



Z-13-05-009

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

Zoning Commission Hearing Date: May 13, 2013

GENERAL INFORMATION

APPLICANT	Michael S. Fox (Attorney) for Hayleigh Village Commercial, LLC
HEARING TYPE	Rezoning
ZONING REQUEST	PUD (Planned Unit Development) to PUD (Planned Unit Development)
CONDITIONS	<ol style="list-style-type: none">1. Uses: All uses allowed in the PUD zoning district except manufacturing and industrial uses, sexually oriented businesses and bars.2. There shall be a maximum of 360 multi-family units.3. There shall be a maximum of 18,000 square feet of retail space.4. There shall be a maximum of 110,000 square feet of office space.5. The buildings on the front of the property as shown on the approved PUD concept plan as retail shall be constructed in a residential style with natural materials such as stone or brick, or when appropriate, stucco-type exteriors for buildings constructed in a French provincial style. Such buildings shall have a pitched roof appearance.6. The multi-story self storage building space shall not exceed 84,000 square feet.7. Any self storage buildings on lots number 2 and 3 of the property as shown on the PUD concept plan shall be constructed with natural materials such as stone or brick.8. Loading entrances for such buildings shall be on the rear portion of the buildings with the primary entrance(s) on or near the front portions of such buildings. The buildings shall front on Horse Pen Creek Road or Jessup Grove Road.

LOCATION 3000-3006 Horse pen Creek Road, generally described as the northeastern intersection of Horse Pen Creek Road and Jessup Grove Road

TAX MAP ID NUMBER (S) **7837925133**

PUBLIC NOTIFICATION 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). **80** notices were mailed to those property owners in the mailing area.

TRACT SIZE ~44.830 Acres

TOPOGRAPHY Rolling

VEGETATION Grass outside of required landscaping for existing multi-family development

SITE DATA

Existing Use	Multi-family dwellings and undeveloped parcels
Adjacent Zoning	Adjacent Land Uses
N CD-RM-8, R-3, and CD-RM-12	Single family dwellings and townhomes
E CD-PI and R-3	School and single family dwelling (primarily undeveloped)
W R-3	Greensboro Country Club
S CD-BP and R-3	Undeveloped

Zoning History

Case #	Date	Request Summary
3654	03/06/08	<p>This property was annexed into the City on March 6, 2008 and assigned original zoning of City CD-PDM from County AG and RS-40 with the following conditions:</p> <ol style="list-style-type: none"> 1. Uses: All uses allowed in the PUD zoning district except manufacturing and industrial uses, sexually oriented businesses and bars. 2. There shall be a maximum of 360 multi-family units. 3. There shall be a maximum of 18,000 square feet of retail space. 4. There shall be a maximum of 110,000 square feet of office space. 5. The buildings on the front of the property as shown on the approved PUD concept plan as retail shall be constructed in a residential style with natural materials such as stone or brick, or when appropriate, stucco-type exteriors for buildings constructed in a French provincial style. Such buildings shall have a pitched roof appearance.

The CD-PDM district became the PUD district with the adoption of the LDO in July 2010.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (PUD)	Requested (PUD)
Max. Density:	N/A	N/A
Typical Uses	Primarily intended to allow a diverse mixture of uses that function as a cohesive and unified project through innovation and flexibility in requirements in accordance with a Unified Development Plan	Primarily intended to allow a diverse mixture of uses that function as a cohesive and unified project through innovation and flexibility in requirements in accordance with a Unified Development Plan

**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**

n/a

Environmental/Soils

Water Supply Yes, site drains to Greensboro Watershed WS III

Watershed

Floodplains N/A

Streams Perennial stream onsite, appropriate buffer is required. Stream buffer is to be measured from top of stream bank. No built upon area is allowed in the entire buffer. If high density is proposed 100' stream buffer is required.

Other: Site must meet watershed requirements. Maximum built upon area (BUA) per watershed density is 70% of the site acreage for high density development. If high density development (24%-70% of BUA) is proposed all the built upon area must drain and be treated by a State approved water quality device (pond or similar). If low density development is proposed site must meet score sheet requirements. Potential for wetlands on site. Contact the State & Corps for any wetland disturbance or stream crossing or disturbance.

Utilities

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

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

Airport Noise Cone

The subject property is located in the 60 DNL Noise Cone.

Landscaping Requirements – Previously Approved by TRCLocation **Required Planting Yard Type and Rate**

North Type D Yard – minimum width 5'; 2 understory trees per 100'; 18 shrubs per 100'
(if multi-family abuts the existing multi-family on the adjoining property) OR
A Type C Yard – avg. width 20'; 2 canopy trees per 100'; 3 understory trees per 100'; 17 shrubs per 100'(if multi-family abuts the existing single family use on the adjoining property) OR A Type A Yard – avg. width 50'; 4 canopy trees per 100'; 10 understory trees per 100'; 33 shrubs per 100' OR
A Type B Yard – avg. width 30'; 3 canopy trees per 100'; 5 understory trees per 100'; 25 shrubs per 100'(depending on the type of commercial use abutting the existing single family use on the adjoining property).

