



Z-08-04-001

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

**Zoning Commission Hearing Date: April 14, 2008**

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jerone Pearson for Chatoyancy LLC.
<b>HEARING TYPE</b>	Zoning Commission
<b>ZONING REQUEST</b>	<b>County AG</b> (Agriculture), <b>County RS-30</b> (Residential Single-Family) and <b>City CD-RS-9</b> (Conditional District-Residential Single Family) to <b>CD-RM-12</b> (Conditional District- Residential Multi-Family)
<b>CONDITIONS</b>	<ol style="list-style-type: none"><li>1) Permitted Uses: All uses allowed in the CD-RM-12 zoning district <b>except</b> agricultural uses, residential uses requiring development standards and all uses requiring special use permits.</li><li>2) Access will be limited to two access points on Summit Avenue.</li><li>3) A maximum of one access point on Hicone Road meeting DOT alignment standards.</li></ol>
<b>GFLUM</b>	<b>Low Residential to Moderate Residential</b>
<b>LOCATION</b>	5205 Summit Avenue , generally described as north of Hicone Road and west of Summit Avenue
<b>TAX MAP ID NUMBER (S)</b>	<b>007-03-0140-0-0506-S -005</b> <b>07-03-0140-D-0525-S -010</b> <b>000-03-0140-C-0525-S -021 (portion of)</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-9-1.2 of the City Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 65 notices were mailed to those property owners in the mailing area.

<b>TRACT SIZE</b>	~20.04 Ac.
<b>TOPOGRAPHY</b>	Significant topography with stream channels
<b>VEGETATION</b>	Heavily wooded with stream channels

**SITE DATA**

<b>Existing Use</b>	Undeveloped
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N County AG (Agriculture)	Heavily wooded (Undeveloped)
E County RS-30 (Residential single-Family)	Single-Family residential units
W County AG (Agriculture)	Single-Family residential units
S County CU-RS-30-MH (Conditional Use-Residential Single-family and City CD-RS-9 (Conditional District-Residential single-Family)	Single-Family residential units

**Zoning History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
3405	2005	The southern part of this property was rezoned to City CD-RS-9 in 2005. The northern portion still remains in the County and zoned Agriculture.

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CO-AG)	Existing (CD-RS-9)	Requested (CD-RM-12)
Max. Density:	Not Applicable	4 dwelling units per acre	12 dwelling units per acre
Typical Uses	Primarily intended to accommodate uses of an agricultural nature including farm residences and farm tenant housing. It also accommodates scattered non-farm residences on large tracts of land	Primarily intended to accommodate high density and single-family detached dwellings in developments where public water and sewer service is required	Primarily intended to accommodate multifamily uses

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

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation - NA**

**Environmental/Soils**

Water Supply Watershed

No, Site drains to North Buffalo Creek

Floodplains

Site is not in a regulated floodplain. City ordinance requires on all perennial and intermittent streams a non encroachment area on each side of the stream (30' or 5 times the width of the channel) measured from centerline of the stream. 100 yr base flood elevation must be obtained.

Streams

Blue line streams and any other perennial streams require a 50' buffer measured from (whichever produces a greater buffer) top of bank, top of steep slope or edge of contiguous wetland. The first 15' must remain undisturbed, next 35' built upon area of 50% and no occupied structures are allowed.

Other: Possibility of wetlands. Any wetland disturbance and or stream crossing disturbance must be permitted by the State and the Corps of Engineers prior to any disturbance.

**Airport Noise Cone**

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

**Landscaping Requirements -**

Location

**Required Planting Yard Type and Rate**

North

Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100' (abutting the existing Single Family use on the adjoining properties).

South

Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100' (abutting the existing Single Family use on the adjoining property) **AND A** Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100' (along the public street in the adjoining development to the south).

East

Street Yard - minimum width 8'; 2 canopy tree per 100', 17 shrubs per 100' (along Summit Ave.) **AND A** Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100' (abutting the existing Single Family use on the adjoining properties).

