



Z-15-04-001

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

Zoning Commission Hearing Date: April 13, 2015

GENERAL INFORMATION

APPLICANT North Elm Investments LLC on behalf of Jeffrey D. Cole, Thomas S. Bailey & Capital Bank NA

HEARING TYPE Rezoning Request

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

CONDITIONS

1. Uses: Limited to multifamily residential and accessory uses and structures.
2. Maximum number of units not to exceed 288.
3. A six foot opaque fence shall be installed, where permitted, between the subject property and adjacent property.
4. Buildings shall not exceed four stories in height.
5. There shall be no vehicular access on Bell Orchard Drive except for emergency vehicles if deemed necessary by the City of Greensboro.

LOCATION **3607-Near & 3619 North Elm Street, 4108, 4110, 4112, 4114, & 4200 Bell Orchard Drive**

PARCEL ID NUMBER(S) **7866480463, 786688693, 7866389505, 7866389407, 7866483431, 7866481894, 7866388785, 7866388970**

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

TRACT SIZE ~10.61 Acres

TOPOGRAPHY Undulating

VEGETATION Residential

SITE DATA

Existing Use	Vacant and residential
Adjacent Zoning	Adjacent Land Uses
N R-3 (Residential Single-Family) CD-O (Conditional District-Office)	Single family dwellings Office uses

E	R-3 (Residential Single-Family) CD-C-L (Conditional District-Commercial-Low)	Right-of-way Restaurants, sales and services
W	R-3(Residential Single-Family) CD-RM-12 (Conditional District-Residential Multifamily)	Single family dwellings Multifamily dwellings
S	R-3(Residential Single-Family) C-L (Commercial-Low)	Single family dwellings Undeveloped

Zoning History

Case #	Date	Request Summary
3943	6/20/2014	Requested from R-3, CD-C-M & CD-O to PUD with the following conditions: 1. Uses: Limited to multifamily residential and accessory uses and structures. 2. Maximum number of units not to exceed 288. 3. A six foot opaque fence shall be installed, where permitted, between the subject property and adjacent property. 4. Buildings shall not exceed four stories in height. 5. There shall be no vehicular access on Bell Orchard Drive except for emergency vehicles if deemed necessary by the City of Greensboro.
2726	4/6/1999	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.

ZONING DISTRICT STANDARDS

Zoning District Designation:	Existing (CD-O)	Existing (PUD)	Existing (R-3)	Requested (PUD)
Max. Density:	N/A	N/A	Maximum density of 3.00 units per acre or less.	N/A

Typical 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.	Primarily intended to accommodate low-density single-family detached residential development.	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.
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District Summary *

**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 North Elm Street Visual Corridor Overlay Zone, which prohibits the establishment of new outdoor advertising signs therein.

Environmental/Soils - Site drains to South Buffalo Creek

Water Supply Watershed Site drains to Greensboro watersupply watershed, Lake Jeanette

Floodplains N/A

Streams Perennial streams onsite. Permits from the State and Corps are required for any stream and/or wetland disturbance. A 50ft stream buffer is required for perennial and intermittent streams measured from top of bank each side.

Other: Site must meet current watersupply watershed requirements. Maximum Built Upon Area (BUA) for site is 70%.

Utilities

Potable Water Available

Waste Water Available

Airport Noise Cone

n/a

Landscaping & Tree Preservation Requirements

Provisions governing landscaping are established by the Unified Development Plan. Zoning conditions listed above must also be met.

**Tree Preservation Requirements
Acreage**

Requirements

6.4 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 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 = 1,869, AM Peak Hour = 145, PM Peak Hour = 176.

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. 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 d.u./acre)**. The requested **PUD (Planned Unit Development)** zoning district is generally consistent with the **Mixed Use Commercial** GFLUM designation that encompasses most this site. 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.

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 Outreach

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties, and with representatives of the adjacent Bellwood Village neighborhood.

Long term safety and accessibility for users of the subject site, and for employees of businesses occupying the subject site, would be greatly enhanced by the presence of sidewalks along both sides of Bell Orchard Road, North Elm Street, and Pisgah Church Road.

Staff Analysis

This request contains seven parcels, for a combined acreage of 10.61 acres. A portion of the parcels are either vacant or contain single family dwellings and are were zoned PUD in 2014. This request includes additional properties addressed 3607-Near North Elm Street (vacant, zoned CD-O) and 4200

Bell Orchard Drive (single family dwelling, zoned R-3). Areas to the north of the subject site are zoned CD-O (office uses) and R-3 (single family dwellings). East of the request, across North Elm Street, is zoned CD-C-L (various office, retail, service, and restaurant uses). South of the request is an undeveloped property (zoned C-L) and single family dwellings (zoned R-3). West of the request, across Bell Orchard Drive, are single family dwellings (zoned R-3) and multifamily dwellings (zoned CD-RM-12).

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 a commercial node and potential residents would benefit from the immediate proximity of employment and service centers. The Generalized Future Land Use Map designates this site as both Mixed Use Commercial and Moderate Residential, with Mixed Use Commercial covering most of the site. The Mixed Use Commercial designation is intended to accommodate a mix of uses, of which various commercial uses remain predominant, but where residential, service, and other uses are complementary. The Moderate Residential designation 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. This application is deemed to be compatible with the Comprehensive Plan without an amendment because, per City Council adopted policy, at least 60% of the site lies within a compatible future land use classification.

