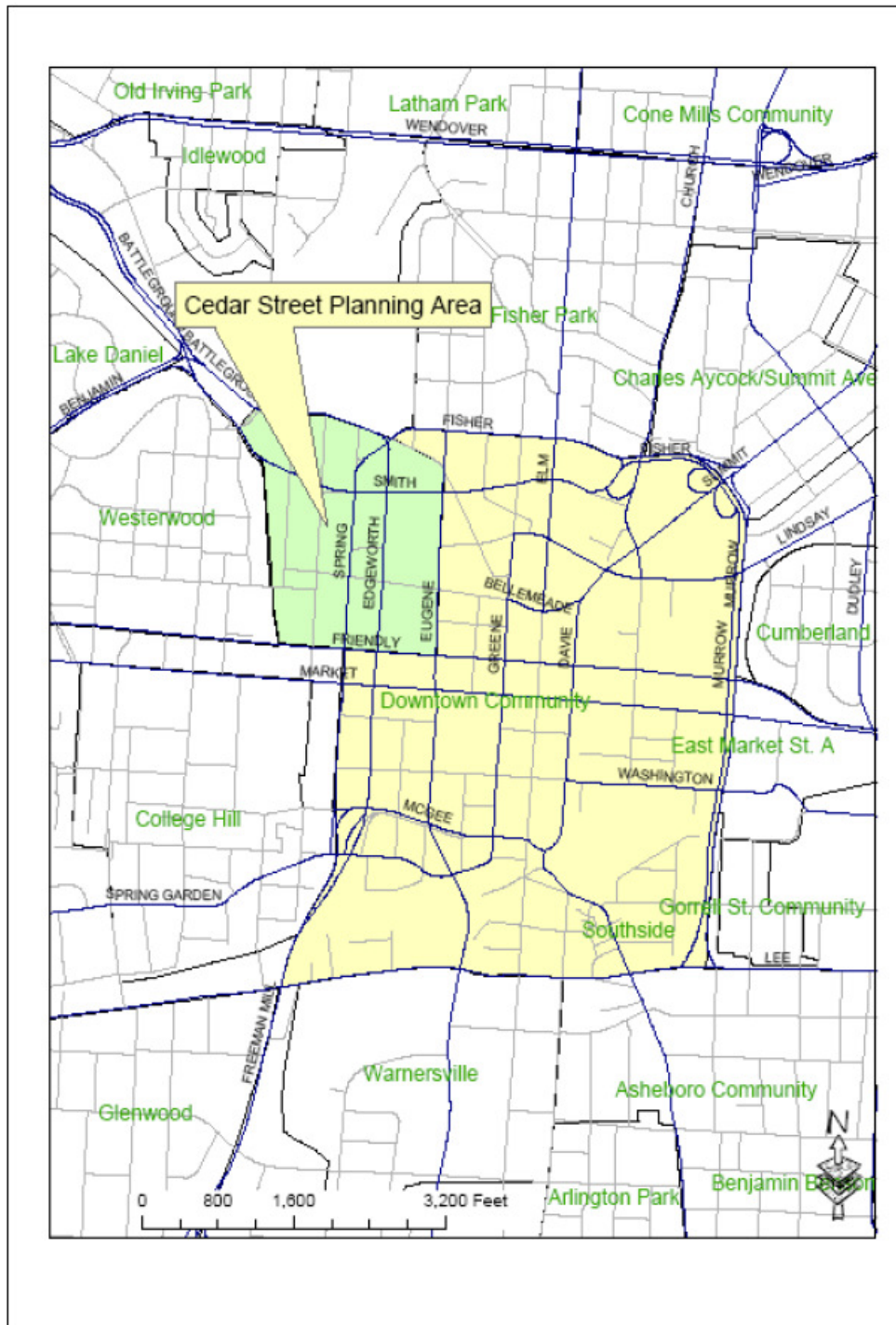
Figure 1. Avent West Neighborhood Study Area



Source: [http://www.raleighnc.gov/publications/Planning/Plans\\_in\\_Process/Avent\\_West\\_Study\\_Area\\_Map.pdf](http://www.raleighnc.gov/publications/Planning/Plans_in_Process/Avent_West_Study_Area_Map.pdf)

## APPENDIX C – CEDAR STREET NEIGHBORHOOD

Figure 2. Cedar Street Neighborhood Study Area



Source: Greensboro's Department of Housing and Community Development



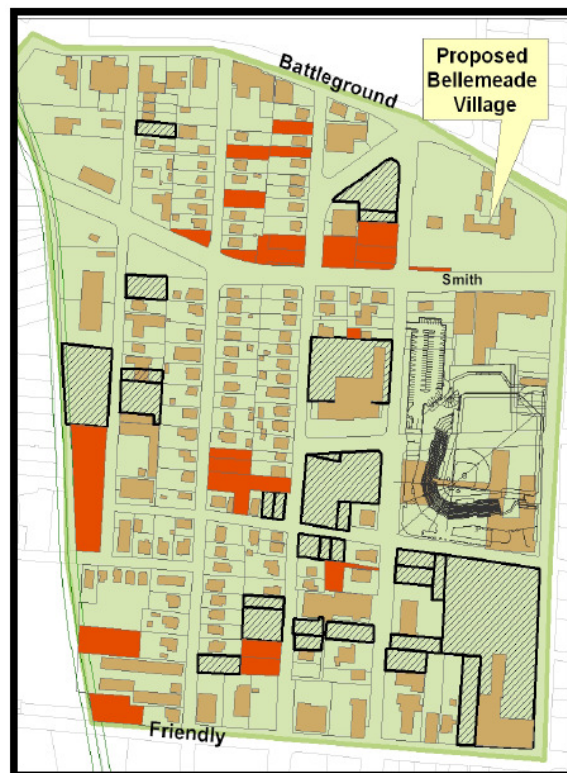
## APPENDIX C – CEDAR STREET NEIGHBORHOOD

**Table 1. Cedar Street Neighborhood Zoning Districts**

Zoning Districts	Square Footage	Percentage of Total Area
Light Industrial (LI)	911,312	29%
Multi Family (RM-26)	841,227	26%
General Office (GO-H)	568,724	18%
Central Business (CB)	467,821	15%
General Business (GB)	271,937	9%
Light Industrial, Conditional Use (CU-LI)	27,562	1%
General Office, Conditional Use (CU-GO-M)	44,007	1%
General Business, Conditional Use (CU-GB)	7,870	>1%
Single Family (RS-7)	10,478	>1%

