



Z-12-01-001

**Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: January 9, 2012

GENERAL INFORMATION

APPLICANT

Frank X. Forde, Jr. for Lawndale Associates, LLC.

HEARING TYPE

Rezoning

REQUEST

CD-C-M (Conditional District-Commercial Medium) to
PUD (Planned Unit Development).

CONDITIONS

1. Uses: All uses allowed in the PUD (Planned Unit Development) zoning district except the following: Nursing or Convalescent Homes, Psychiatric Hospitals, Vehicle Sales and Service, Automobile Towing and Storage Services, Car Washes, Equipment Repairs, Funeral Homes or Crematoriums and Convenience Stores with Fuel Pumps.
2. There shall be a maximum of fifty seven (57) residential units designed for sale.
3. Interior pedestrian circulation between the principal buildings, and public sidewalks, shall be provided through the use of clearly defined walkways. For the purpose of compliance with this condition "walkways" shall not be construed to mean "sidewalks". These walkways may be defined by painted cross-hatched areas.
4. There shall be a thirty (30) foot wide vegetative buffer between the subject property and the residential properties on the southern boundary, consisting of undisturbed vegetation supplemented with additional plantings. The developer shall install a six (6) foot high solid or opaque wooden fence on the northern side of this buffer. In addition, the developer shall plant six (6) foot tall (measured at the time of planting) evergreens, eight (8) feet on center, on the northern side of the wooden fence.
5. Facades/interior walls shall be articulated with recesses, projections, doors or windows. No uninterrupted length of any façade shall exceed fifty (50) feet.
6. The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.

- 7. The exterior of the principal buildings shall be not less than 60% brick.
- 8. There shall be a thirty (30) foot wide vegetative buffer on a portion of the eastern boundary of the property, consisting of undisturbed vegetation supplemented with additional plantings, extending from the southern property line to a point 150 feet north of the southern property line.
- 9. No dumpster shall be located within 150 feet of the southern boundary line of the property.

LOCATION

2920 Martinsville Road, generally described as east of Martinsville Road and south of Braxton Lane.

PARCEL ID NUMBER(S)

7856521246

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). **106** notices were mailed to those property owners in the mailing area.

TRACT SIZE

~3.27 Acres

TOPOGRAPHY

Slopes to the south

VEGETATION

Institutional landscaping

SITE DATA

Existing Use

Mixed use development

Adjacent Zoning

Adjacent Land Uses

N CD-O (Conditional District-Office)

Edward Jones Financial office

E CD-O (Conditional District-Office)

Professional Offices

W R-5 (Residential-Single Family)

Single-family dwelling

S R-3 (Residential-Single Family)

Single-family dwellings

Zoning History

Case #	Date	Request Summary
3489	09/05/2006	<p>This property was rezoned by the City Council on September 5, 2006 from RS-12 (Residential-Single Family) to CD-GB (Conditional District-General Business) with the following conditions:</p> <ol style="list-style-type: none">1. Uses: Mixed Development, as set forth in Section 30-5-2.59 of the Greensboro Development Ordinance.2. Interior pedestrian circulation between the principal buildings, and between the principal buildings and public sidewalks, shall be provided through the use of clearly defined walkways. For the purposes of compliance with this condition "walkways" shall not be construed to mean "sidewalks." These walkways may be defined by painted cross-hatched areas.3. All exterior lighting in the parking areas shall be directed towards the interior of the property.4. There shall be a maximum of thirty eight (38) residential units. All residential units shall be "for sale" only.5. There shall be a thirty (30) foot wide vegetative buffer between the subject property and the residential properties on the southern boundary, consisting of undisturbed vegetation supplemented with additional plantings. The developer shall install a six (6) foot high solid or opaque wooden fence on the northern side of this buffer. In addition, the developer shall plant six (6) foot tall (measured at the time of planting) evergreens, eight (8) feet on center, on the northern side of the wooden fence.6. Facades/exterior walls shall be articulated with recesses, projections, doors or windows. No uninterrupted length of any façade shall exceed fifty (50) feet.7. The property will be designed and developed in a unified manner and will incorporate similar and complementary architectural features such as masonry materials and roof materials, planting materials, signage, lighting and paving surfaces.8. The exterior of the principal buildings shall be primarily brick.9. All buildings shall be limited to three (3) above ground stories.10. There shall be a thirty (30) foot wide vegetative buffer on a portion of the eastern boundary of the property, consisting of undisturbed vegetation supplemented with additional

plantings, extending from the southern property line to a point 150 feet north of the southern property line.

