



Z-11-11-004
Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: November 14, 2011

GENERAL INFORMATION

APPLICANT	Frank Auman for SSP Properties, LLC.
HEARING TYPE	Rezoning
REQUEST	CD-C-M (Conditional District- Commercial-Medium) to CD-RM-18 (Conditional District-Residential Multi Family)
CONDITIONS	<ol style="list-style-type: none">1. Uses: Limited to a maximum of 216 multi-family dwelling units and accessory structures.2. The developer shall construct a six-foot opaque fence on or between the southern boundary of that part of the subject site that abuts 921 and 923 Logandale Court and the closest building. If said fence passes through a designated Tree Conservation Area then; either the fence shall be installed by hand without the use of any motorized vehicular equipment or the fence shall be moved into the subject property and placed at the outer edge of the Tree Conservation Area.
LOCATION	3201, 3203, 3207 and 3101-R1 Pleasant Garden Road , generally described as the east side of Pleasant Garden Road, west side of J.M. Hunt Jr. Expressway and the terminus of Industrial Avenue.
PARCEL ID NUMBER(S)	7872187935/7872293036/7872198098/7872295189
PUBLIC NOTIFICATION	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). 24 notices were mailed to those property owners in the mailing area.
TRACT SIZE	~12.34 Acres
TOPOGRAPHY	Undulating
VEGETATION	Residential landscaping and woods in part

SITE DATA

Existing Use		2 single family dwellings and a barn
	Adjacent Zoning	Adjacent Land Uses
N	C-M (Commercial-Medium) and LI (Light Industrial)	Convenience store with fuel pumps and Industrial building
E	County AG (Agriculture)	J.M. Hunt Jr. Expressway
W	LI (Light Industrial)	Medical facility and industrial building
S	CD-RM-18 (Conditional District-Residential Multi Family)	Multi-family dwellings

Zoning History

Case #	Date	Request Summary
3372	07/19/2005	<p>This property was rezoned on July 19, 2005 from HB (Highway Business) and RS-9 (Residential-single family) to CD-HB (Conditional District-Highway Business) with the following conditions:</p> <ol style="list-style-type: none"> 1. All uses in the Highway Business zoning district except the following which shall not be permitted: sexually oriented business, bar, vehicle sales, boat sales, drive-thru restaurants and outdoor advertising signs. 2. Property shall be developed as a neighborhood shopping center not to exceed 53,000 square feet of retail space with central parking and buildings around the perimeter of the property, subject to all applicable development ordinances. 3. Property shall be buffered by a Type B landscape buffer with opaque fencing adjacent to residential properties. 4. All perimeter lighting shall be directed inward to safely light the site at entrance(s), parking and service areas. 5. Access shall be limited to one curb cut on Pleasant Garden Road and shall be subject to GDOT requirements. 6. The shopping center buildings shall be constructed of a brick façade structure on the front of the buildings. 7. Applicant shall leave an undisturbed natural buffer area on the property of an average of a radius of three hundred feet (300') from the eastern corner and an average of one hundred fifty feet (150') from the northern line of the property, except where a stormwater pond or other improvements required under the ordinance are required to be located within such areas.

The HB (Highway Business) zoning designation was subsequently changed to C-M (Commercial-Medium) in 2010 with the adoption of the LDO (Land Development Ordinance).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-C-M)	Requested (CD-RM 18)
Max. Density:	N/A	18.0 dwelling units per acre
Typical Uses	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to accommodate multi-family and similar residential uses.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation – N/A

Environmental/Soils

Water Supply Watershed If site drains to the North & Southwest, site drains to South Buffalo Creek, non-watersupply watershed. If site drains to the East & Southeast, site drains to Lake MacIntosh WSIV watersupply watershed, Little Alamance Creek basin.

Floodplains N/A

Streams Streams must be identified. Once streams are identified and drainage directions are established designated stream buffers will apply. If site drains to Non-water supply Watershed, a 50ft Jordan Buffer will apply for all streams. See City LDO for Jordan Buffer disturbance guidelines. If site drains to Watersupply Watershed, perennial streams will have a 100ft buffer measured from top of bank.

Other: If site drains to non-water supply watershed & >1ac is disturbed & site is High Density, Phase 2 requirements must be met, water Quality & Quantity must be addressed. If site drains to a water supply watershed, site must meet currents watershed requirements. A water quality device will be required for High Density development, max BUA 70%. If Low Density development is proposed, a scoresheet will be required.

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

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

Landscaping Requirements

NE property line (US 421): Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

NW property line (Pleasant garden Rd.): Street Yard – minimum width 10’; 2 canopy trees per 100’, 17 shrubs per 100’

Property line adjoining 3101 Pleasant Garden Rd.: Type C Yard – average width 15’; 2 canopy trees per 100’, 3 understory trees per 100’, 17 shrubs per 100’

South property line: NA against adjoining multi-family development. Type C Yard – average width 15’; 2 canopy trees per 100’, 3 understory trees per 100’, 17 shrubs per 100’ Where adjoining single family development. Also, see Condition # 2 above.