Source: Greensboro Department of Housing and Community Development

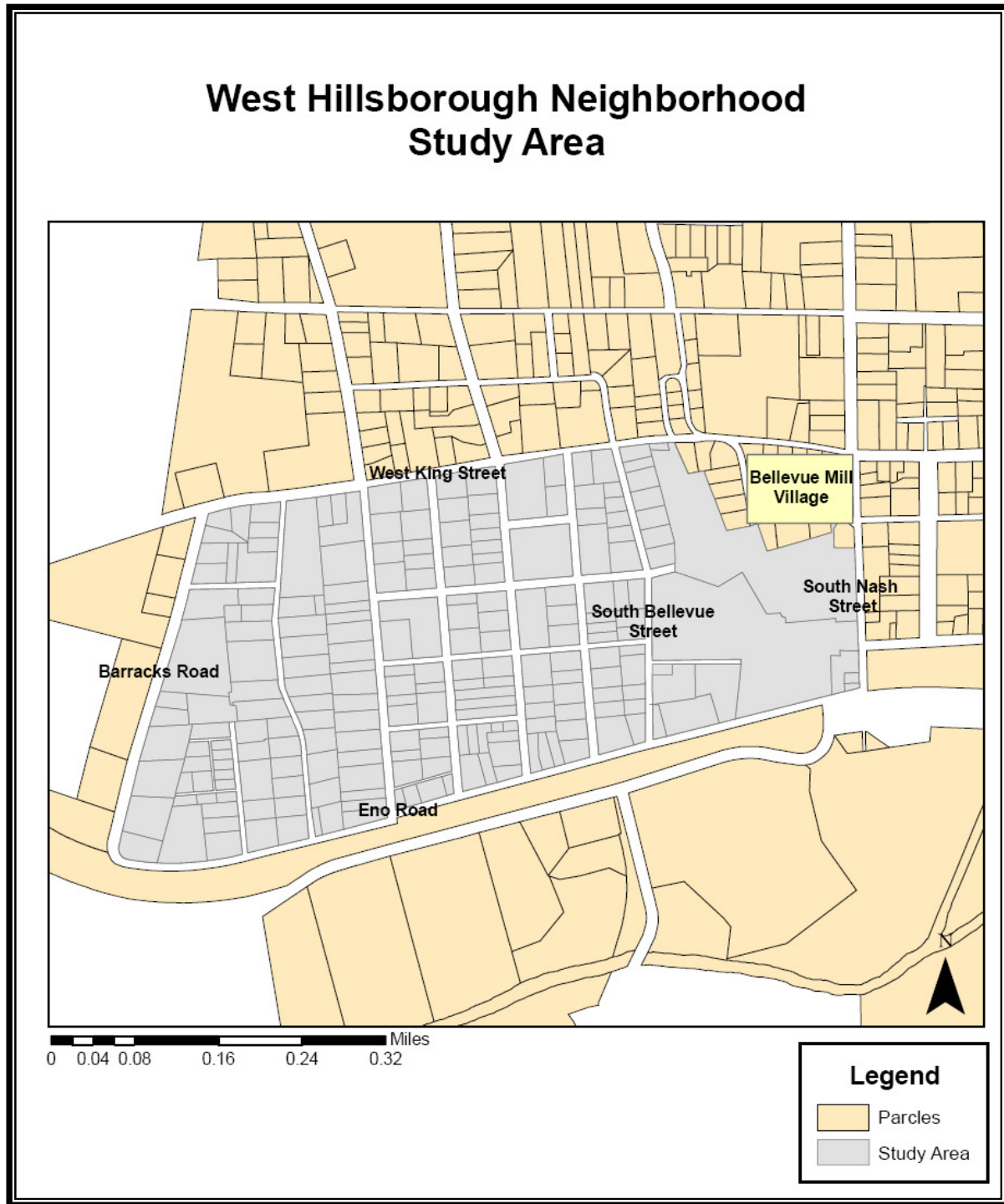
**Figure 2. Vacant Land and Parking Lots in the Cedar Street Study Area**



Source: Greensboro's Department of Housing and Community Development

## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

Figure 1. West Hillsborough Neighborhood Study Area



Source: Block Group 2000 Census

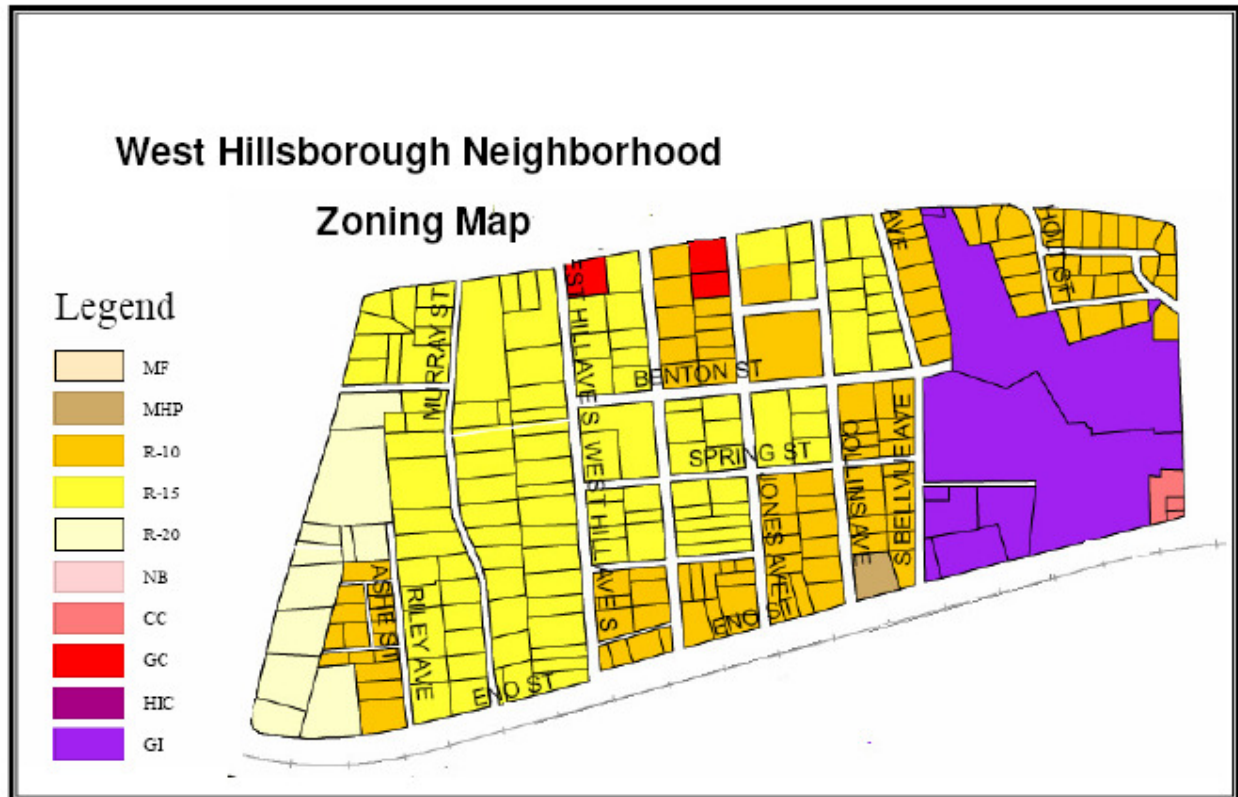
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

**Table 1. Demographic Overview**

<b>West Hillsborough Neighborhood</b>	
<b>Source: 2004 US Census</b>	
Population	469
White	96%
Black	1%
Other	3%
Age (< 21)	29%
Age (22-39)	28%
Age (40-64)	29%
Age (> 65)	14%
Median Age	39
Total # of housing units	222
# of Households	197
Average Household Size	2.4
Vacant	11%
Owner Occupied	49%
Renter Occupied	40%
Land Area	126 acres

## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

### Figure 2. Zoning of West Hillsborough Neighborhood



Source: <http://www.hillsboroughnc.org/vertical/Sites/{D029A55F-4C18-4300-8FE2-8AE51577DE8C}/uploads/{57BA23DB-62C6-4A7E-9200-F82520E8F88E}.JPG>

## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

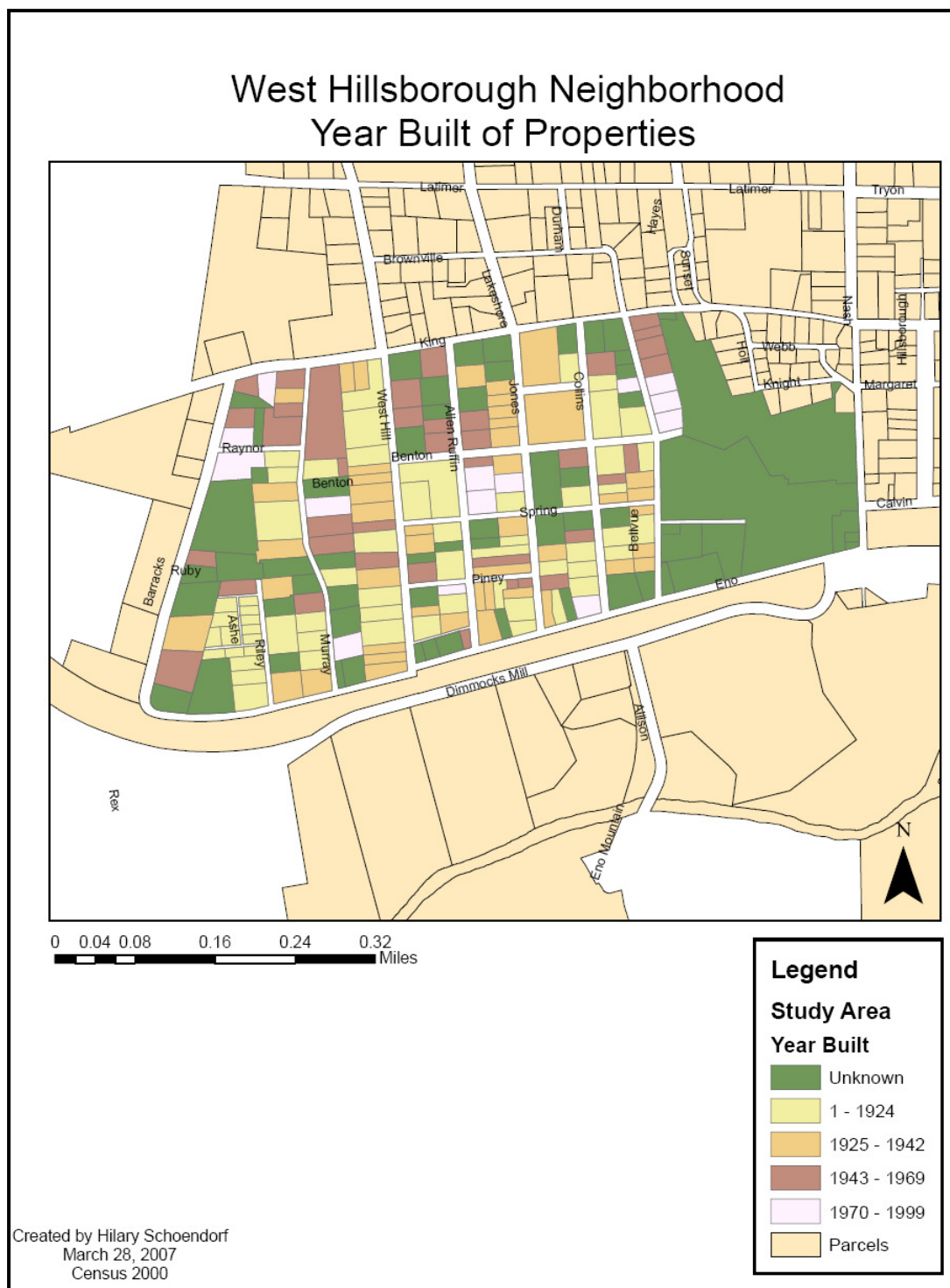
Figure 3. Historic Properties





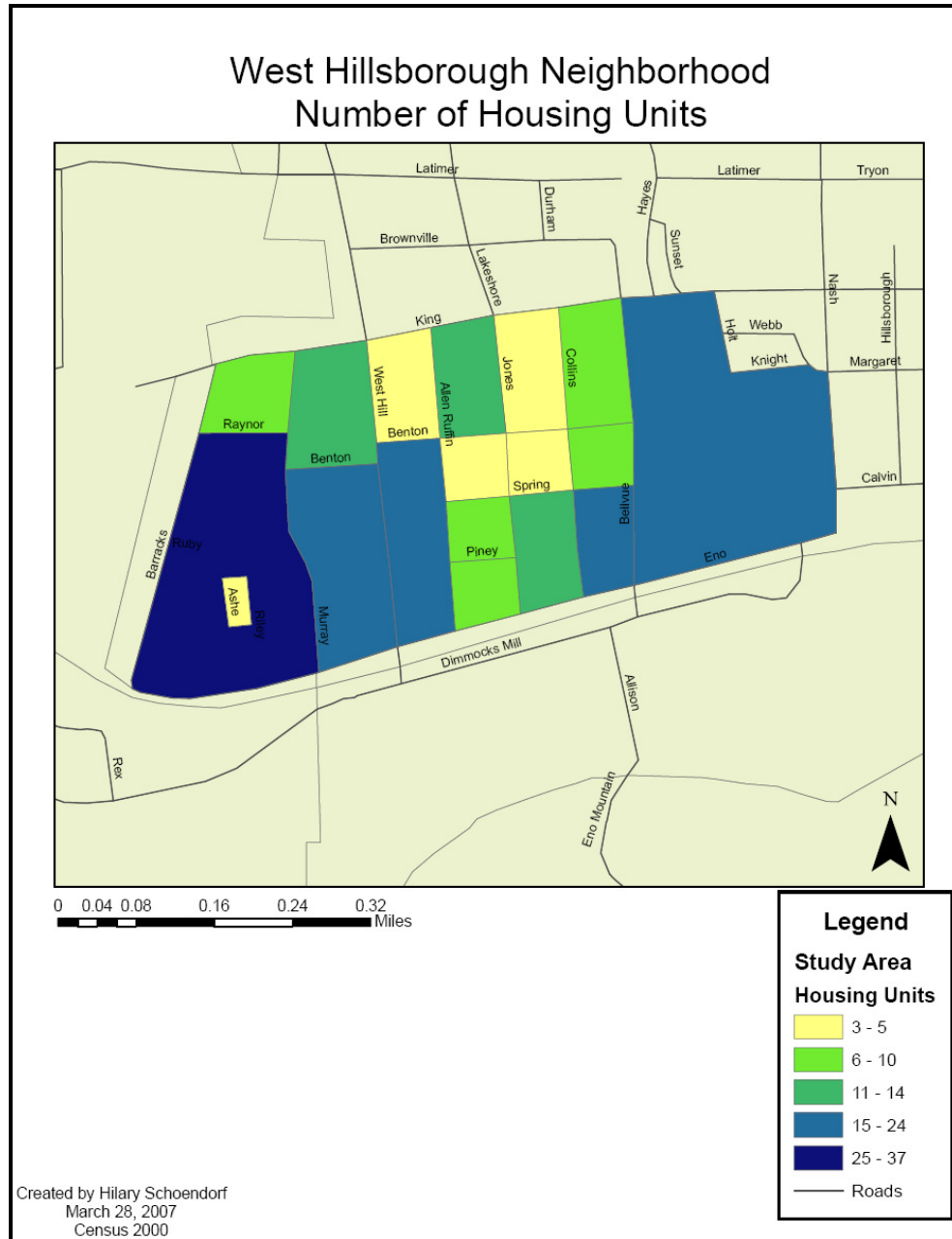
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