11. No dumpster shall be located within 150 feet of the southern boundary line of the property.

12. The following uses shall be prohibited on the subject property: Nursing or Convalescent Homes; Psychiatric Hospitals; Automobile Repair Services (Major and Minor); Automobile Towing and Storage Services; Car Washes; Equipment Repairs; Funeral Homes or Crematoriums; Convenience Stores with Fuel Pumps; Fuel Sales; Motor Vehicle Sales (new and used); Motorcycle Sales; Recreational Vehicle Sales; and Service Stations, Gasoline.

The GB (General 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 (PUD)
Max. Density:	N/A	N/A
Typical Uses:	Primarily intended to accommodate a wide range of retail, service and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to allow a diverse mixture of residential and/or non-residential uses and structures that function as a cohesive and unified project. The district encourages innovation by allowing flexibility in permitted use, design, and layout requirements in accordance with a Unified Development Plan.

**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 Site drains South to North Buffalo Creek

Floodplains N/A

Streams N/A

Other: Approved TRC plan on file 2007-1380 Winstead Commons. If site changes from approved plan, site may have to be developed under Phase 2 requirements.

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

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

Landscaping Requirements

This project was originally approved by TRC, Tracking #2007-278/File #306.1294 and subsequently revised by TRC, Tracking #'s 2007-2713/File # 306.1331, 2007-1380/File # 306.1364 and 2011-1462/File # 306.1462. In addition an approved Landscape Plan is on file for this project. The applicant is required to comply with the approved plans.

Tree Preservation Requirements

Acreage

Requirements

3.27 ac. This project was originally approved by TRC, Tracking #2007-278/File #306.1294 and subsequently revised by TRC, Tracking #'s 2007-2713/File # 306.1331, 2007-1380/File # 306.1364 and 2011-1462/File # 306.1462. In addition, an approved Landscape Plan is on file for this project. The applicant is required to comply with the approved plans.

Transportation

Street Classification	Pisgah Church Road – Major Thoroughfare, Martinsville Road – Collector Street, Lawndale Drive – Major Thoroughfare, Braxton Lane – Local Street.
Site Access	All access(s) must be designed and constructed to the City of Greensboro standards. Access is existing for this development. No additional access will be approved by GDOT.
Traffic Counts	Pisgah Church Road 2007 ADT = 21,115, Lawndale Drive 2007 ADT = 23,419.
Trip Generation	24 Hour = 4,723, AM Peak Hour = 697, PM Peak Hour = 258.
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 existing sidewalk along the frontage of this property.
Transit in Vicinity	Yes, GTA route 8A on Lawndale Drive.
Traffic Impact Study (TIS)	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 **PUD** (Planned Unit Development) zoning would allow land uses that are compatible with the general character of the area.

Connections 2025 Comprehensive Plan Policies

The Generalized Future Land Use Map designates this location as **Mixed-Use Commercial**. The requested **PUD** (Planned Unit Development) zoning district is generally consistent with this GFLUM designation.

Connections 2025 Written Policies

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

Policy 4A – Remove present impediments to infill and investment in urban areas.

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 6A.4 – Implement measures to protect neighborhoods from potential negative impacts of development, redevelopment, and/or public projects that are inconsistent with the neighborhood's livability, architectural or historical character, and reinvestment potential.

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

Connections 2025 Map Policies

Mixed Use Commercial: This designation is intended to promote a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. Where applied to older highway corridors characterized by "strip" development uses, the intent is to encourage infill and redevelopment for a more diverse and attractive mix of uses over time. Examples include residential uses over commercial uses or a wider array of economically viable uses to replace obsolete uses. Such areas also may represent opportunities for the introduction of substantial higher density and/or mixed-income housing, with negligible impacts on, or resistance from, nearby single-family neighborhoods. Ensuring that buildings are of the appropriate scale and intensity is critical, as is ensuring that sites are designed in a coordinated, as opposed to a lot-by-lot, manner. New "strip" commercial development is discouraged.

CONFORMITY WITH OTHER PLANS

City Plans

The Pisgah Church Road/Lees Chapel Road Corridor Study (June 1996) identified the Lawndale Drive/Pisgah Church Road intersection as a Commercial Node.

Other Plans – N/A

Staff/Agency Comments

Community Development

This rezoning is in keeping with the broader goals of reinvesting in established areas, increasing density and intensity of use in areas that are undergoing growth, and offering a variety of housing types in Greensboro. This will strengthen an already busy area and add diversity to the areas housing stock, without encroaching on the surrounding single-family neighborhoods.

