



Z-12-10-001
Planning & Community Development
Zoning Staff Report and Plan Amendment Evaluation

Zoning Commission Hearing Date: October 8, 2012

GENERAL INFORMATION

APPLICANT Bradford J. Deaton for Martin J. Lawlor et al.

HEARING TYPE Rezoning

REQUEST **R-3** (Residential-Single Family) and **CD-C-L** (Conditional District-Commercial Low) to **PUD** (Planned Unit Development).

CONDITIONS 1. Uses: Limited to a maximum of 10,800 square feet of office space and a maximum of 288 multi-family dwelling units.

LOCATION South of **Horse Pen Creek Road** and west of **Four Farms Road**

PARCEL ID NUMBER(S) **7847232400, 7847233420, 7847234315, 7847236221, 7847233021, 7847224518 and 7847221181(portion of)**

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

TRACT SIZE ~17.36 Acres

TOPOGRAPHY Slopes to the south

VEGETATION Residential landscaping with some mature trees

SITE DATA

Existing Use Several single family homes with accessory buildings

	Adjacent Zoning	Adjacent Land Uses
N	CD-RM-18 (Conditional District-Residential Multi Family)	Multi-family

E	R-3 (Residential-Single Family) and CD-RM-8 (Conditional District-Residential Multi Family)	Single family dwellings and multi-family dwellings.
W	CD-PI (Conditional District-Public and Institutional)	Noble Academy
S	R-3 (Residential-Single Family)	Scattered single family homes

Zoning History

Case #	Date	Request Summary
2297	02/05/2002	Original zoning was established for 3326 Horse Pen Creek Road by the City Council in 2002 from County RS-40 to City R-3.
3622	01/15/2008	Original zoning was established for 3318 and 3320 Horse Pen Creek Road by the City Council in 2008 from County RS-40 and County RS-20 to City CD-C-L with the following conditions: <ol style="list-style-type: none"> 1) Uses: All uses limited to those permitted in the General Office-Moderate Intensity zoning district. 2) Primary building materials for the exterior façade shall consist of brick, stone, glass masonry materials or similar product(s). 3) Maximum height of any structures limited to thirty (30) feet. 4) All structures constructed with pitched roofs.
2008-12	06/30/2008	Original zoning was established for the remainder of the subject site by the City Council in 2008 from County RS-40 to City R-3.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Existing (CD-C-L)	Requested (PUD)
Max. Density:	3.0 dwelling units per acre or less.	N/A	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached residential development.	Primarily intended to accommodate low intensity shopping and services close to residential areas.	Primarily intended to accommodate a diverse mix of uses including residential and non-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 Site drains to Greensboro Watersupply Watershed, Horse Pen Creek subbasin

Floodplains N/A

Streams N/A

Other: Site must meet current watersupply watershed requirements. Max. Built Upon Area (BUA) allowed is 70% with water quality treatment. If Jordan new development rules apply, >0.5 disturbed, site must meet Nitrogen and Phosphorus reduction requirements

Utilities (Availability and Capacity)

Potable Water Water is available with capacity in line with request.

Waste Water Sewer is available with capacity in line with request.

Airport Overlay District

The subject property is partially located within the Airport Overlay District.

Landscaping Requirements

Landscaping requirements for this site will be established in the Unified Development Plan submitted to the Planning Board for approval.

Tree Preservation Requirements

Acreage Requirements

17.36 10% of lot size

Transportation

Street Classification: Horse Pen Creek Road – Minor Thoroughfare,
Four Farms Road – Collector street.

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

Traffic Counts: Horse Pen Creek Road ADT = 11,712 (GDOT, 2009).

Trip Generation: 24 Hour = 2,109, AM Peak Hour =177,
PM Peak Hour = 266.

Sidewalks:	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.
Transit in Vicinity:	No.
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:	This property is located within the limits of GDOT's Horse Pen Creek Road widening project that is scheduled to begin construction in spring of 2015.

IMPACT/POLICY 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 **Low Residential (3-5 d.u./acre)** and **Mixed Use Residential**. Although the requested **PUD (Planned Unit Development)** zoning district is generally inconsistent with the **Low Residential** GFLUM designation, the applicant has submitted a request to amend the GFLUM designation for the entire site to **Mixed Use Residential** which, if approved, would resolve 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 4A - Remove present impediments to infill and investment in urban areas.

