



Z-13-07-004

**Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: September 9, 2013

GENERAL INFORMATION

APPLICANT Presidia Real Estate Group, LLC for Anderson Brothers Bank, American National Bank, Stacey W. Evans, Thomas S. Bailey, and Revolution Properties Holdings, LLC

HEARING TYPE Rezoning

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

CONDITIONS

1. Uses: Multi-family Residential, limited to a maximum of 224 dwelling units.
2. A six foot tall opaque fence shall be installed, where permitted, between the subject property and any existing single-family detached dwellings.
3. The property will be designed and developed in a unified manner and will incorporate similar planting materials, signage, lighting, and paving surfaces.
4. Buildings shall not exceed four stories in height.

LOCATION **4108-4114 Bell Orchard Drive and 3607 N. Elm Street**, generally described as north of Pisgah Church Road, west of North Elm Street, and east of Bell Orchard Drive.

PARCEL ID NUMBER(S) **7866480463, 7866389407, 7866389505, 7866388693, 7866388785, & 7866483431**

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

TRACT SIZE ~7.015 Acres
TOPOGRAPHY Undulating
VEGETATION Residential

SITE DATA

Existing Use

	Adjacent Zoning	Adjacent Land Uses
N	CD-O (Conditional District –Office)	Single family dwelling
E	CD-C-L (Conditional District-Commercial-Low)	Single family dwelling
W	CD-RM-12 (Residential Multi-family)	Amhurst Village, a multi-family development
S	C-L (Commercial-Low)	Single family dwelling

Zoning History

Case #	Date	Request Summary
3639	May 31, 2008	<p>Approximately 6.06 acres, parcels 4108-4112 Bell Orchard Drive were rezoned from County RS-40 and City RS-12 to UDO Zoning CD-GB (currently CD-C-M) with the following conditions:</p> <ol style="list-style-type: none"> 1. Permitted Uses: 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, service stations, gasoline. 2. Shall meet mixed development requirements, as set forth in Section 30-5-2.59 of the Greensboro Development Ordinance. 3. Interior pedestrian circulation between the principal building, 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 constructed to mean “sidewalks”. These walkways may be defined by painted cross-hatched areas. 4. All exterior lighting in the parking areas shall be

- directed towards the interior of the property.
- 5. 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.
- 6. A six foot tall opaque fence shall be installed between the subject property and any existing single-family detached dwelling.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (CD-C-M)	Existing (R-3)	Requested (CD-HI)
Max. Density:	N/A	3.0 units per acre or less.	N/A
Typical Uses	Primarily intended to accommodate a wide range of retails, service, and office uses. The district is typically located along thoroughfares in areas which have developed with minimal front setbacks.	Primarily intended to accommodate low-density single-family detached residential development.	Primarily intended to accommodate a wide range of assembling, fabricating, and manufacturing activities. The district is established for the purpose of providing appropriate locations and development regulations for uses which may have significant environmental impacts or require special measures to ensure compatibility with adjoining properties.

**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

The subject site is located partially within the boundary of the North Elm Street Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs.

Environmental/Soils

Water Supply Site drains to Greensboro Watersupply Watershed, WS III, Lake Jeanette Watershed

Floodplains N/A

Streams Stream feature must be identified. If feature is perennial, a 100ft buffer will be required for High Density development (70% BUA) measured from top of bank each side of stream. If feature is intermittent, a 50ft buffer will be required for High Density. If Low Density development (24% BUA), perennial and intermittent stream buffer will be 50ft.

Other: Any new Built Upon Area (BUA) must be treated by a State approved water quality BMP. Maximum High Density development is 70%. If Low Density development takes place, submit scoresheet with site plan.

Utilities

Potable Water Available with capacity in line with request

Waste Water Available with capacity in line with request

Airport Noise Cone

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

Landscaping Requirements – Final Landscape requirements will be established in the Unified Development Plan submitted to the Planning Board

Bell Orchard Dr. and N. Elm St. - Street Yard – minimum width 10'; 2 canopy trees per 100', 17 shrubs per 100'

Adjoining Single Family - Type C Yard – average width 15'; 2 canopy trees per 100', 3 understory trees per 100', and 17 shrubs per 100'

Adjoining Vacant Land – NA

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 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

Requirements

7.015 ac.

10% of lot size

Transportation

Street Classification: Pisgah Church Road – Major Thoroughfare.
North Elm Street – Major Thoroughfare.
Bell Orchard Drive – Local Street.