West

Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'

**Tree Preservation Requirements  
Acreage**

**Requirements**

20.04 All trees 4" or greater DBH which are located within the required planting yards or within 25' of the side and rear property line, whichever is greater

**Transportation**

Street Classification	Summit Avenue – Major Thoroughfare, Hicone Road – Major Thoroughfare.
Site Access	Two proposed to Summit Avenue and one proposed to Hicone Road. All access(s) must be designed and constructed to the City of Greensboro and/or NCDOT standards.
Traffic Counts:	Summit Avenue ADT = 7,500 (NCDOT 2006).
Trip Generation:	24 Hour = 1,351, AM Peak Hour = 104, PM Peak Hour =124.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 6' sidewalk with a 4' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There are no funded sidewalk projects in the area.
Transit in Vicinity	No.
Traffic Impact study (TIS)	Yes required per TIS Ordinance. Please see the end of this staff report for the TIS Executive Summary.
Street Connectivity	N/A.
Other	N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **CD-RM-12** zoning would allow land uses that are compatible with the existing development in the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Low Residential**. The requested **CD-RM-12** zoning district is inconsistent with this GFLUM designation and an amendment has been requested.

## Connections 2025 Written Policies

*Growth at the Fringe Goal:* Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

*POLICY 4G.1:* Promote compact development.

*POLICY 5A.4:* Require land dedication along designated streams at the time of development.

*Housing and Neighborhoods Goal:* Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

*POLICY 6C:* Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

## Connections 2025 Map Policies

### Existing:

*Low Residential (3-5 d.u./acre):* This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within this density range. Although there are some existing residential areas in the City developed on lots greater than 1/3 acre, future residential developments and "conventional" subdivisions should generally maintain a gross density of no less than three dwellings per acre, except where environmental constraints (e.g., the Watershed Critical Area) prevent such densities from being achieved. Compact developments that include clustered, small lots with substantial retained open space are encouraged.

It appears that there is a drainageway crossing on the western edge of this site that is depicted on the City's "Drainageway and Open Space" map. When this site is subdivided, the Subdivision Ordinance will require the dedication of those areas to the City of Greensboro as drainageway and open space. The width of the dedication along that drainageway will depend on the size of the pipe it would take to cross said drainageway. If a crossing would require a 66-inch or greater pipe, the required dedication would include the land between the natural one-hundred-year flood contour lines as determined by the City. That area may be reduced in width by filling provided that a minimum average width of two hundred feet is maintained, a minimum width of one hundred feet is maintained at the narrowest point, no fill is placed within a designated floodway and no slope greater than three to one is created. Article VII, Section 27-22 Stormwater management control requirements, and federal wetlands regulations will prohibit or restrict fill placement in certain locations. If the crossing would require a pipe smaller than 66-inches the minimum average width would be sixty feet.

### Proposed:

*Moderate Residential (5-12 d.u./acre):* This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings

such as townhomes to moderate density, low-rise apartment dwellings.

**Comprehensive Plan Amendment History**

<b>Case #</b>	<b>Date</b>	<b>Request Summary</b>
N/A	N/A	N/A

**Applicant Stated Reasons for Request**

**Explain in detail why the change is needed and a justification for such a change:**

Site proposed for change is part of larger development that will eventually include commercial, single family residential and multifamily residential uses. Multifamily component would be of a higher density than allowed under the current designation.

**Explain in detail the conditions that you think may warrant a Plan Amendment (i.e. unforeseen circumstances or the emergence of new information, unanticipated changes in development pattern, rezonings, transportation improvements, economic opportunities, changes in socioeconomic conditions, etc.):**

Site constraints such as topography and the presence of perennial streams and utility easements have reduced the buildable portions of this site. Allowing higher density development will encourage preservation of sensitive areas and more effective use of this property.

**COMPREHENSIVE POLICY PLAN ANALYSIS**

**Need for Proposed Change**

As part of a larger overall development plan, the applicant intends to build multifamily residences on this site that exceed the permitted density under the existing future land use classification of Low Residential (3-5 units/acre). As such an amendment to the Generalized Future Land Use Map to Moderate Residential (5-12 units/acre) was requested.

