



Z-14-10-004

**City of Greensboro Planning Department
Zoning Staff Report and Plan Amendment Evaluation**

Zoning Commission Hearing Date: October 13, 2014

GENERAL INFORMATION

APPLICANT	Barry Siegal, BSC Holding on behalf of Mary Ann K. Hoffman, Trustee and James R. & Mary S. Stanley
HEARING TYPE	Rezoning Request
REQUEST	R-3 (Residential Single Family) to PUD (Planned Unit Development)
CONDITIONS	<ol style="list-style-type: none">1. Uses restricted to a maximum of 193 residential units.2. Maximum building height facing New Garden Road shall not exceed three stories as viewed from New Garden Road.3. There shall be a landscaped berm along New Garden Road with a minimum width of 15 feet and a minimum height of 4 feet, with the exception of the entrance drive.4. There shall be only two rows of parking in front of the building facing New Garden Road.5. Fencing will be along adjacent residential properties, where permitted, and shall be a minimum of 6 feet in height.6. All stormwater treatment devices shall be located to the rear of the property.7. All lighting shall be cut-off type fixtures directed toward the site with a maximum pole height of 25 feet.8. The building shall be constructed predominantly (85% or more) of masonry material and shall have no exterior stairwells or hallways.9. All exterior railings shall be constructed of metal materials.10. The outdoor pool amenity package shall adjoin the building and shall be enclosed by a masonry privacy wall a minimum of 100 feet from any adjoining property owner.11. HVAC units shall be located on the building roof behind a parapet obstructing their view from New Garden Road.12. The site will only contain one principal building.13. All trash compaction facilities or recycling containers shall be screened from adjoining properties and not located along New Garden Road.
LOCATION	1301,1309,1313,&1317 New Garden Road , generally described as west of New Garden Road and north of Pinehaven Drive.
PARCEL ID NUMBER(S)	7835771536, 7835772608, 7835679726, 7835770995, & 7835679389
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). **58** notices were mailed to those property owners in the mailing area.

TRACT SIZE ~7.63 Acres
TOPOGRAPHY Undulating
VEGETATION Residential

SITE DATA

Existing Use Single family dwellings and undeveloped

	Adjacent Zoning	Adjacent Land Uses
N	CD-RM-12 (Conditional District-Residential Multifamily)	Multifamily dwellings
E	R-3 (Residential Single Family)	Single family dwellings
W	CD-RM-8 (Conditional District-Residential Multifamily) R-3 (Residential Single Family) CD-O (Conditional District-Office)	Multifamily dwellings Single family dwelling Bank
S	R-3 (Residential Single Family) CD-PI (Conditional District-Public and Institutional) CD-O (Conditional District-Office)	Single-family dwellings Dormitories Medical offices

Zoning History

Case #	Date	Request Summary
N/A	N/A	The property has been zoned R-3 since the adoption of the Land Development Ordinance in July 2011. Prior to the LDO, the property was zoned RS-12.

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Requested (PUD)
Max. Density:	3.0 units per gross acre	N/A
Typical Uses	Primarily intended to accommodate low density single-family detached residential development.	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 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 New Garden Road Visual Corridor Overlay Zone, which prohibits establishment of new outdoor advertising signs therein.

Environmental/Soils - Site drains to South Buffalo Creek

Water Supply Watershed Site drains to Lake MacIntosh Water Supply Watershed WSIV, Big Alamance Creek to the southwest and Little Alamance Creek to the northeast

Floodplains N/A

Streams Current City of Greensboro streams buffers will apply. Please show and label location of wetlands, if any, on plan and contact state/corps for appropriate permits if wetland disturbance or stream crossing/disturbance is proposed. Add the following note to the plans: "All the necessary approvals have been/will be obtained from the state/corps for any wetland disturbance and stream crossing/disturbance".