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

Traffic Counts: North Elm Street ADT – 33,465 (GDOT, 2012).
Pisgah Church Road ADT – 28,436 (GDOT, 2012)

Trip Generation: 24 Hour = 1,529, AM Peak Hour = 117, PM Peak Hour = 145.

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 North Elm Street frontage of this property.

Transit in Vicinity: Yes, GTA Route 3 (North Elm Street) within 0.10 miles of the subject site, along Pisgah Church Road.

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 site is within 0.21 mi of the Future I-840 Urban Loop scheduled to begin construction in 2019.

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 and Moderate Residential (5-12 du/ac)**. The requested **PUD (Planned Unit Development)** zoning district is generally consistent with this GFLUM designation. The Growth Strategy Map designates the subject site as being within one-half mile of the **North Elm Village Activity Center**.

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.

Community Character Goal 5.2 – Man-Made Environment: Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

Policy 5F: Implement and improve design standards governing the appearance of development from public roadways.

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.

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" commercial uses, the intent is to encourage infill and redevelopment for a more

diverse and attractive mix of uses over time. Examples include residential units 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.

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.

Activity Center: Activity Centers are existing or anticipated future concentrations of uses that function as destinations or hubs of activity for the surrounding area. Typically located in areas of mixed use shown on the Generalized Future Land Use Map, such centers are intended to include features such as a mix of higher intensity uses (housing, retail, office, etc.), compact development patterns, and pedestrian and transit linkages. A one-half mile radius (considered the limit of a comfortable walk) is shown around each activity center except for the Downtown, which functions as an activity center for the entire City. It should be noted that the locations shown on the Generalized Future Land Use Map are conceptual and do not preclude the development of Activity Centers in other locations where they would support the goals and policies of the Comprehensive Plan.

Comprehensive Plan Amendment History

Case #	Date	Request Summary
n/a	n/a	n/a

Applicant Stated Reasons for Request

n/a

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

n/a

COMPREHENSIVE POLICY PLAN ANALYSIS

Need for Proposed Change

n/a

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

n/a

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

n/a

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1 – Provide More Transportation Options:

Goal A: Promote transportation and development patterns and types that contribute to decreased household transportation costs.

Goal B: Improve access to destinations, especially via alternate modes (public transit, walking, and bicycling); including the critical first and last miles of journeys.

Principle 2 – Promote Equitable, Affordable Housing:

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

Goal B: Increase housing affordability through a combination of housing assistance and reduction in overall housing related costs through efficiency factors such as: proximity to jobs, transportation, or services; energy efficiency and resource conservation standards; or reduction in housing access barriers.

Goal C: Improve the resource-efficiency of both new construction and existing housing stock.

Principle 6 – Value Communities and Neighborhoods:

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

Goal C: Promote Healthy Lifestyles and Complete, Livable Neighborhoods.

Principle 7 – Recognize the Environment as a Critical Element of Community Sustainability:

Goal A: Promote more efficient land development patterns.

Other Plans

n/a

STAFF/AGENCY COMMENTS

Community Development

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of adjacent properties and with representatives of the Bellwood Village neighborhood, which is adjacent to the western property boundary of subject site. Long-term quality of life for occupants of this proposed multi-family residential development would be greatly enhanced by provision of secure, accessible bicycle parking facilities on this site.

Planning

The applicant's request to rezone 7.015 acres in this location for higher density residential development was reviewed by staff and evaluated on both immediate and longer term development impacts. The subject property is currently zoned CD-C-M which permits

multifamily development; however, it would be restricted to no more than 33% of the gross floor area contained in the development. Areas to the north of the subject site are zoned office and single family residential (R-3), to the east and south are zoned various commercial districts (CD-C-M and CD-C-L) and to the west are zoned multifamily (CD-RM-12) and single family (R-3).

The PUD District is intended to allow a diverse mixture of residential and /or nonresidential uses and structures that function as a cohesive and unified project. The district also encourages innovation by allowing flexibility in permitted use, design, and layout requirements in accordance with a Unified Development Plan.

The subject site is located within close proximity to an existing commercial node and potential residents would benefit from the immediate proximity of employment and service centers. The GFLUM designation of Mixed Use Commercial for a majority of the site also supports higher density residential uses to support surrounding commercial development. The proposed PUD zoning district can serve as a transition between the low intensity single family dwellings located to the northwest and higher intensity commercial development located to the south and east of the subject property. Staff has consistently encouraged such areas throughout the city to promote good transitions between higher and lower intensity land uses.

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 is also in line with the Mixed Use Commercial and Moderate Residential future land use designation that encourages higher density residential development to support nearby commercial and service uses.