Figure 4. Year Built of Properties



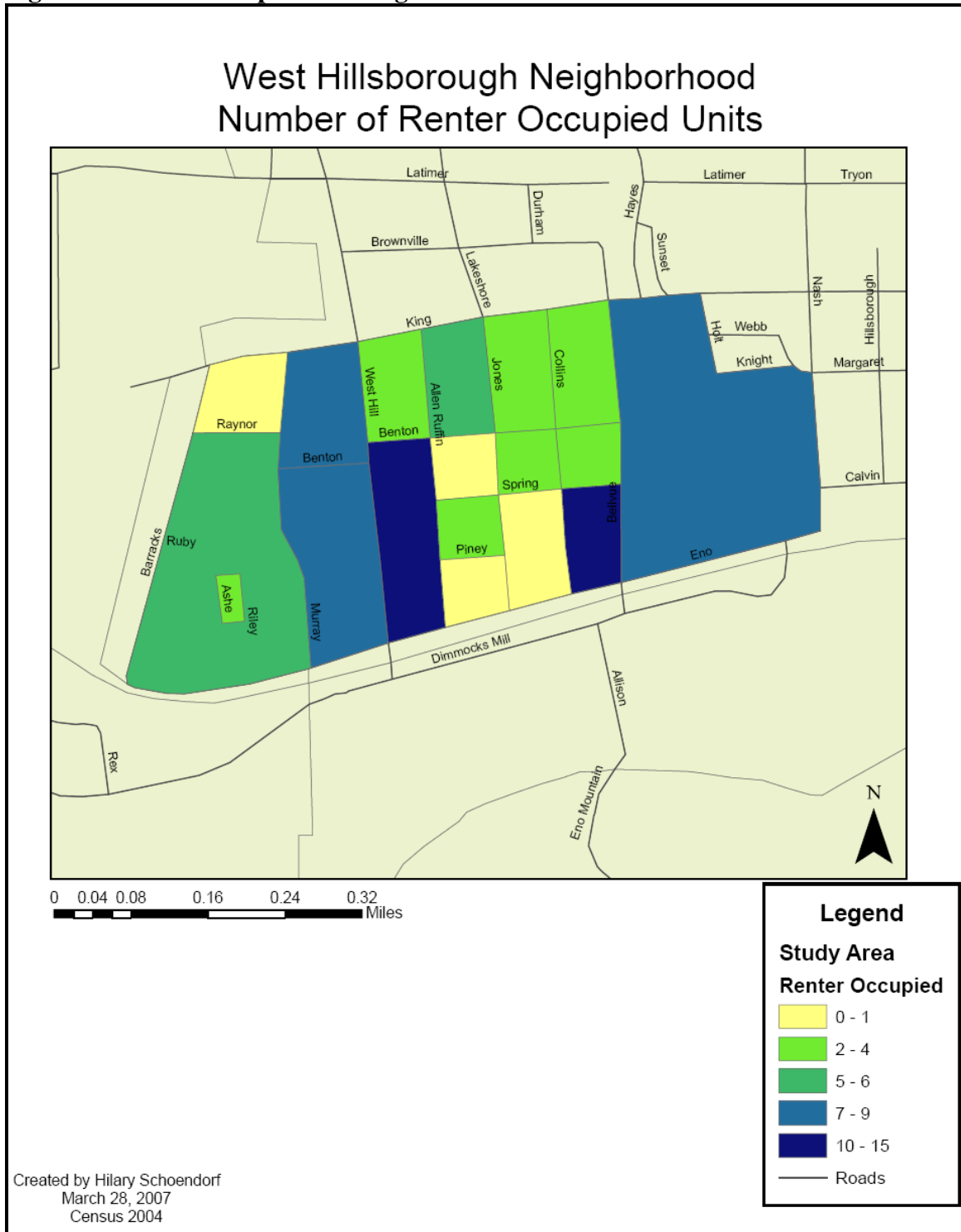
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

**Figure 5. Number of Housing Units**



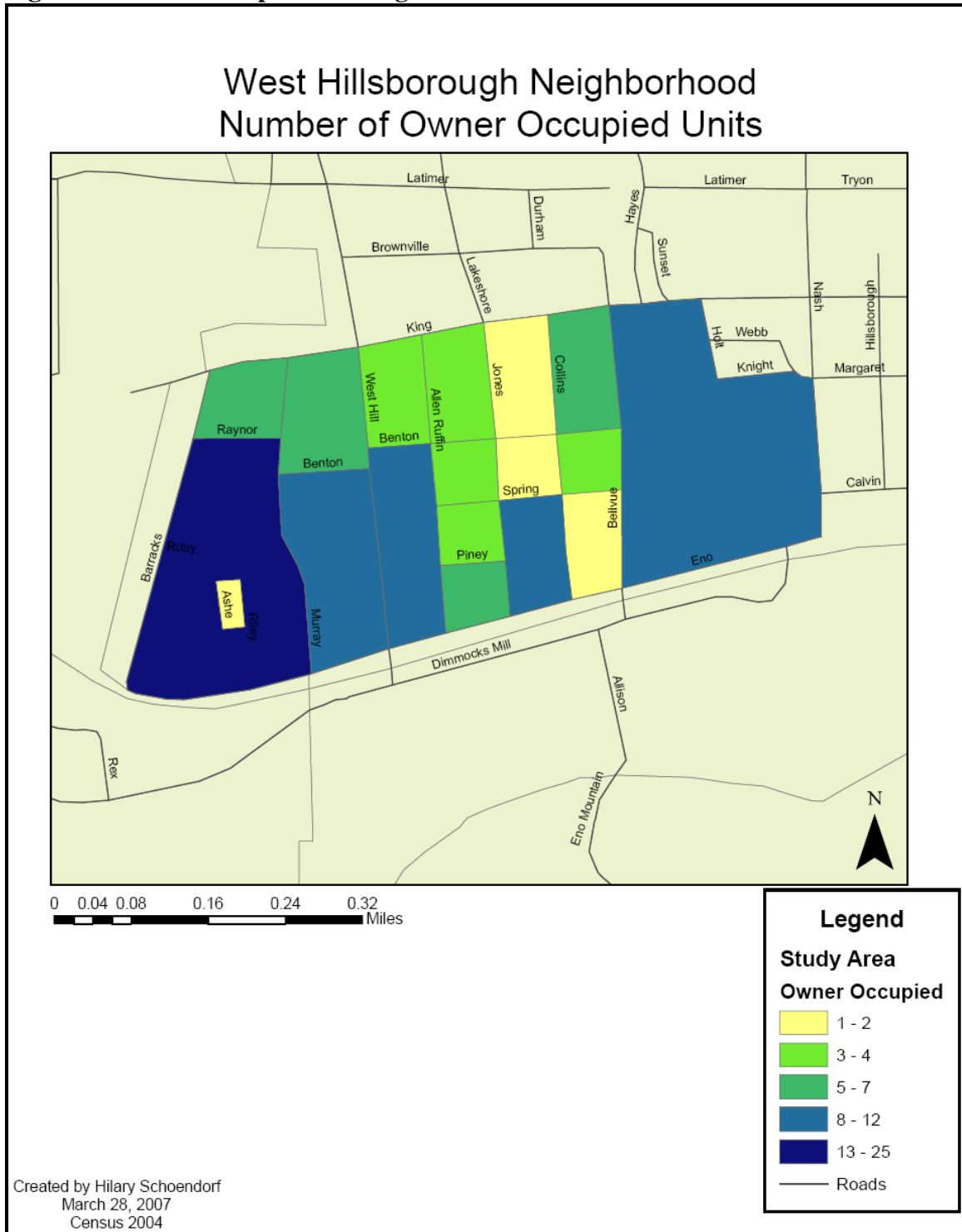
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