Parking Lot Landscaping

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

Required Landscaping

Parking lot planting yards must include at least one canopy tree for every 12 parking spaces.

Required canopy tree areas must be located within the parking lot. They may be located in landscape islands, landscape divider medians between rows of parking, or in driveway medians.

Islands or other planting areas for canopy trees must have a minimum area of 200 square feet with a minimum dimension of 7 feet, measured in any direction. Islands or planting areas of less than 200 square feet may not be counted toward satisfying parking lot landscaping requirements.

The landowner may provide required landscape islands or planting areas using one or more of the planting area sizes below. Each parking space must be entirely within the designated distance of a parking lot planting area as specified below:

Table 10–4: Location of Parking Lot Planting Areas		
Size of Parking Lot Planting Area (sq. ft.)	Number of Trees In Planting Area	Max. Distance from Parking Space (feet)
200-499	1	100 (1)
500-899	3	130
(1) Canopy trees installed as part of a required planting yard that abuts the parking lot may be used for up to 50% of the required distance		

Grouping canopy trees within the same landscape island or planting area is strongly encouraged, even if this would decrease the number of islands within the parking lot.

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees used to satisfy the planting requirements for parking lot areas may not be counted toward the planting requirements for other required plantings on the site.

**Tree Preservation Requirements
Acreage**

12.34 ac. 10% of lot size

Requirements**Transportation**

Street Classification	J. M. Hunt Jr. Expressway - Freeway, Pleasant Garden Road – Major Thoroughfare.
Site Access	All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts	Pleasant Garden Road ADT = 6845 (2007).
Trip Generation	24 Hour = 1433, AM Peak Hour = 110, PM Peak Hour = 137.
Sidewalks	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. There is no sidewalk along the frontage of this property nor are there any plans for the City to build sidewalk in this area.
Transit in Vicinity	No.
Traffic Impact Study	Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the TIS.
Street Connectivity	N/A
Other	N/A

IMPACT ANALYSIS**Land Use Compatibility**

The proposed **CD-RM-18** (Conditional District-Residential Multi Family) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as Commercial. The requested **CD-RM-18** (Conditional District-Residential Multi Family) zoning district is generally inconsistent with this GFLUM designation. This requested rezoning is accompanied by a requested amendment to the GFLUM, which would address this inconsistency.

Connections 2025 Written Policies

Land Use Goal 4.1 (Growth Strategy): Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

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

Land Use Goal 4.3 (Growth at the Fringe): 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 – Improve the quality and patterns of development through incentives and regulatory guidelines.

Housing & Neighborhoods Goal 6.0: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6C – Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

Economic Development Goal 7.0: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

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

Connections 2025 Map Policies

Existing GFLUM designation: Commercial – This designation applies to large concentrations of commercial uses, such as recently constructed major shopping centers and "big box" retail. Such properties may not be expected to undergo redevelopment or a change in use over the plan horizon, and the immediate areas in which they are located may not be suitable for the introduction of mixed uses. While some new commercial centers are anticipated, in general new retail and commercial service uses will be encouraged within more diversified mixed-use centers rather than as stand-alone shopping centers or expanding highway commercial "strips."

Proposed GFLUM designation: High Residential (over 12 dwelling units per gross acre) – This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
3372	September 30, 2005	From Mixed-Use Residential to Commercial

Applicant Stated Reasons for Request

Applicant owns and manages a 384-unit apartment community that is immediately adjacent to the west of this property and would like to develop a second phase on the subject property. The subject property has been for sale as a shipping center for several years without selling. We think the property is best situated for high density residential.

Explain in detail the conditions that you think may warrant a Plan Amendment – Per Applicant and Application

The economic downturn has seen less demand for shopping-center sits and more demand for upscale, high-end rental residential properties. This parcel is well-located near major highways so that it is attractive to people who commute to work outside of Greensboro but who would rather live in Greensboro.

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

The proposed CD-RM-18 Zone would be incompatible with the existing Commercial GFLUM designation. The requested GFLUM amendment to High Residential would address this inconsistency.

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

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

The property sits between Mixed-use Residential and High Residential. This change in the GFLUM reflects the form that the development will have as much as the residential density, and is more in keeping with adjacent development types.

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

PLANNING BOARD COMMENTS

The Planning Board stated that this proposed change would be consistent with other land uses in the area. The Board also noted that the adjacent Light Industrial use did not include any noxious land uses.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Other Plans – N/A

Staff/Agency Comments

Community Development

No additional comments.

Planning

The 12.34-acre subject property which is generally located at the east side of Pleasant Garden Road, west side of J.M. Hunt Jr. Expressway and the terminus of Industrial Avenue currently contains 2 single-family dwelling units, a barn and an undeveloped parcel. The subject site is adjacent to single-family and multi-family dwellings to the south, medical and industrial facilities to the west and the J.M. Hunt Jr. Expressway to the east.

The applicant proposes to rezone the 12.34-acre subject site to CD-RM-18 (Conditional District-Residential Multi Family) zoning designation to allow the redevelopment of the entire

site for an infill, multi-family development which will consist of a maximum of 216 multi-family dwelling units.