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

Housing and Neighborhoods, Goal 6: Meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Policy 6B - Implement an expanded program to maintain the City's housing stock, eliminate substandard housing, and meet needs for affordable housing.

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

Economic Development, Goal 7: Promote a healthy, diversified economy with a strong tax base and opportunities for employment, entrepreneurship and for-profit and non-profit economic development for all segments of the community, including under-served areas such as East Greensboro.

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

Transportation, Goal 8: Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

Policy 8A - Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

Policy 8B - Develop comprehensive pedestrian and bicycle facility networks.

Connections 2025 Map Policies

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.

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

Comprehensive Plan Amendment History

Case #	Date	Request Summary
	07/06/2012	There was a previous request to change the generalized Future Land Use designation for a portion of the subject site but was subsequently withdrawn by the applicant.

Applicant Stated Reasons for Request

"The property currently is designated Mixed Use Residential and Low Residential on the Generalized Future Land Use Map. The change is requesting the entire site be Mixed Use Residential. The project is a mix of office and multi-family residential."

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

"The project is being rezoned to Planned Unit Development. The current Mixed Use Residential bisects the property. This amendment will keep land use consistent with property boundaries."

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

The proposed GFLUM amendment from **Low Residential (3-5 d.u./acre)** and **Mixed Use Residential** to **Mixed Use Residential** is needed to resolve the inconsistency that would result from the requested change in zoning from **R-3** and **CD-C-L** to **PUD**.

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

See required Traffic Impact Study.

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

n/a

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

n/a

PLANNING BOARD COMMENTS

At their September 19, 2012 meeting, the Planning Board commented on an associated GFLUM amendment on this site from the existing Low Residential and Mixed-Use Residential to only Mixed-Use Residential that is necessitated by this rezoning request. The Board commented that this area has changed with increasing commercial services, such as child care, and with denser multi-family housing, and that this change in land use designation was in keeping with trends in the area and would make a good fit. They further stated that the increase in density made sense when considering the future improvements planned for Horse Pen Creek Road.

CONFORMITY WITH OTHER PLANS

City Plans – N/A

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning, GFLUM amendment, and development with adjacent property owners.

STAFF ANALYSIS AND RECOMMENDATION

Staff Analysis

The 17.36 subject site is generally located south of Horse Pen Creek Road and west of Four Farms Road. This site currently contains several single-family dwellings of which several are vacant. This area has developed over time to contain a true mix of uses. The subject site is adjoined to the north by multi-family uses, to the east by single-family and multi-family uses, to the south by single-family uses and to the west by institutional uses (Noble Academy).

The applicant is seeking to rezone the site to a PUD (Planned Unit Development) zoning district to facilitate the redevelopment of the entire site as an infill mixed use project that will contain a maximum of 10,800 square feet of office space in addition to a maximum of 288 multi-family dwelling units.

The application of the Planned Unit Development requirements to this property will encourage innovative arrangement of buildings and open space to provide efficient, attractive, flexible, and environmentally sensitive design as well as a development functioning as a cohesive, unified project. The proposal should not substantially impact adjacent developments and or neighborhoods nor hinder or prevent the development of surrounding properties in accordance with the adopted plans and policies of the City.

This rezoning request, if approved will help provide a diverse mix of uses, housing types, and densities in the general area without impacting the overall mix of uses found in this vicinity. It will also help meet the needs of present and future Greensboro citizens for a choice of decent

and affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of services and facilities.

Staff finds this rezoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area especially with the impending widening and improvements of Horse Pen Creek Road.

Staff Recommendation

Staff recommends **approval** of the requested **PUD** (Planned Unit Development) zoning district.

ADDITIONAL INFORMATION

Horse Pen Creek Road Development – Transportation Impact Analysis

Prepared for Acquisition and Development Resources, LLC

September 7, 2012

Executive Summary

The proposed Horse Pen Creek Apartments development is located at 3320 Horse Pen Creek Road to the west of Four Farms Road in northwestern Greensboro, North Carolina.

In July this year, a transportation impact analysis (TIA) for 240 apartment units and 10,800 square feet of office building was submitted to City of Greensboro Department of Transportation (GDOT) which was approved. The developer now proposes 288 apartment units and 10,800 square feet of office building. Hence the TIA was revised to reflect the current land use intensity. Also this revised TIA presents the development of this site under two (2) scenarios: Scenario 1 analyzed the site with a connection on Four Farms Road and Scenario 2 analyzed the site without a connection on Four Farms Road. Figure 1 shows the current site boundary.