**Figure 6. Renter Occupied Housing Units**



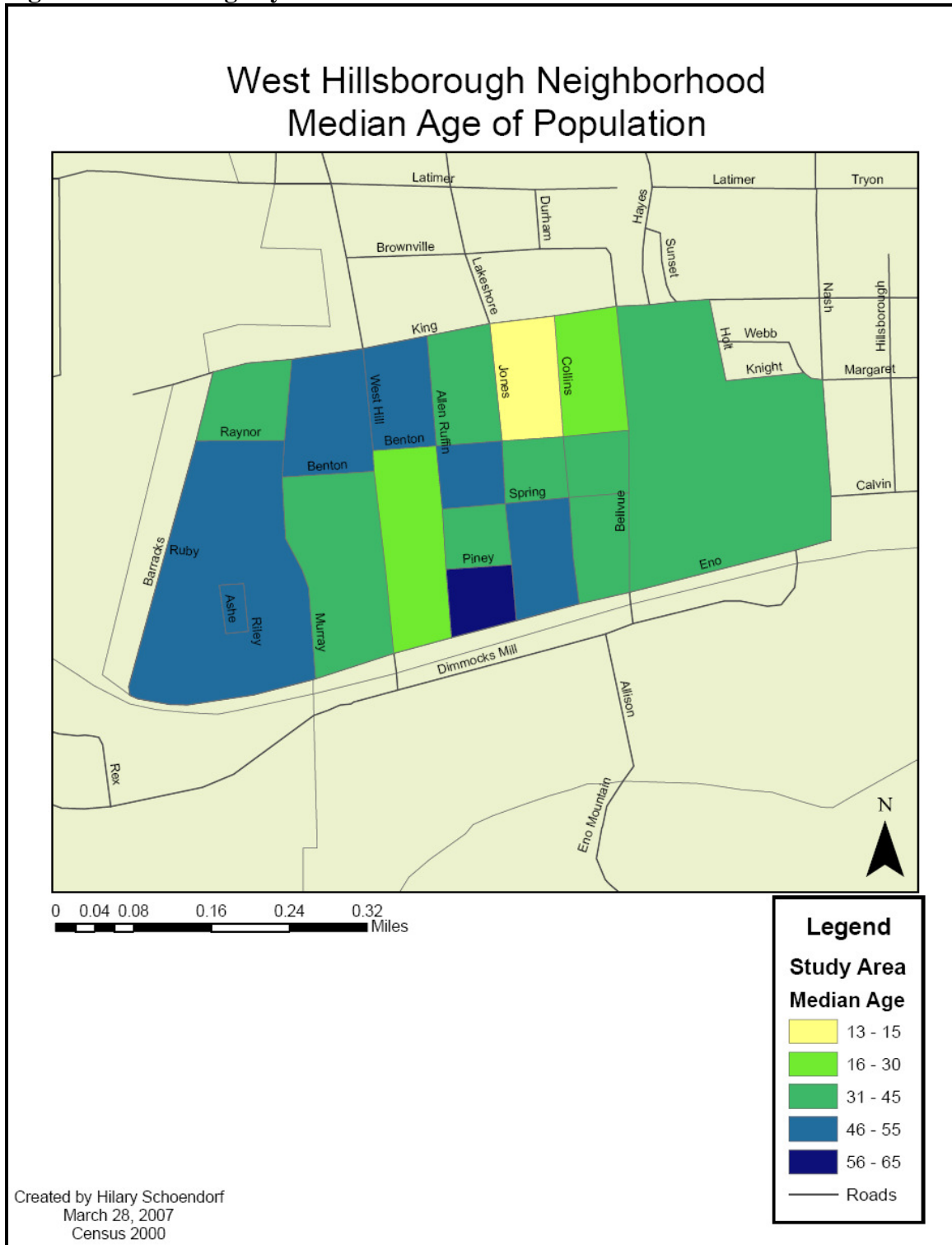
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

Figure 7. Owner Occupied Housing Units



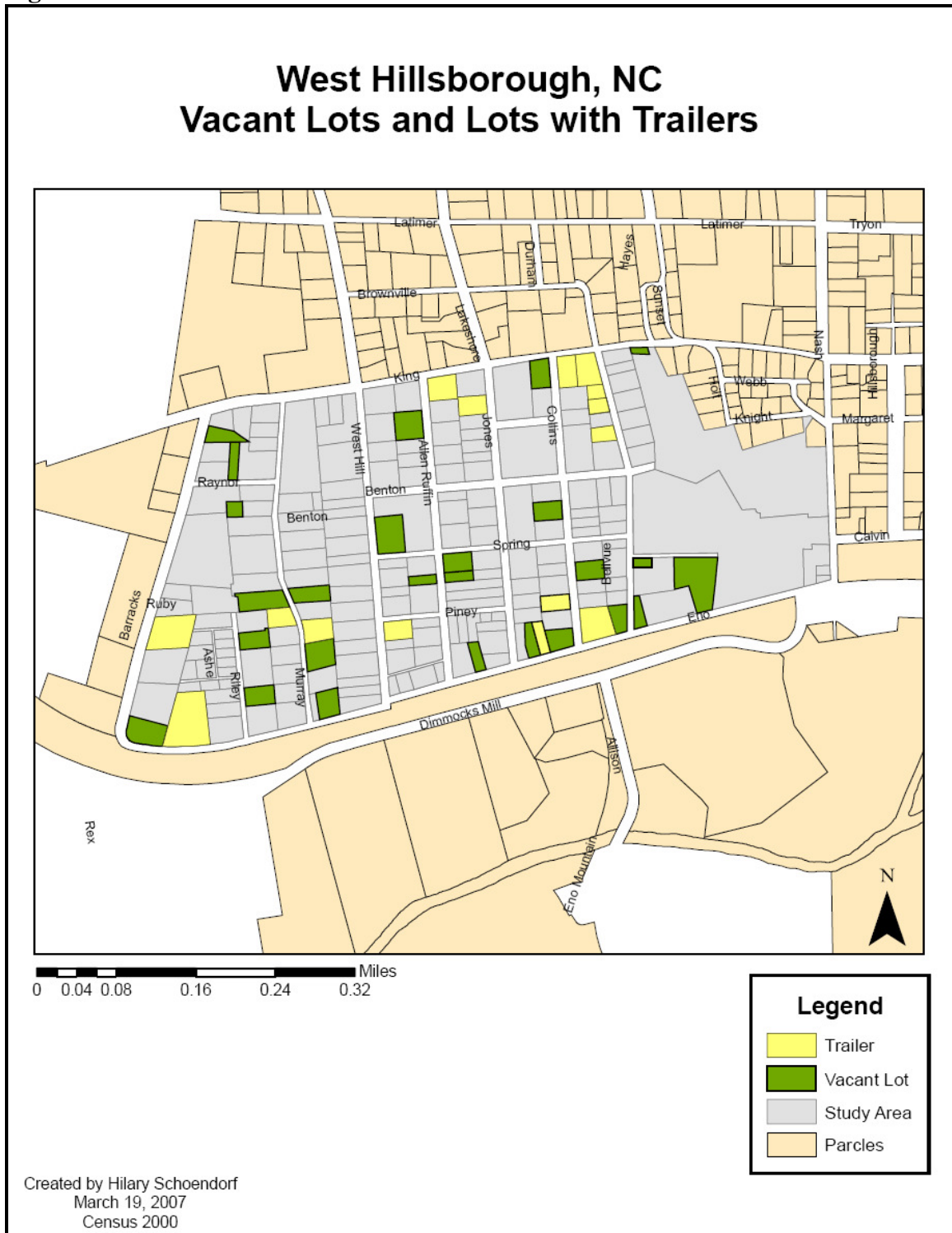
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