Planning

The subject property currently consists of an undeveloped parcel and a three-story mixed use building containing approximately 11,000 square feet of non-residential uses on the ground floor and 18 residential units on the upper floors. This property was rezoned by the City Council on September 5, 2006 from RS-12 (Residential-Single Family) to CD-GB (Conditional District-General Business) for a mixed use development, which was going to consist of thirty eight residential units mixed with some non-residential uses.

The developer now intends to utilize the undeveloped parcel for thirty-nine residential units without a commercial component, which will bring total development of the site to 57 residential units and approximately 11,000 square feet of non-residential uses. This proposed use does not meet the requirements of the existing **C-M** (Commercial-Medium) zoning district, which requires that no more than 33% of the gross floor area contained in a development be devoted to multi-family dwelling units. Existing non-residential development located within 1/8 mile (convenient and safe walking distance) of a proposed development could be counted towards the required 67 % non-residential space but again the site does not meet this requirement, necessitating the rezoning of the entire site to a PUD (Planned Unit Development) zoning district.

The Planned Unit Development district allows for different arrangements of buildings, parking areas and open spaces to provide a development functioning as a cohesive, unified project. It also encourages innovation by allowing flexibility in permitted use, design, and layout requirements. This request includes measures such as increased landscaping buffers and architectural design conditions to ensure compatibility with the surrounding neighborhood and also to protect the immediate area from the potential negative impacts of development.

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 **PUD** (Planned Unit Development) zoning district.

ADDITIONAL INFORMATION**Proposed Mixed Use Development - Traffic Impact Analysis**

Prepared for Mega Builders

August 8, 2006

Executive Summary

Mega Builders proposes to build a mixed use development located off Martinsville Road (see figure 1) in Greensboro, NC. The site plan consists of retail, residential housing, and a coffee shop (see Table 1 for full Trip Generation). The developer proposes two access points; one located on Martinsville Road and one on Braxton Lane.

The City of Greensboro has requested a traffic analysis to determine the effect of this proposed project. Transportation engineering consultant firm *John Davenport Engineering Inc.* was contracted to provide the traffic study for this proposed development. The following intersections were included in the study:

- Lawndale Drive @ Pisgah Church Road
- Pisgah Church Road @ Martinsville Road
- Lawndale Drive @ Braxton Lane Access
- Martinsville Road @ Martinsville Access

These intersections were analyzed for 2006 existing conditions (where applicable), No-build conditions, and Full build-out conditions. The site is assumed to be built-out by 2007.

This proposed development is expected to generate approximately 4,723 daily weekday trips; with 697 trips during the AM peak and 258 trips during the PM peak (see table 1). The following table contains the level of service summary:

The following are the recommendations for improvements made in this report:

Pisgah Church Road @ Martinsville Road

- There are no improvements recommended.

Pisgah Church @ Lawndale Drive

- There are no improvements required by this development. However, it should be noted that this intersection is already at capacity during the PM peak (LOS E). Based on our analysis, this project is expected to have only a negligible effect on the over-all projected delay (2.3 second increase in delay). The construction of right turn lanes on all approaches would increase the capacity at this intersection; however there are right-of-way constraints that would make this difficult if not impractical.

Lawndale Drive @ Braxton Lane Access

- There are recommended improvements.

Martinsville Road @ Martinsville Access 2

- Locate proposed drive as far as possible from the intersection of Pisgah Church and Martinsville Road (approximately 400 feet south).
- Construct a left turn lane with 100-feet of storage on the southbound approach.

Level of Service						
Intersections	AM Build			PM Peak		
	2006 Existing	2007 No-Build	2007 Build	2006 Existing	2007 No-Build	2007 Build
Pisgah Church Road @ Martinsville Road	C (26.4)	C (26.5)	C (26.6)	B (14.0)	B (15.2)	B (16.9)
Pisgah Church Road @ Lawndale Drive	D (38.7)	D (39.9)	D (42.5)	E (57.3)	E (62.3)	E (64.6)
Lawndale Drive @ Braxton Lane Access	B (14.1) EBL	B (14.3) EBL	F(50.6) EBL	C (20.5) EBL	C (21.4) EBL	C (24.1) EBL
Martinsville Road @ Martinsville Access			F (83.0) WBL			C (17.2) WBL

- Construct a left turn lane with 100-feet of storage on the new approach. At minimum 65-feet of storage.

In conclusion, analysis indicates that all the existing intersections will operate at the same level of service regardless if this project is constructed or not. Analysis further indicates with the recommended improvements, the proposed access points should have a minimal effect on Martinsville Road and Braxton Lane. Left turning traffic exiting the site will experience some delay. However, this is typical for left turning traffic to experience delays when entering high volume roadways.