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

- Battleground Avenue at Horse Pen Creek Road
- Horse Pen Creek Road at Four Farms Road
- Horse Pen Creek Road at Apartments Driveway / Proposed Site Access
- Horse Pen Creek Road at Laurel Run Drive
- Horse Pen Creek Road at Hanberry Drive / YMCA Driveway
- Four Farms Road at Private Driveway

These intersections were analyzed during AM and PM peaks for the following conditions:

- 2012 Existing Conditions
- 2014 Future No Build
- 2014 Scenario 1 Build
- 2014 Scenario 2 Build
- 2016 Future Build with Horse Pen Creek Road Widening Project in place
(Proposed Site Access only)

The Greensboro Department of Transportation (GDOT) plans a widening project for Horse Pen Creek Road which is scheduled to be complete in Fall 2016. Hence, access to the site was also analyzed with this widening project in place.

GDOT was contacted to obtain background information and to ascertain the elements to be covered in this Transportation Impact Analysis (TIA). Information regarding the property was also provided by the developer, Acquisition and Development Resources, LLC.

Level of Service Analysis

The results of the study are discussed by intersection below under both scenarios

Battleground Avenue at Horse Pen Creek Road

This signalized intersection currently operates at LOS D in AM and PM peaks. During our field visit, sporadic queuing in the PM peak was observed on Horse Pen Creek Road which backed up from the traffic signal at Battleground Avenue to Four Farms Road. These intersections are approximately 400 feet apart. Hence, vehicles were occasionally blocked from making left turns at Four Farms Road during the PM peak. In future no build and future build conditions, the intersection is expected to operate at LOS D during AM and PM peaks. The NCDOT TIP Project R-2309AB which is currently under construction is expected to mitigate the queuing condition by providing a second northbound left turn lane, a second eastbound left turn lane, extending the eastbound right turn lane and a southbound right turn lane at this signalized intersection. No improvements are recommended as a result of the proposed development.

Horse Pen Creek Road at Four Farms Road

This unsignalized intersection is expected to operate at LOS B/C during existing, future no build, and future build scenarios. The intersection currently experiences occasional blocking during the PM peak due to queuing at the adjacent traffic signal at Battleground Avenue. It is expected that the NCDOT TIP Project R-2309AB which is currently under construction will handle any access management issues. No improvements are recommended as a result of the proposed development.

Horse Pen Creek Road at Proposed Site Access / Apartments Driveway***Without GDOT Horse Pen Creek Road Widening Project***

This unsignalized intersection operates at LOS C in the existing and future no build AM and PM peaks. With the addition of the proposed site, LOS C and LOS D is expected in future build AM and PM peaks respectively.

The need for auxiliary turn lanes was reviewed based on page 23 of the 2004 GDOT Driveway Manual, and indicates that based on projected traffic volumes, a 100 foot right turn lane is warranted on Horse Pen Creek Road. A two way left turn lane is currently in place and is adequate to serve left-turning traffic into the site.

With GDOT Horse Pen Creek Road Widening Project

A median break will be provided at the proposed access to allow full movement per GDOT Horse Pen Creek Road Widening Project. Our turn lane warrant review based on the GDOT Driveway Manual indicates that no right turn lane is warranted on Horse Pen Creek Road at the site access. This is mainly due to the addition of a second through lane in each direction of Horse Pen Creek Road, which disperses traffic over two lanes. A left turn lane is warranted on Horse Pen Creek Road with 100 feet of storage and appropriate taper. We recommend updating the Widening Project plans to include a westbound left turn lane at the proposed site access location.

Horse Pen Creek Road at Laurel Run Drive / School Driveway

This unsignalized intersection operates at LOS C in existing and 2014 future no build AM and PM peaks. With the addition of site traffic, the level of service is expected to remain at LOS C in AM and PM peaks. No improvements are recommended.

Horse Pen Creek Road at Hanberry Drive / YMCA Driveway

This signalized intersection operates at LOS A during the AM peak and LOS B during the PM peak in existing and future no build conditions. In future build conditions, LOS A is expected in the AM peak and LOS B in the PM peak. No improvements are recommended.