STAFF RECOMMENDATION

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

ADDITIONAL INFORMATION**Proposed Lofts on Elm –Transportation Impact Analysis****Prepared for Cable-Nelson Holdings, LLC****June 8, 2012****Executive Summary**

The proposed Lofts on Elm development is located on 4108, 4110 and 4112 Bell Orchard Drive in northern Greensboro, North Carolina. The property is approximately 7 acres. The current developer proposes an apartment development of 232 dwelling units. The current site plan proposes one (1) site access point on North Elm Street across from the Lake Jeanette Commons/ General Dentistry driveway. Figure 1 shows the site plan.

A transportation impact analysis (TIA) for this site was originally completed by Davenport Transportation Consulting (DTC) in October, 2007. The previous developer proposed a mixed-use development for the site with access on Bell Orchard Drive and North Elm Street. The current developer proposes only residential development with a site access on North Elm Street.

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 both background traffic and new development traffic. The following intersections were included in the study:

- Pisgah Church Road at Bell Orchard Drive (unsignalized)
- Pisgah Church Road at North Elm Street (signalized)
- North Elm Street at Lake Jeanette Commons driveway / Proposed Site Access

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

- 2012 Existing Conditions
- 2013 Future No-Build Conditions
- 2013 Future Build-Out Conditions
- 2013 Future Build-Out Conditions with improvements

The build-out analysis year for this project was assumed to be 2013. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

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, Cable-Nelson Holdings, LLC.

Level of Service Results

The results of the study are discussed by intersection below:

Pisgah Church Road at Bell Orchard Drive

This unsignalized intersection operates at LOS C during existing AM and PM peaks. In 2013 future no build conditions, LOS C is expected in AM and PM peaks. Our Sim Traffic simulation does not indicate any queuing issues. No improvements are recommended.

Pisgah Church Road at North Elm Street

This signalized intersection operates at LOS D and LOS E during existing AM and PM peaks, respectively. In 2013 future no build conditions, LOS D is expected in the AM peak and LOS E in the PM peak. This LOS E condition is mainly due to heavy traffic volumes on North Elm Street and Pisgah Church Road, and indicates that there are capacity issues at this intersection regardless of the proposed site. However, there is very little room to make significant capacity improvements at this intersection. With the addition of site traffic, this intersection is projected to operate at LOS D in the AM peak and LOS F in the PM peak. We recommend optimizing the splits of the traffic signal. With this improvement, the LOS F condition is expected to improve to LOS E in the PM peak.

North Elm Street at Lake Jeanette Commons driveway / Proposed Site Access

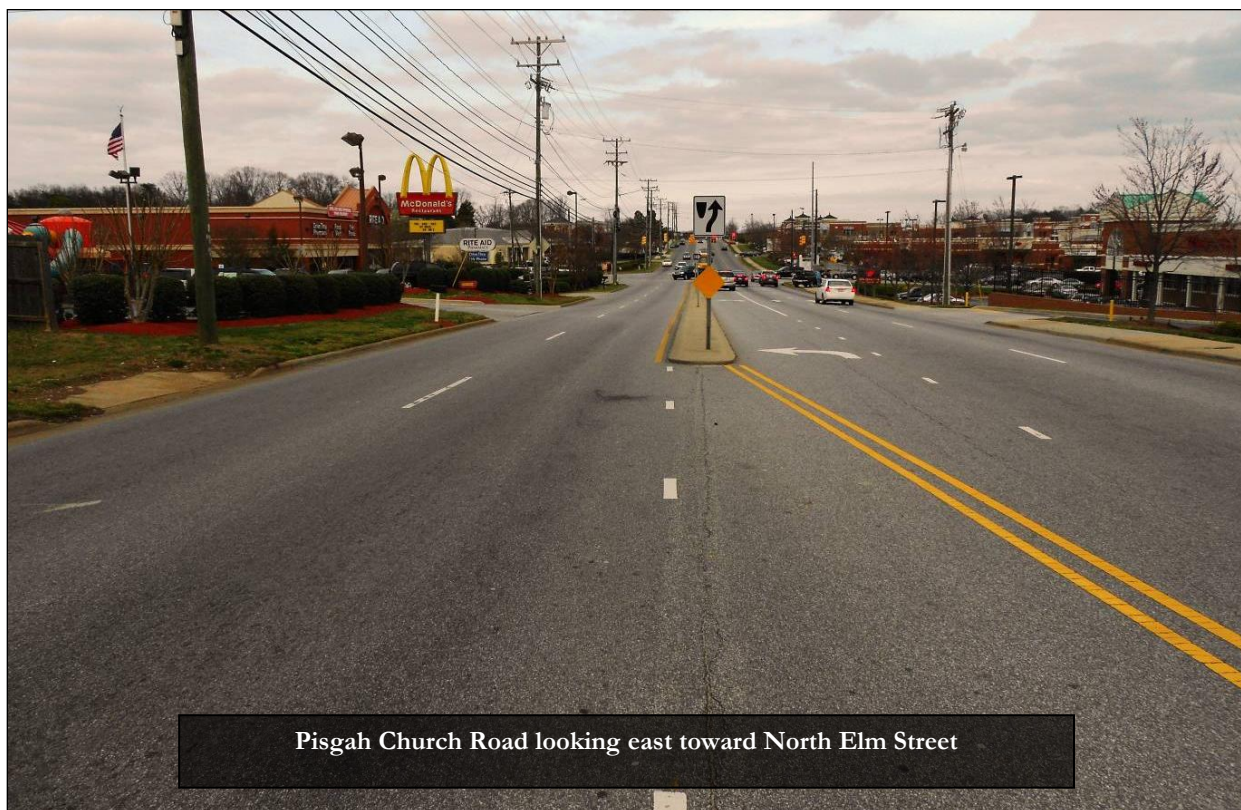
This unsignalized intersection operates at LOS B in existing and future no build AM peaks, and at LOS C in existing and future no build PM peaks. With the addition of site traffic, LOS C is expected in the AM peak and LOS D in the PM peak. Our traffic simulation using Sim Traffic software does not indicate any queuing issues at this intersection.