This site is located on the northeastern edge of the city, just north of an eventual section of the urban loop. The general land use pattern is Low Residential with scattered single family detached residences on larger lots and very limited commercial and service uses, primarily at Hicone Road and Summit Avenue. However this site is currently undeveloped and includes several perennial streams and difficult topography that would not lend itself well to typical Low Residential development. An increase in allowable density could add needed flexibility to work more easily with existing topography and preserve appropriate stream buffers. With the eventual opening of the urban loop in this area, though a few years off, the potential for varying types of residential appears appropriate. As the most established single family residential patterns in this area appear to lie east of Summit Avenue, development for other types of residential uses on the west side of Summit Avenue also has merit.

**Effect of the proposed Change on the Need for City Services and Facilities (e.g. roadway level of service)**

City services are currently available to this site and applicant will extend Hicone Road to enhance eventual access to the urban loop.

### **Implications, if any, the Amendment may have for Other Parts of the Plan**

As the area being requested for change contains a number of scattered single family residences on varying lot sizes, the potential for additional multi-family development in this area is great if this request is approved. Care will be needed to ensure adequate facilities are in place for more intense future development and that potential negative impacts on existing residences are minimized.

### **Unforeseen Circumstances or the Emergence of New Information (e.g. significant economic opportunity in Tier 2 or 3) – N/A**

The eventual opening of a segment of the urban loop in this area encourages the introduction of more intense residential uses, so long as adequate infrastructure is readily available.

## **PLANNING BOARD COMMENTS**

The Planning Board met on March 19, 2008 and made the following comments concerning this request:

- Topography in this area (streams and significant slopes) support higher intensity residential development to limit negative impacts on the site
- Higher intensity development could be premature in this area as the nearby section of the urban loop will not be constructed for some time

## **CONFORMITY WITH OTHER PLANS**

**City Plans - N/A**

**Other Plans - N/A**

### **Staff/Agency Comments**

#### **Planning**

The subject site currently consists of heavily wooded lots with significant topography. To the east, west and south of the subject site are single-family residential units including mobile homes. North of the subject parcel are large undeveloped parcels which are heavily wooded.

This area of the City is generally developed with single-family residential units. In the general vicinity are a few mobile home parks and some commercial establishments. The proposed conditional zoning district would allow for consideration of multi-family residential development of up to 12 dwelling units per acre.

This rezoning request if approved will help promote a diverse mix of housing types, and densities in the general area which will meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities. It will also ensure sound and sustainable patterns of land use, limit sprawl and provide for the efficient provision of public services and facilities as the City expands.

Staff has made a determination that this request is consistent with the intent and

purpose of the zoning code and will be consistent with the requested Moderate Residential Generalized Future Land Use designation. Staff is also of the opinion that the request is compatible with the existing development in the surrounding neighborhood.

**Water Resources**

No additional comments

**Housing and Community Development**

This proposal may result in negative impacts on the existing adjacent residential development. These impacts could be reduced by adding a condition to include appropriate buffering along affected property boundaries.

**STAFF RECOMMENDATION**

**PLANNING**

Staff recommends **approval** of the requested **CD-RM-12** (Conditional District-Residential Multi Family-12) zoning district.

**TIS Executive Summary**  
**Report prepared by John Davenport Engineering, Inc.**

**5205 Summit Avenue Residential Development – Traffic Impact Analysis**  
**Prepared for Chatoyancy, LLC**  
**February 13, 2008**

**Executive Summary**

At the request of the developer, *Chatoyancy, LLC* our firm *John Davenport Engineering, Inc. (JDE)* has performed a traffic impact analysis for the proposed residential development to be located at 5205 Summit Avenue in Guilford County, NC. This site is in northeast Greensboro on Summit Avenue between Hicone Road and Scott Road, less than a mile east of US 29. The developer of this project proposes to build approximately 240 residential townhomes. The site plan shows two full site accesses on Summit Avenue and one full access on Hicone Road directly opposite Selene Drive (Figure 1). This traffic impact analysis summarizes the existing traffic conditions, as well as the projected traffic impact associated with this project. The analysis year for this project was assumed to be 2010. The AM and PM peaks were analyzed.