Four Farms Road at Private Driveway

Our analysis indicates that this intersection will operate at LOS A in 2014 future build conditions with site traffic in place. No turn lanes are warranted based on projected traffic volumes. Please note that the driveway connection is required to be constructed to GDOT standards.

The recommended improvements at the site access are shown in Exhibit A below.

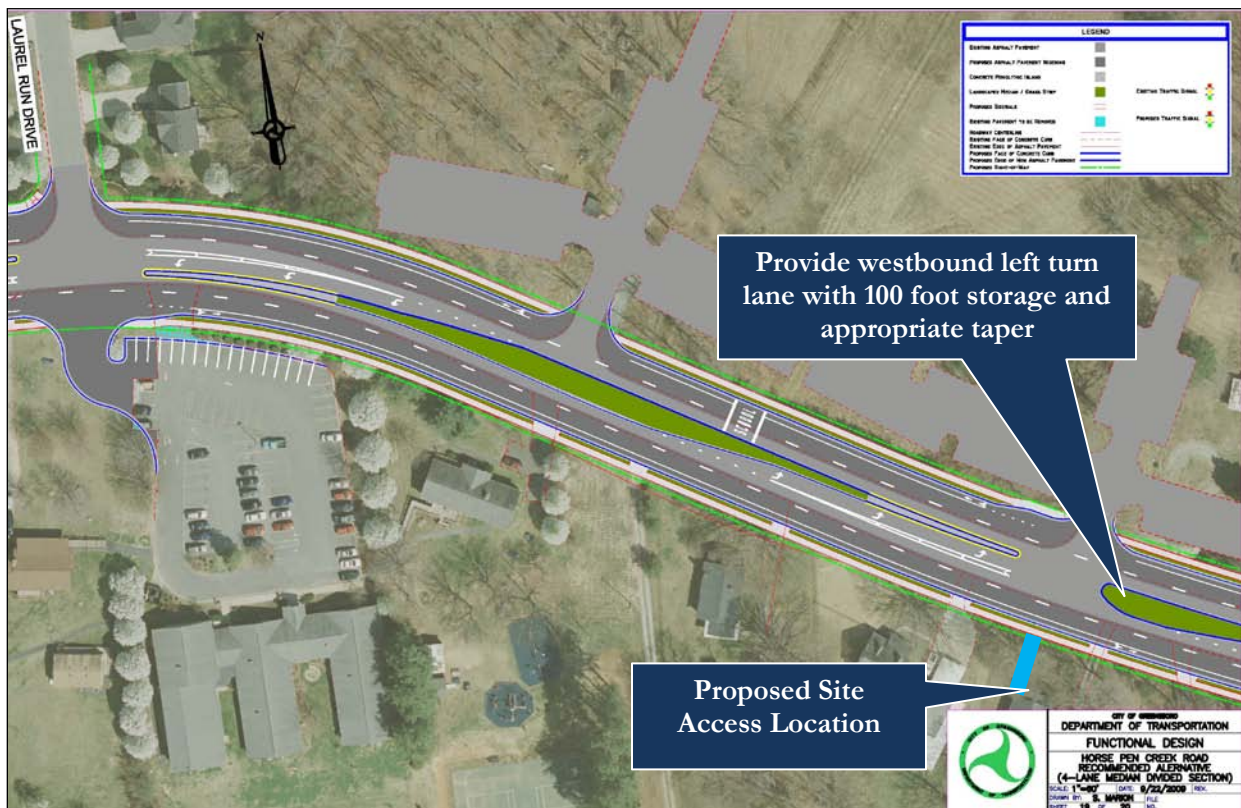


Exhibit A. Recommended Improvements

Level of Service Summary

Table A presents the summary of the level of service analysis for all study intersections under Scenario 1.