Jordan Buffer Rules apply for utility connections across a stream. See the Land Development Ordinance (LDO) Chp.30-12-3.9, Table 12-5 for activities & structures allowed in stream buffers Zone 1 & Zone 2. See attached chart for activities. A 'No Practical Alternative' letter will need to be submitted Stormwater for approval for any disturbance that is considered 'Allowable with Restrictions'. *We recommend that it is assumed that the entire 50ft buffer is to be undisturbed since very few uses are allowed according to State requirements.*

Other: Site must meet current watershed requirements. High Density development maximum BUA is 70%, Low Density development is 24%. Water quality and water quantity must be addressed.

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

n/a

Landscaping Requirements

Landscaping requirements for this site will be established by the Unified Development Plan submitted to the planning board for approval.

**Tree Preservation Requirements
Acreage**

7.63 acres

Requirements

5% of lot size

Transportation

Street Classification: New Garden Road – Major Thoroughfare
Pinehaven Drive - Local street

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

Traffic Counts: New Garden Road AM Peak hour = 1,195 (Davenport, 2014)
New Garden Road PM Peak hour = 1,641 (Davenport, 2014)

Trip Generation: 24 Hour = 1,293, AM Peak Hour = 98, PM Peak Hour = 124.

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: 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 **Moderate Residential (5-12 d.u./acre)**. The requested **PUD (Planned Unit Development)** zoning district is generally inconsistent with this GFLUM designation, however the applicant has concurrently submitted a request to amend the GFLUM designation on the subject site to **High Residential (over 12 d.u./acre)** 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.

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.

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.

High Residential (over 12 d.u./acre) – This category provides for high-density apartment dwellings, condominiums, life care, and similar housing types. Creating opportunities for this type of housing will become increasingly important to respond to demographic shifts and demand for affordable housing, and it is ideally suited near major activity and employment centers and in areas suitable for future transit service. Within this district, office buildings may also be accommodated.

Comprehensive Plan Amendment History

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

Applicant Stated Reasons for Request

“The proposed residential density associated with this development would not be compatible with the subject site’s existing future land use designation of Moderate Residential, 5-12 dwelling units per acre. In order to avoid incompatibility of the proposed development with the Moderate Residential future land use category, amendment of the GFLUM is requested, changing the future land use designation of the subject site to High Residential, over 12 dwelling units per acre.

The subject property adjoins the commercial property owned by the State Employee’s Credit Union (CD-O), a substation for AT&T (R-3), the Ral Properties of NC daycare facility (CD-RM-8), and is adjacent to the Fleming Terrace, LLC apartment complex (CD-RM-12). The property slopes to the rear and has a perennial creek in the rear of the property making approximately one third of the property unusable. The existing profile of the sanitary sewer line in New Garden Road would prohibit the development of the property unless the elevation of the site is raised to street level which would be cost prohibitive. Alternatively, the property

could be developed by extending the sanitary sewer from Pinehaven Drive through the rear of the adjoining properties which would be cost prohibitive for low density development.

Over the past few years, New Garden Road has undergone zoning changes resulting in complimentary diversity to the neighborhood. The latest change was the rezoning to CD-O of the approximately 2 acres which constitutes the SMP Eagle, LLC doctor's office located across New Garden Road."

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

"The proposed rezoning of the property to a PUD with the stipulated zoning conditions limiting the use of the property to an upper end midrise multifamily lifestyle community compliments land uses in the neighborhood. This land use provides compatible diversity which case studies by the Urban Land Institute show provides stability and economic benefit to existing neighborhoods. Rezoning of the subject site with the stipulated conditions provides a logical transition from CD-O, CD-RM-12, and CD-RM-8 zoned sites adjacent to the property. Furthermore, this tightly restricted use would provide alternative housing options for seniors living in the neighborhood that no longer desire to reside in their homes but are not ready to move to assisted living facilities, retirement facilities, or purchase or rent townhomes nearby. They can still stay within their neighborhood and be close to their friends.