- South Type D Yard – minimum width 5’; 2 understory trees per 100’; 18 shrubs per 100’
AND A Type C Yard – avg. width 20’; 2 canopy trees per 100’; 3 understory trees per 100’; 17 shrubs per 100’(if multi-family abuts the existing single family use on the adjoining property) **OR A** Type A Yard – avg. width 50’; 4 canopy trees per100’; 10 understory trees per 100’; 33 shrubs per 100’ **OR A** Type B Yard – avg. width 30’; 3 canopy trees per 100’; 5 understory trees per 100’; 25 shrubs per 100’(depending on the type of commercial use abutting the existing single family use on the adjoining property).
- East Type D Yard – minimum width 5’; 2 understory trees per 100’; 18 shrubs per 100’
- West Street Yard - minimum width 8’; 2 canopy tree per 100’, 17 shrubs per 100’ (along Horsepen Creek Rd. & both sides of Walking Horse Ln.) **AND A** Type C Yard – avg. width 20’; 2 canopy trees per 100’; 3 understory trees per 100’; 17 shrubs per 100’(if multi-family abuts the existing single family use on the adjoining property) **OR A** Type A Yard – avg. width 50’; 4 canopy trees per100’; 10 understory trees per 100’; 33 shrubs per 100’ **OR A** Type B Yard – avg. width 30’; 3 canopy trees per 100’; 5 understory trees per 100’; 25 shrubs per 100’(depending on the type of commercial use abutting the existing single family use on the adjoining property).

Tree Preservation Requirements – Previously Approved by TRC

Acreage	Requirements
44.83	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	Horse Pen Creek Road – Minor Thoroughfare Jessup Grove Road – Collector Street.
Site Access	All access(es) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Horse Pen Creek Road - AM Peak Hour = 851, PM Peak Hour = 1962. Jessup Grove Road - AM Peak Hour = 62, PM Peak Hour = 65.
Trip Generation:	N/A.

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 exist along the frontage of this property.
Transit in Vicinity	No.
Traffic Impact study (TIS)	No TIS required per TIS Ordinance.
Street Connectivity	N/A.
Other	N/A.

IMPACT ANALYSIS

Land Use Compatibility

The proposed **PUD** 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 **Mixed Use Residential**. The requested **PUD** zoning district is 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.

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

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.

Community Facilities, Services, and Infrastructure, Goal 9: Provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life, and support desired land use patterns.

Policy 9A: Proactively target infrastructure (water/sewer) extensions to support desired land use patterns.

Connections 2025 Map Policies

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
CP-08-06	5/6/2008	From Low Residential and Institutional to Mixed Use Residential

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 2 – Promote Equitable, Affordable Housing:

Goal A: Increase opportunities for choices in housing location, unit type and level of accessibility.

Principle 6 – Value Communities and Neighborhoods:

Goal A: Promote coordinated transportation and land use decisions for broader livability throughout Greensboro.

Other Plans

n/a

Staff/Agency Comments

Community Development

Applicant is strongly encouraged to discuss this requested rezoning and change of use with owners of adjacent properties

Planning

On March 5, 2013 City Council amended the Land Development Ordinance (LDO) to allow multi-story self-storage facilities in commercial zoning. As a result of this action these facilities were also allowed in the PUD zoning district. Towards that end the applicant has proposed to amend the current zoning conditions on this site to include multi-story self storage facilities. The subject site is currently zoned Planned Unit Development (PUD) with approved uses including multifamily (maximum of 360 units), retail (up to 18,000 square feet) and office (up to 110,000 square feet). Properties to the north of the site are zoned CD-RM-12, R-3 and CD-RM-8 (multifamily and single family dwellings), properties to the east are zoned CD-PI and R-3 (school and single family dwellings), the property to the south is zoned CD-BP (undeveloped) and the property to the west is zoned R-3 (golf course).

This rezoning request if approved will further diversify the mix of uses, housing types, and densities in the general area without impacting the overall mix of uses found in this vicinity. The required development standards for multistory self-storage facilities will encourage compatibility with existing development and limit potential negative impacts on surrounding properties.

Staff has determined that this request is consistent with the intent and purpose of the zoning code and is consistent with the Mixed Use Residential Generalized Future Land Use designation for this site. Staff is also of the opinion that the request is compatible with the existing development in the surrounding area.

STAFF RECOMMENDATION

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