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, no right turn lane is warranted on North Elm Street. A two way left turn lane is currently in place and is adequate to serve left-turning traffic into the site. Please note that all driveways are required to be constructed according to the GDOT Driveway Manual.

Level of Service Summary

Table A presents the summary of the level of service analysis.

Table A - Level of Service Summary				
AM Peak	2012 Existing	2013 Future No Build	2013 Future Build	2013 Future Build with Improvements
Pisgah Church Road at Bell Orchard Drive	C (16.8) NB Approach	C (18.3) NB Approach	C (18.5) NB Approach	
Pisgah Church Road at North Elm Street	D (45.0)	D (49.6)	D (53.0)	D (52.0)
North Elm Street at Site Access	B (12.7) WB Approach	B (13.1) WB Approach	C (17.1) EB Approach	
PM Peak	2012 Existing	2013 Future No Build	2013 Future Build	2013 Future Build with Improvements
Pisgah Church Road at Bell Orchard Drive	C (17.3) NB Approach	C (19.5) NB Approach	C (19.9) NB Approach	
Pisgah Church Road at North Elm Street	E (63.2)	E (74.7)	F (84.3)	E (67.9)
North Elm Street at Site Access	C (15.2) WB Approach	C (16.1) WB Approach	D (30.8) WB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				



Pisgah Church Road looking east toward North Elm Street

Summary and Conclusion

The proposed Lofts on Elm site is located at 4108, 4110, and 4112 Bell Orchard Drive and will be accessed by a driveway on North Elm Street. As currently planned, the development will consist of 232 apartment units. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 8th Edition, 2008), this development has the potential to generate a total of 1,529 daily trips with a total of 117 trips during the AM peak and 145 trips during the PM peak.

DTC was retained to determine the potential traffic impacts of the proposed North Elm Street Apartment development and the transportation improvements that may be required to accommodate these impacts. Our analysis shows that the signalized intersection of North Elm Street and Pisgah Church Road operates at LOS D and LOS F in future build AM and PM peaks, respectively. However, in background conditions this intersection operates at LOS D and LOS E in AM and PM peaks, respectively. This indicates that there are capacity issues at this intersection due to heavy traffic volume, regardless of whether the proposed site is built. Unfortunately, there is very little room to make significant capacity improvements at this intersection. We recommend optimizing the splits of this traffic signal. With this improvement, the intersection is expected to improve to LOS E in the PM peak.

Also, a turn lane warrant review based on the GDOT Driveway Manual indicates that no right turn lane is warranted on North Elm Street at the proposed site access. A two way left turn lane is currently in place on North Elm Street which will be adequate to serve left-turning traffic into the site. Please note that all driveways are required to be constructed according to the GDOT Driveway Manual.

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic. With the recommended improvements in place, this development is not expected to have an adverse impact on the study intersections.