The Greensboro Department of Transportation (GDOT) was contacted to obtain background information and to ascertain the elements to be covered in this Traffic Impact Analysis (TIA). Information regarding the property was provided by *Chatoyancy, LLC*.

The Institute of Transportation Engineers (ITE) Trip Generation Software was utilized to project trips for this development. It is expected that this development will generate a total of 1,351 vehicle trips per day with an AM peak of 104 and a PM peak of 124.

Currently, there is one approved development that will have an impact on the study intersections. The site traffic from this development was included in this study. The following table shows details on approved development.

<b>Table: Approved Developments</b>			
<b><u>Project</u></b>	<b><u>Type</u></b>	<b><u>Scope</u></b>	<b><u>TIA</u></b>
Pearson Residential Development	Residential	1,352daily trips – 103 during AM peak – 138 during PM peak	JDE

The following table represents the summary of the level of service analysis for the existing; future no-build, and future build scenarios

LOS Table					
	Scenario	Hicone Road @ Summit Avenue	Selene Drive / Access C @ Hicone Road	Access A @ Summit Avenue	Access B @ Summit Avenue
AM Peak	2008 Existing	B (12.4)			
	2010 Future No-Build	B (14.3)			
	2010 Future Build	B (16.2)	A (9.6) SB Approach	B (10.2) EB Approach	B (10.4) EB Approach
PM Peak	2008 Existing	B (10.9)			
	2010 Future No-Build	B (14.7)			
	2010 Future Build	B (18.0)	B (10.2) SB Approach	A (9.9) EB Approach	A (9.9) EB Approach
LOS (delay in seconds)					

### Recommendations

Recommendations for improvements to intersection lane geometry in order to address the impacts of this project on intersections in the study area are summarized in recommendation table. The existing and recommended lane geometry at the study intersections is shown in Figure 8.

### Recommended Improvement Summary Table

Hicone Road @ Summit Avenue (Unsignalized)	Our analysis indicates this intersection will operate under acceptable LOS at both peaks hence no capacity improvements are necessary. The developer proposes to utilize this roadway as one of the routes to this development. Our on-site observations indicate Hicone Road is currently a dead end and intersects Summit Avenue with a left-offset. It is recommended that this section of Hicone Road should be constructed to City of Greensboro Standards and re-aligned to eliminate the left offset configuration.
Access A @ Summit Avenue (Unsignalized)	Our analysis indicates that this intersection will operate under acceptable LOS. However our turn lane analysis warrants a 100-foot northbound left turn lane on Summit Avenue. This will provide storage for the queuing traffic waiting to turn left into the site and ensuring overall safety into the site.
Access B @ Summit Avenue (Unsignalized)	None recommended. Based on the results of this TIA, the intersection of Access B and Summit Avenue is expected to operate at a satisfactory level of service during both the A.M. and P.M. peak.
Access C / Selene Drive @ Hicone Road (Unsignalized)	None recommended. Based on the results of this TIA, the intersection of Access C and Hicone Road is expected to operate at a satisfactory level of service during both the A.M. and P.M. peak.

### Summary and Conclusion

This analysis has been conducted based on the scope given by the City of Greensboro Department of Transportation. Our analysis indicates all of the study intersection will function at a level of service (LOS) B or better under the 2010 conditions with this development traffic.

We have made recommendations on turn lane improvements on Summit Avenue in order to provide storage for the queuing traffic waiting to turn left into the site and realigning of the eastbound leg of the intersection of Summit Avenue and Hicone Road to eliminate left offset configuration.

In conclusion, the construction of this development should have minimal impact on the surrounding area.