Figure 8. Median Age by Census Tract



## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

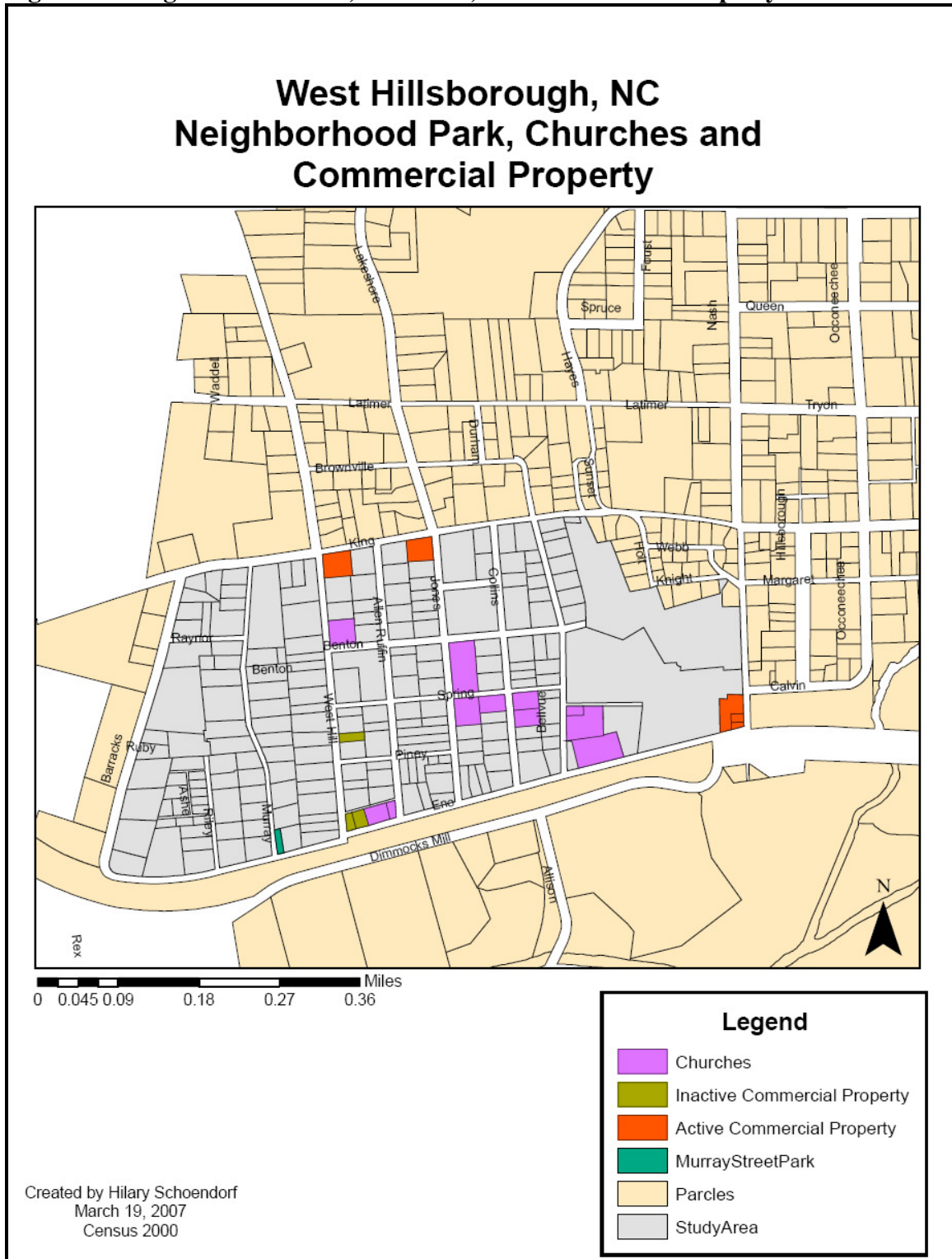
Figure 9. Vacant Lots and Trailers





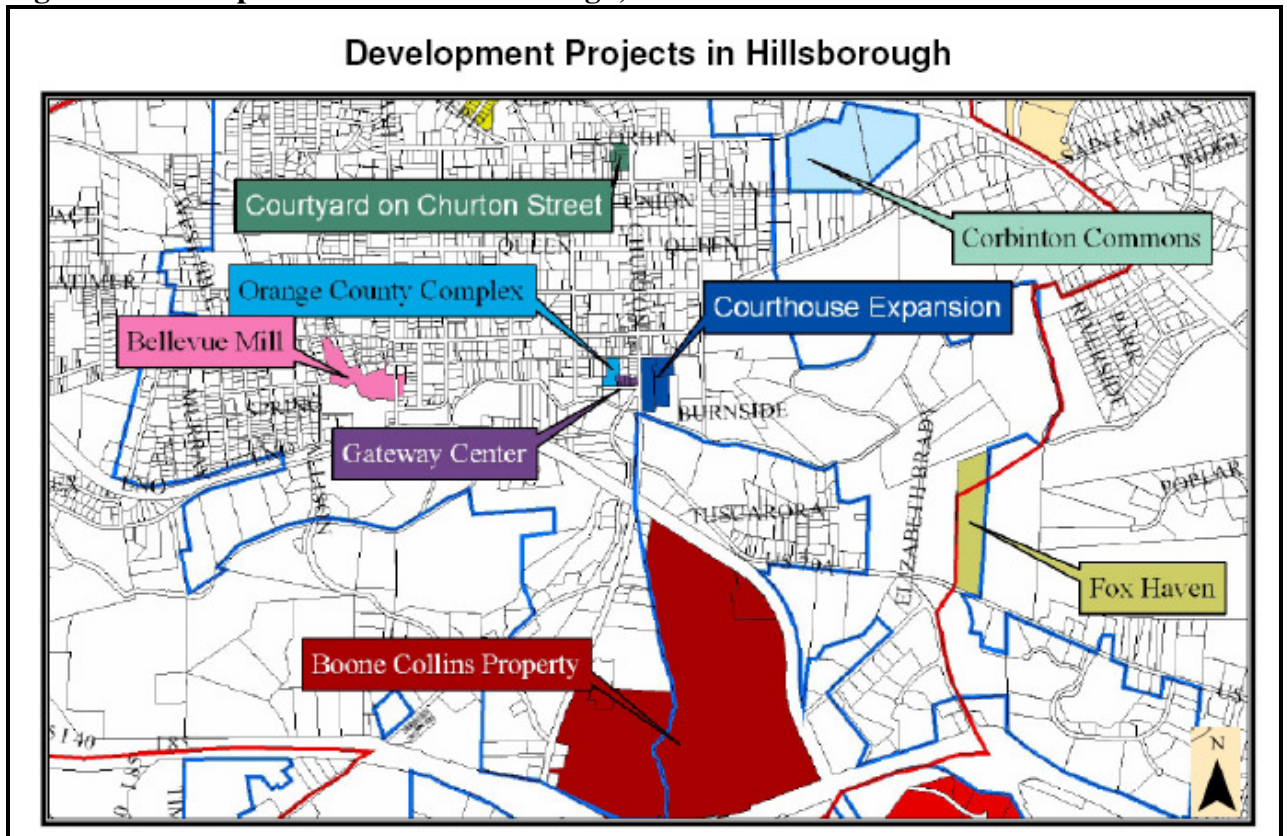
## APPENDIX D – WEST HILLSBOROUGH NEIGHBORHOOD