Table A - Level of Service Summary (Scenario 1)		
AM Peak	2014 Future No Build	2014 Future Build
Battleground Avenue at Horse Pen Creek Road	D (37.6)	D (39.2)
Horse Pen Creek Road at Four Farms Road	B (12.9) NB Approach	B (13.6) NB Approach
Horse Pen Creek Road at Apartments Driveway / Proposed Site Access	C (15.6) SB Approach	C (20.0) NB Approach
Horse Pen Creek Road at Laurel Run Drive	C (17.0) SB Approach	C (17.9) SB Approach
Horse Pen Creek Road at Hanberry Drive / YMCA Driveway	A (5.6)	A (5.6)
Four Farms Road at Private Driveway		A (8.8) EB Approach
PM Peak	2014 Future No Build	2014 Future Build
Battleground Avenue at Horse Pen Creek Road	D (38.4)	D (40.7)
Horse Pen Creek Road at Four Farms Road	B (13.7) NB Approach	B (15.0) NB Approach
Horse Pen Creek Road at Apartments Driveway / Proposed Site Access	C (16.4) SB Approach	D (29.1) NB Approach
Horse Pen Creek Road at Laurel Run Drive	C (16.7) NB Approach	C (17.9) NB Approach
Horse Pen Creek Road at Hanberry Drive / YMCA Driveway	B (11.0)	B (11.5)
Four Farms Road at Private Driveway		A (9.0) EB Approach
LOS (delay in seconds)		
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay		

Table B presents the summary of the level of service analysis for all study intersections under Scenario 2

Table B - Level of Service Summary (Scenario 2)		
AM Peak	2014 Future No Build	2014 Future Build
Battleground Avenue at Horse Pen Creek Road	D (37.6)	D (39.2)
Horse Pen Creek Road at Four Farms Road	B (12.9) NB Approach	B (13.7) NB Approach
Horse Pen Creek Road at Apartments Driveway / Proposed Site Access	C (15.6) SB Approach	C (21.1) NB Approach
Horse Pen Creek Road at Laurel Run Drive	C (17.0) SB Approach	C (17.9) SB Approach
Horse Pen Creek Road at Hanberry Drive / YMCA Driveway	A (5.6)	A (5.6)
PM Peak	2014 Future No Build	2014 Future Build
Battleground Avenue at Horse Pen Creek Road	D (38.4)	D (40.7)
Horse Pen Creek Road at Four Farms Road	B (13.7) NB Approach	B (15.0) NB Approach
Horse Pen Creek Road at Apartments Driveway / Proposed Site Access	C (16.4) SB Approach	D (34.3) NB Approach
Horse Pen Creek Road at Laurel Run Drive	C (16.7) NB Approach	C (17.9) NB Approach
Horse Pen Creek Road at Hanberry Drive / YMCA Driveway	B (11.0)	B (11.5)
LOS (delay in seconds)		
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay		

Summary and Conclusion

The proposed Horse Pen Creek Apartments development is located at 3320 Horse Pen Creek Road to the west of Four Farms Road in northwestern Greensboro, North Carolina. As currently planned, the site will consist of a maximum of 288 apartment units and 10,800 square feet of office building. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 8th Edition, 2008), this development has a trip generation potential of 177 trips in the AM peak and 266 trips in the PM peak.

DTC was retained to determine the potential traffic impacts of the proposed Horse Pen Creek Road Development and the transportation improvements that may be required to accommodate these impacts. This study analyzed the development of this site under two (2) scenarios: Scenario 1 analyzed the site with a connection on Four Farms Road and Scenario 2 analyzed the site without a connection on Four Farms Road. Under both scenarios, our turn lane warrant review based on the GDOT Driveway Manual indicates that a 100-foot right turn lane will be warranted at the proposed site access on Horse Pen Creek Road. A two way left turn lane is currently in place on Horse Pen Creek Road to handle left turns into the site.

With the GDOT Horse Pen Creek Road Widening Project, no right turn lane will be warranted at the proposed site access due to the addition of a second through lane in each direction of Horse Pen Creek. We recommend updating the GDOT Horse Pen Creek Road Widening plans to include a westbound left turn lane at the proposed site access location with 100 feet of storage and appropriate taper.

It should be noted that our field visit and Sim Traffic simulation showed sporadic queuing, especially during the PM peak, on Horse Pen Creek Road which backed up from the traffic signal at Battleground Avenue to Four Farms Road. These intersections are approximately 400 feet apart. Hence, vehicles were occasionally blocked from making left turns at Four Farms Road during the PM peak. It is expected that the NCDOT TIP Project R-2309AB currently under construction will handle any access management issues.

In conclusion, this study has reviewed the impacts of both background traffic and this development traffic, and has determined that this development will not have significant impact on the study intersections. Please note that all driveway connections are required to be constructed to GDOT or NCDOT Driveway Manual where applicable.