In summary, the proposed change to the GFLUM allows reasonable use of this 7.63 acre tract based on the physical constraints of the property and the availability of City services, provides a reasonable transition from other land uses to the single family subdivisions, and provides good planning continuity to the change in land uses on New Garden Road that has occurred over the years."

COMPREHENSIVE PLAN POLICY ANALYSIS

Need for Proposed Change

The requested **PUD (Planned Unit Development)** zoning would allow uses that are incompatible with the subject site's current GFLUM designation, **Moderate Residential (5 to 12 d.u./acre)**. The requested GFLUM amendment to **High Residential (over 12 d.u./acre)** would eliminate that inconsistency.

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

At their September 17th, 2014 meeting, the Planning Board was asked to consider and comment on the requested change to the GFLUM as discussed above. The Planning Board commented that this change appears to be a reasonable transition, given proximity to other uses.

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 3) Enhance Economic Competitiveness:

Goal E) Focus on energy efficiency as an economic generator for small business development.

Goal F) Provide opportunities for job training, mentoring, education and job creation.

Principle 6) Value Communities and Neighborhoods:

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

Goal E) Work at the neighborhood level to reconnect neighborhoods to jobs and services, promote "Desirable Infill Development" and redevelop major corridors to strengthen adjacent neighborhoods.

Principle 7) Recognize The Environment as a Critical Element of Community Sustainability:

Goal A) Promote more efficient land development patterns.

Sustainability Action Plan

Element 1) Transportation and Land Use:

Policy 1) Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

Element 2) Green Jobs and Buildings:

Policy 3) Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

Policy 4) Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

Policy 6) Promote more efficient use of water through education, partnerships and pilot projects.

Element 3) Waste Reduction and Recycling:

Policy 7) Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

Element 6) Education and Outreach:

Policy 11) Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

Other Plans

n/a

STAFF ANALYSIS AND RECOMMENDATION

Community Development

Applicant is strongly encouraged to discuss this proposed original zoning and development with owners of surrounding properties and with representatives of the adjacent Robin Ridge neighborhood located to the east of the subject site.

Based on the proximity of the subject site to Price Park, the Price Park Greenway, Greensboro Bicycle Route 6, Guilford College, and the large commercial nodes at the New Garden Rd/Horse Pen Creek Rd/Bryan Blvd intersection and the West Friendly Ave/Guilford College Rd intersection, long term quality of life for future residents of this proposed multi-family residential development would be greatly enhanced by provision of secure, convenient bicycle parking.

Staff Analysis

This request includes five subject properties, for a combined acreage of 7.63 acres. The majority of the property is undeveloped; however, there are two single family dwellings included in the request. The subject site adjoins CD-RM-12 to the north (multifamily dwellings). West of the request the zoning transitions to CD-RM-8 (multifamily), R-3 (single family dwellings), and CD-O (bank). South of the request the zoning transitions from R-3 (single family dwellings) to CD-O (medical offices). East of the request is Zoned R-3 (single family dwellings).

The Generalized Future Land Use map designates this area as Moderate Residential. 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 within a density range of 5 to 12 units per gross acre. The request is accompanied by an application to amend the Comprehensive Plan to High Residential, which provides for high-density apartment dwellings, condominiums, life care, and similar housing types at a density exceeding 12 dwelling units per gross acre.

Approving this request will help meet the needs of present and future Greensboro citizens by way of providing quality affordable housing and convenient access to community services, facilities, and amenities. The request, as conditioned, implements measures to protect neighborhoods from negative impacts of development and continues a trend of higher density residential development along New Garden Road.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and 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

**1309 New Garden Road Development - Transportation Impact Analysis, Greensboro, NC
Prepared for BSC Holdings, Inc.
August 29, 2014**

Executive Summary

An apartment development consisting of 193 dwelling units is proposed to be located at 1309 New Garden Road Greensboro, North Carolina. The apartments will be designed for older generations but not age restricted. A single access is proposed to be located directly across from Belvidere Place.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify any 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:

- New Garden Road at Fleming Road / Ballinger Road
- New Garden Road at Belvidere Place / Site Access

The intersections were analyzed during the AM (7-9 am) and PM (4-6 pm) peaks for the following conditions:

- 2014 Existing Conditions
- 2017 Future No Build Conditions
- 2017 Future Build Conditions

The planned build-out year for this development is 2016. A study year of 2017 (build-out plus one year) was used for analysis purposes.