Figure 10. Neighborhood Park, Churches, and Commercial Property



## APPENDIX E – TOWN OF HILLSBOROUGH

Figure 1. Development Sites in Hillsborough, NC

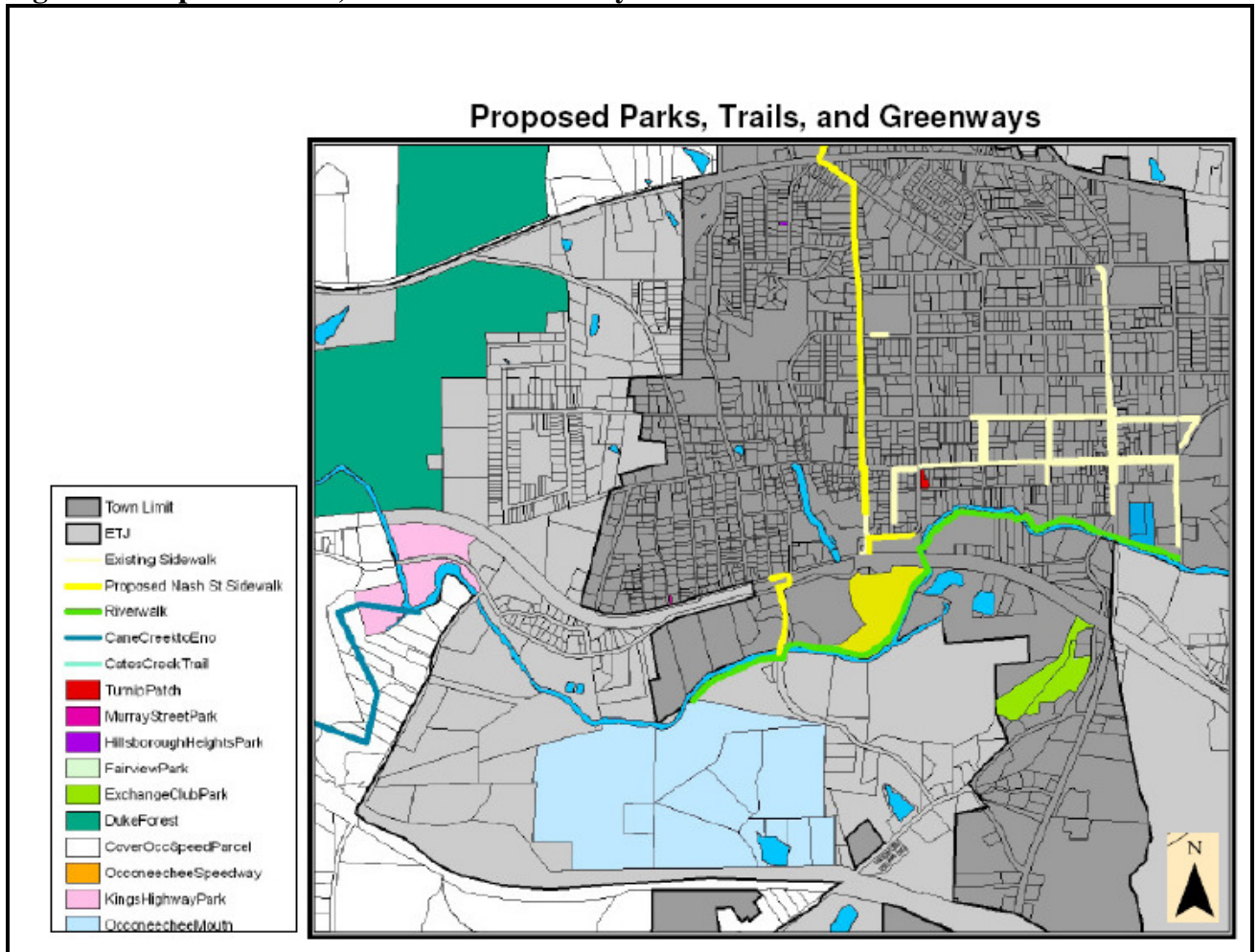


Source: Hillsborough Planning Department



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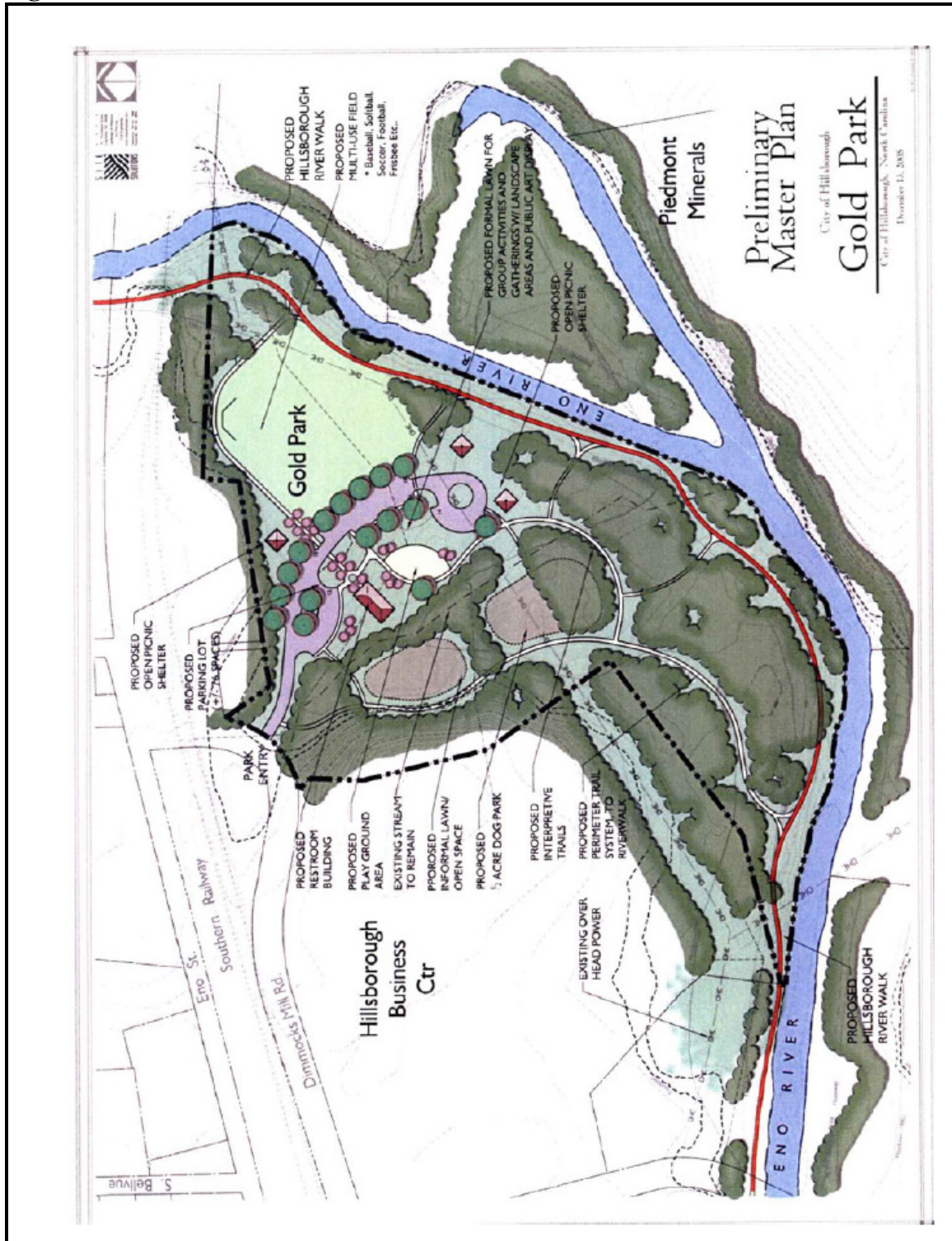
Figure 2. Proposed Parks, Trails and Greenways