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. Approving this request will also provide a development framework for the fringe that will guide sound, sustainable patterns of land use, limit sprawl and provide for efficient provision of public services and facilities as the City expands.

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

STAFF RECOMMENDATION

Staff recommends **approval** of the requested **CD-RM-18** (Conditional District-Residential Multi Family) zoning district.

ADDITIONAL INFORMATION**Pleasant Garden Road Apartments – Transportation Impact Analysis
Prepared for Signature Property Group
Revised November 2, 2011***Executive Summary*

The remaining portion of Pleasant Garden Road Apartments development is located on the south quadrant of the intersection of J.M. Hunt Jr. Expressway and Pleasant Garden Road in Greensboro, North Carolina. The development will consist of 216 apartment units and will be accessed by one existing driveway on Pleasant Garden Road. Figure 1 presents the site plan.

A previous traffic impact analysis (TIA) was carried out by our firm in May 2006 for first portion of the residential development by this developer, which is now in place. The developer now seeks to develop the lot directly north of the existing apartment complex. The proposed development would be accessed by the existing apartment's driveway.

Davenport Transportation Consulting (DTC) was retained to determine the potential traffic impacts of the remaining portion of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- J.M. Hunt Jr. Expressway at Pleasant Garden Road
- Pleasant Garden Road at Industrial Drive
- Pleasant Garden Road at Existing Apartments Driveway

The above-mentioned intersections were analyzed for the following scenarios:

- 2011 Existing Conditions
- 2013 Future No Build Conditions
- 2016 Future Build Conditions

The build-out year for this project was assumed to be 2013 (two year build out). The AM (7-9 am) and PM (4-6 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 the developer, Signature Property Group.

Discussion of Results

The results of the study are discussed by intersection below:

J.M. Hunt Jr. Expressway at Pleasant Garden Road

This signalized intersection currently operates at LOS C during AM and PM peaks. In 2013 future no build conditions, LOS D is expected in AM and PM peaks. With the addition of site traffic, the level of service is expected to remain at LOS D in AM and PM peaks. No improvements are recommended.

Pleasant Garden Road at Industrial Drive

This signalized intersection currently operates at LOS C or better during AM and PM peaks. In 2013 future no build conditions, LOS B is expected in the AM peak and LOS C in the PM peak. In future build conditions, the level of service should remain at LOS B in the AM peak and LOS C in the PM peak. No improvements are recommended.

Pleasant Garden Road at Existing Apartments Driveway

This unsignalized intersection currently operates at LOS B during AM and PM peaks. In 2013 future no build conditions, LOS C is expected during both AM and PM peak periods. With the addition of proposed site traffic, LOS C is expected in AM and PM peaks. Based on projected traffic volumes, this intersection will warrant a westbound left turn lane on Pleasant Garden Road with 125 feet of storage and an eastbound right turn lane with 100 feet of storage. There is currently 130 feet of westbound left lane and 115 feet eastbound right lane on Pleasant Garden Road to handle traffic entering the site. No additional improvements are recommended.

Level of Service Summary

Table A represents the summary of the level of service analysis for all study intersections:

Table A - Level of Service Summary			
AM Peak	2011 Existing	2013 Future No Build	2013 Build
J.M. Hunt Jr. Expressway at Pleasant Garden Road	D (36.4)	D (38.5)	D (42.8)
Pleasant Garden Road at Industrial Drive	B (10.7)	B (11.0)	B (11.0)
Pleasant Garden Road at Existing Apartments Driveway	B (14.9) NB Approach	C (15.8) NB Approach	C (21.7) NB Approach
PM Peak	2011 Existing	2013 Future No Build	2013 Build
J.M. Hunt Jr. Expressway at Pleasant Garden Road	D (35.1)	D (37.2)	D (39.8)
Pleasant Garden Road at Industrial Drive	C (23.2)	C (24.1)	C (23.7)
Pleasant Garden Road at Existing Apartments Driveway	B (14.5) NB Approach	C (15.4) NB Approach	C (19.8) NB Approach
LOS (delay in seconds)			
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay			

Summary and Conclusion

In May 2006, Signature Property Group proposed a multifamily residential development for which a traffic impact study was submitted. The 384-unit apartment complex is currently in place with one access off Pleasant Garden Road.

The developer currently proposes to add 216-unit apartment building on the south quadrant of the intersection of J.M. Hunt Jr. Expressway and Pleasant Garden Road; north of the existing apartments. DTC was retained to determine the potential traffic impacts of the remaining portion of Pleasant Garden Road apartments and the transportation improvements that may be required to accommodate these impacts.

Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 8th Edition, 2008), the remaining portion of this development has the potential to generate a total of 110 and 137 daily trips during the AM and PM peaks respectively.

Based on the results of our analysis, the existing turn lanes at the apartment access to Pleasant Garden Road are adequate to handle the proposed addition in development traffic.

In conclusion, this study has reviewed the impacts of both background traffic and this development traffic. All site traffic can be accommodated with the improvements already put in place at the apartment access.