This Transportation Impact Analysis (TIA) was carried out based on Greensboro Department of Transportation (GDOT) and North Carolina Department of Transportation (NCDOT) typical standards. **The analysis has been updated to reflect traffic volumes recorded / extrapolated with school in session.** Information regarding the property was provided by the developer, BSC Holdings, Inc.

Discussion of Results

The results of the study are discussed by intersection below and presented in Table A on the following page:

New Garden Road @ Freming Road / Ballinger Road

This signalized intersection currently operates at LOS C during both the AM and PM peaks. In the 2017 future no build conditions, with the growth in background traffic, the intersection is expected to remain at a LOS C in both the AM and PM peaks. With the addition of proposed site traffic, a LOS C is again expected in both the AM and PM peaks. No improvements are recommended.

New Garden Road @ Belvidere Place / Site Access

This unsignalized intersection currently operates at LOS B during both the AM and PM peaks. In the 2017 future no build conditions, with the growth in background traffic, the intersection is expected to remain at a LOS B in both the AM and PM peaks. With the addition of the fourth leg to the intersection and the proposed site traffic, the intersection is expected to operate at a LOS C in both the AM and PM peaks. The need for an auxiliary right turn lane 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 New Garden Road. A two way left turn lane is currently in place and is adequate to serve left-turning traffic into the site. The access point should be designed according to the GDOT Driveway Manual.

Proposed Site Access Throat Distance

The internal throat distance at the site access was reviewed using the GDOT Driveway Manual, which states that the distance from the adjacent street right of way to the near side of any internal service drive or parking aisle should be 25 feet, or greater than the expected inbound queue at the location. To determine the inbound queue, an internal intersection was modeled for and a queue report generated using SimTraffic 7. Based on the number of vehicles entering the site access during the AM and PM peaks (20 and 81 vehicles, respectively), a minimum throat distance of 50 feet will be required. The access point should be designed according to the GDOT Driveway Manual.

Table A summarizes the level of service analysis at the study intersections:

Table A - Level of Service Summary			
AM Peak	2014 Base	2017 Future No Build	2017 Build
New Garden Road at Fleming Road / Ballinger Road	C (26.2)	C (26.9)	C (27.3)
New Garden Road at Belvidere Place / Site Access	B (12.2) WB Approach	B (12.6) WB Approach	C (15.8) EB Approach
PM Peak	2014 Base	2017 Future No Build	2017 Build
New Garden Road at Fleming Road / Ballinger Road	C (28.5)	C (29.5)	C (30.0)
New Garden Road at Belvidere Place / Site Access	B (14.4) WB Approach	B (15.0) WB Approach	C (17.9) WB Approach
LOS (delay in seconds)			
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay			

Summary and Conclusion

An apartment development consisting of 193 dwelling units is proposed to be located at 1309 New Garden Road Greensboro, North Carolina. The apartments will be designed for older generations but not age restricted. A single access is proposed to be located directly across from Belvidere Place. The planned build-out year for this development is 2016.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify any transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic.

Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a trip generation potential of 98 site trips in the AM peak and 106 trips in the PM peak.

In conclusion, this study has reviewed the impacts of both background traffic and proposed development traffic, and has determined that the future traffic can be accommodated on the existing roadway network. Overall, the analysis indicates LOS C or better can be expected at the study intersections during future build peaks. Please note the proposed site access should be designed according to the GDOT Driveway Manual.