



Z-14-06-001

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

Zoning Commission Hearing Date: June 9, 2014

GENERAL INFORMATION

APPLICANT North Elm Associated, LLC

HEARING TYPE Rezoning Request

REQUEST **R-3** (Residential Single-Family), **CD-CM** (Conditional District-Commercial-Medium) and **CD-O** (Conditional District-Office) to **PUD** (Planned Unit Development)

CONDITIONS

1. Uses: Limited to multifamily residential and accessory uses and structures.
2. Units limited to a maximum of 288.
3. A six foot tall opaque fence shall be installed, where permitted, between the subject property and adjacent property.
4. Buildings shall not exceed four stories in height.

LOCATION **3619 North Elm Street, 4108, 4110, 4112, and 4114 Bell Orchard Drive**, generally described as north of Pisgah Church Road, south of Kenneth Road, west of North Elm Street, and east of Bell Orchard Drive.

PARCEL ID NUMBER(S) **7866481894, 7866480463, 7866388693, 7866389505, 7866388785, & 7866389407**

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

TRACT SIZE ~9.370 Acres

TOPOGRAPHY Undulating

VEGETATION Residential

SITE DATA

Existing Use Vacant and Residential

	Adjacent Zoning	Adjacent Land Uses
N	CD-O (Conditional District-Office) R-3 (Residential Single-Family)	Offices Single family dwellings
E	CD-C-L (Conditional District-Commercial-Low)	Commercial/Retail
W	CD-RM-12 (Conditional District-Residential Multi-Family)	Multifamily dwellings
S	C-L (Commercial-Low) R-3	Vacant and stormwater pond Single family dwellings

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.

2726 April 6, 1999

Approximately 2.49 acres, 3619 North Elm Street requested an original zoning from County RS-40 and rezoning from City RS-12 to City CD-GO (currently CD-O) with the following conditions:

1. Freestanding signs shall be landscaped monument signs, maximum of 8' high.
2. Maximum one curb cut west side of N. Elm St.
3. Buildings limited to two stories.
4. There will be a 15' wide planting yard behind right-of-way of Elm St. The planting rate within the 15' planting yard shall be four (4) canopy trees per 100 linear feet and thirty-four (34) shrubs per 100 linear feet.

N/A N/A

The property addressed 4114 Bell Orchard Drive has been zoned R-3 (Residential Single-Family) since July 1, 2010. Prior to implementation of the Land Development Ordinance (LDO) it was zoned RS-12.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Existing (CD-C-M)	Existing (CD-C-O)	Requested (PUD)
Max. Density:	Maximum density of 3.00 units per acre or less.	N/A	N/A	N/A
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Primarily intended to accommodate a wide range of retail, service, and office uses.	Primarily intended to accommodate office, institutional, supporting service and other uses.	Primarily intended to allow a diverse mixture of residential and/or nonresidential uses and structures that function as cohesive and unified projects. The districts encourage 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

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

Environmental/Soils

Water Supply Watershed Site drains to North Buffalo Creek Watershed

Floodplains ➤ 2000 Ft

Streams N/A

Other: If >1ac is disturbed, site must meet current Phase 2 requirements. Water quantity and water quality must be addressed. The 1yr 24hr storm must be reduced to predevelopment conditions. The 1 inch storm must be treated.

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 not located in the Airport Noise Cone.

Landscaping Requirements

Landscaping requirements are not applicable unless the property is redeveloped, disturbed, or the building is expanded.

Transportation

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

Site Access: All access 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: A TIS is required for this proposal. An Executive Summary will be available soon.

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 N 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. An Executive Summary will be available soon.
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 (GFLUM) designates this location as **Moderate Residential (5-12 d.u./acre)** and **Mixed Use Commercial**. The requested **PUD (Planned Unit Development)** zoning district, as conditioned, is generally consistent with the **Moderate Residential (5-12 d.u./acre)** and **Mixed Use Commercial** GFLUM designations. The Growth Strategy Map designates the subject site as being within the **North Elm Street / Pisgah Church Road 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.

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

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.

Connections 2025 Map Policies

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.

Mixed Use Commercial: 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.

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.

CONFORMITY WITH OTHER PLANS

City Plans

Consolidated Plan 2010-2014: Plan for a Resilient Community

Principle 1) Provide More Transportation Choices:

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 4) Support Existing Communities:

Goal F) Promote neighborhood and economic development by fulfilling target area commitments and creating a process for identifying new opportunities for neighborhood revitalization and planning.

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 change of use with owners of surrounding properties and with representatives of the Bellwood Village neighborhood, located directly to the west of the subject site.

Planning

The request contains five parcels, for a combined acreage of approximately 9.370 acres. The first subject property addressed 3619 North Elm Street is currently vacant. 4108, 4110, 4112 and 4114 Bell Orchard Drive are all developed as single family dwellings. 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 finds this rezoning request consistent with the applicable provisions of the Comprehensive Plan, the Zoning Ordinance and the development pattern of the surrounding area.

STAFF RECOMMENDATION

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