Source: Hillsborough Planning Department

## APPENDIX E – TOWN OF HILLSBOROUGH

Figure 3. Gold Park

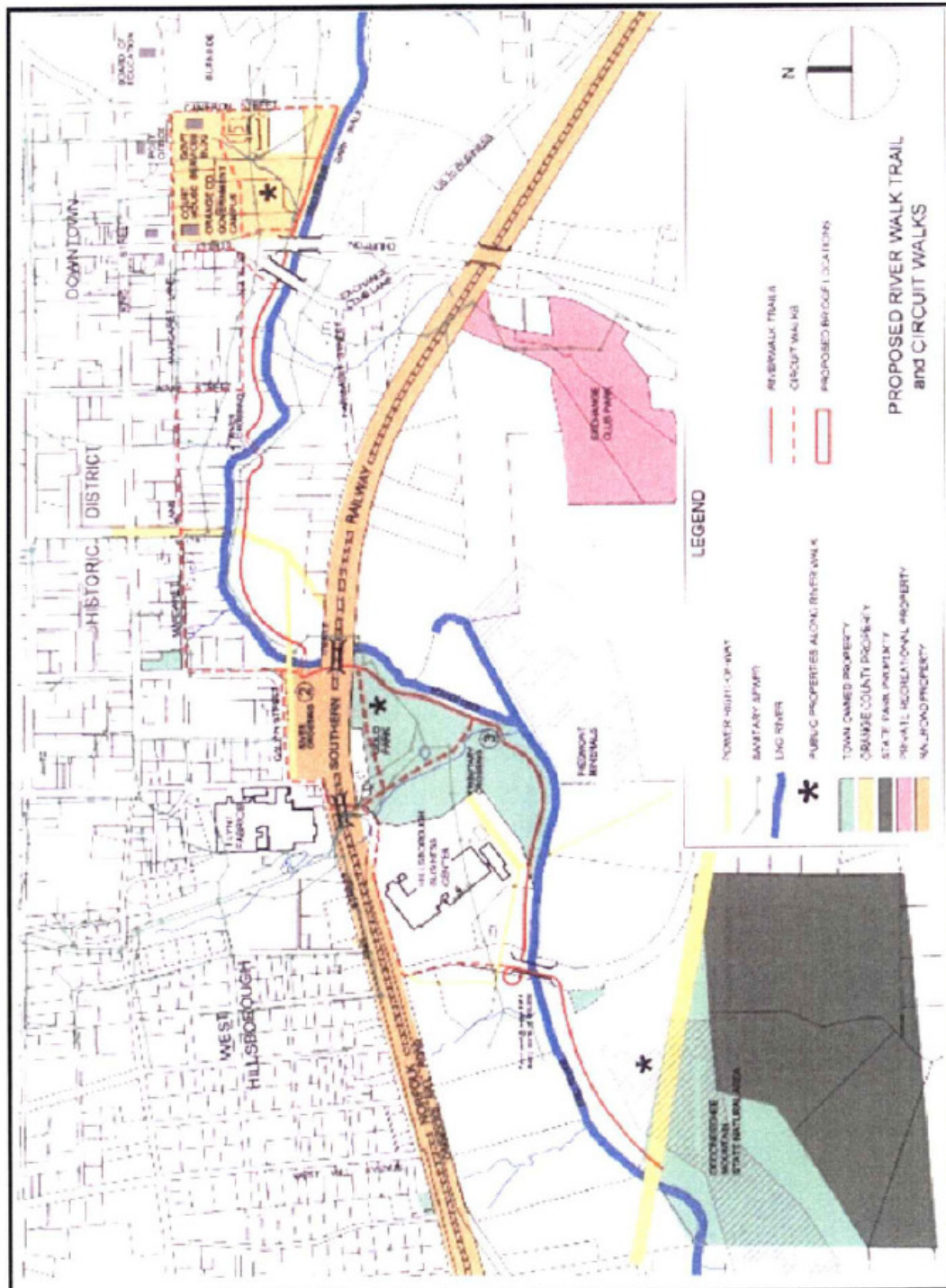




Source: Amended Final Transportation Impact Study For the Bellevue Mill Development. Prepared by WilBur Smith Associates.

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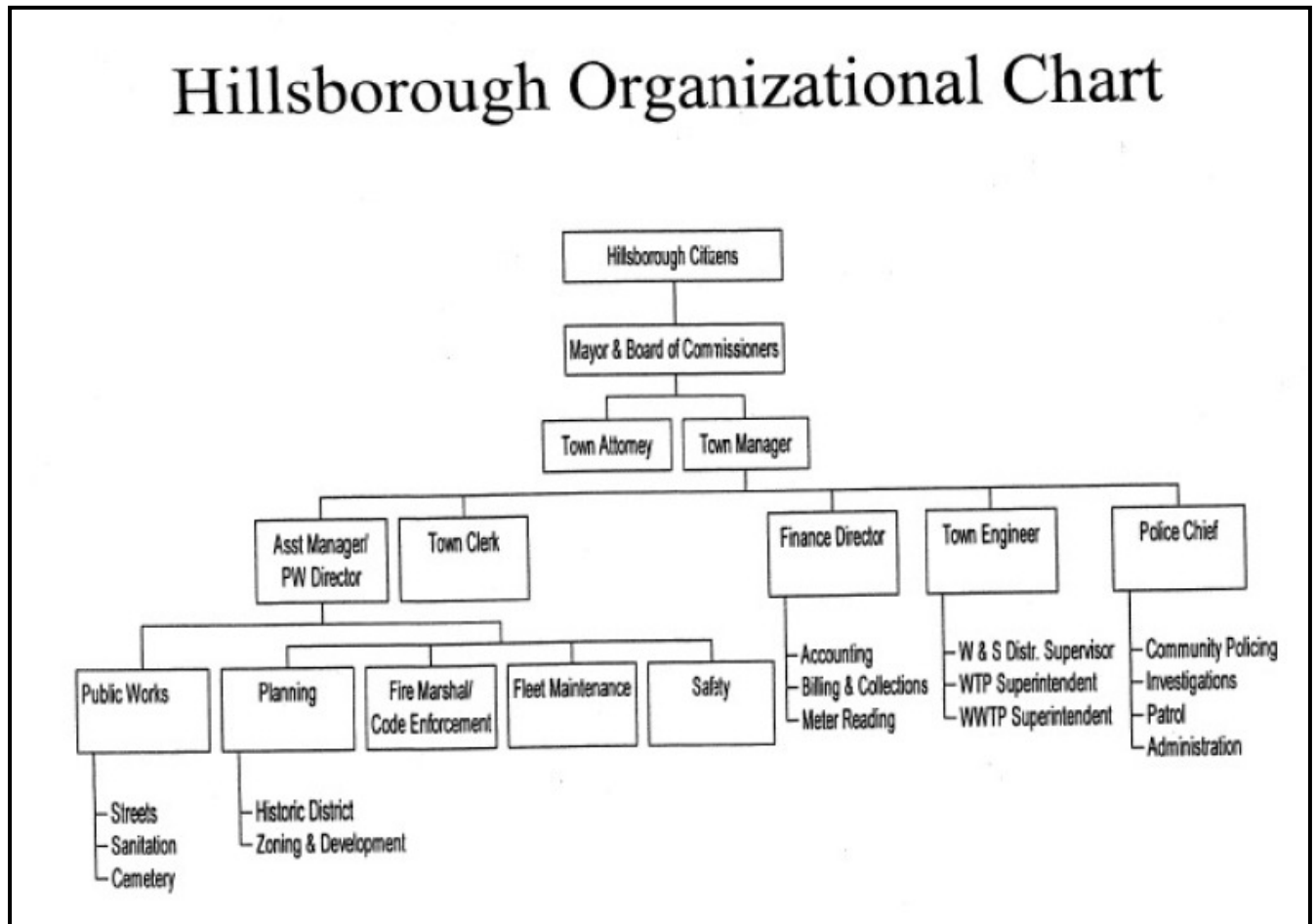
Figure 4. River Walk



Source: Amended Final Transportation Impact Study For the Bellevue Mill Development. Prepared by WilBur Smith Associates.

## APPENDIX E – TOWN OF HILLSBOROUGH

Figure 5. Hillsborough's Governmental Structure



Source: Comprehensive Annual Financial Report. (2006, June). Town of Hillsborough, NC.

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<sup>161</sup> Ibid, 5.

<sup>162</sup> Ibid.,6.

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