The proposed PUD zoning district can serve as a transition between the low intensity single family dwellings located to the north and west and higher commercial development located to the south and east. The 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 and affordable housing in stable, livable neighborhoods that offer security, quality of life, and the necessary array of service and facilities. It is also in line 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

North Elm Street Project – Transportation Impact Analysis

Greensboro, NC

Prepared for North Elm Associates, LLC

June 6, 2014

Executive Summary

The proposed North Elm Street Project is located on 4108, 4110, 4112, and 4114 Bell Orchard Drive and 3619 North Elm Street in northern Greensboro, North Carolina. The developer proposes an apartment development of 288 dwelling units. The current site plan proposes one (1) site access point on North Elm Street approximately 800 feet north of Pisgah Church Road. Figure 1 shows the site plan.

A transportation impact analysis (TIA) for this site was previously completed by DAVENPORT in June 2012. The previous developer proposed 232 apartment units with a site access on North Elm Street opposite Lake Jeannette Commons Driveway. Since that time, the site plan has changed in terms of the location of the site access and the number of units (288). Additionally, the background traffic has changed since 2012. Hence, there is the need for an updated TIA.

DAVENPORT 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 Proposed Site Access
- North Elm Street at Kenneth Road (unsignalized)

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

- 2014 Base Conditions
- 2016 Future No-Build Conditions
- 2016 Future Build-Out Conditions
- 2016 Future Build-Out Conditions with improvements

The planned build-out year for this development is 2015. A study year of 2016 (build-out plus one year) was used for analysis purposes based on Greensboro Department of Transportation (GDOT) standards. The AM (7-9 am) and PM (4-6 pm) peaks were studied.

The Greensboro Department of Transportation (GDOT) standards were utilized in carrying out this Transportation Impact Analysis (TIA). Information regarding the property was provided by the developer, North Elm Associates, 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 2016 future no build conditions, LOS C is expected in AM and PM peaks. With the addition of site traffic, LOS C is expected in AM and PM peaks. The Sim Traffic simulation does not indicate any queuing issues at this intersection. No improvements are recommended.

Pisgah Church Road at North Elm Street

This signalized intersection currently operates at LOS D during AM and PM peak hours. In 2016 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 sporadic queues at this intersection regardless of the proposed site. With the addition of site traffic, this intersection is projected to operate at LOS D in the AM peak and LOS E in the PM peak. No improvements are recommended.

North Elm Street at Proposed Site Access

In 2016 future build conditions, this site access is expected to operate at LOS C during the AM and PM peaks. The 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. In order to enhance the capacity of the site access, we recommend providing a separate left turn lane exiting the site with 100 feet of storage and appropriate taper. With this improvement, the intersection delay is expected to reduce by 1.2 seconds in the AM peak and by 0.3 seconds in the PM peak.

North Elm Street at Kenneth Road

This unsignalized intersection operates at LOS C during existing AM and PM peaks. In 2016 future no build conditions, LOS C is expected in AM and PM peaks. With the addition of site traffic, LOS C is expected in AM and PM peaks. The Sim Traffic simulation does not indicate any queuing issues at this intersection. No improvements are recommended.

Level of Service Summary

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

Table A - Level of Service Summary				
AM Peak	2014 Base	2016 Future No Build	2016 Future Build	2016 Future Build with Improvements
Pisgah Church Road at Bell Orchard Drive	C (18.7) NB Approach	C (20.9) NB Approach	C (21.1) NB Approach	
Pisgah Church Road at North Elm Street	D (41.7)	D (45.8)	D (48.5)	
North Elm Street at Proposed Site Access			C (18.8) EB Approach	C (17.6) EB Approach
North Elm Street at Kenneth Road	C (21.5) EB Approach	C (24.7) EB Approach	C (24.7) EB Approach	
PM Peak	2014 Base	2016 Future No Build	2016 Future Build	2016 Future Build with Improvements
Pisgah Church Road at Bell Orchard Drive	C (19.1) NB Approach	C (21.9) NB Approach	C (22.5) NB Approach	
Pisgah Church Road at North Elm Street	D (49.7)	E (56.7)	E (62.7)	
North Elm Street at Proposed Site Access			C (15.4) EB Approach	C (15.1) EB Approach
North Elm Street at Kenneth Road	C (18.3) EB Approach	C (20.4) EB Approach	C (20.6) EB Approach	
LOS (delay in seconds)				
Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay				

Summary and Conclusion

The proposed North Elm Street Project is located at 4108, 4110, 4112, and 4114 Bell Orchard Drive and 3619 North Elm Street in northern Greensboro, North Carolina. The site plan proposes one (1) access point on North Elm Street approximately 800 feet north of Pisgah Church Road. As currently planned, the development will consist of 288 apartment units. Based on rates and equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a potential trip generation of 1,869 daily trips, with a total of 145 trips during the AM peak and 176 trips during the PM peak.

DAVENPORT was retained to determine the potential traffic impacts of the proposed North Elm Street Project and the transportation improvements that may be required to accommodate these impacts. The analysis shows that the signalized intersection of North Elm Street and Pisgah Church Road will operate at LOS D and LOS E in future no-build AM and PM peaks, respectively. This indicates that there are sporadic queues at this intersection due to heavy traffic volumes, regardless of whether the proposed site is built. No improvements are recommended at this intersection. Also, the 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. In order to enhance the capacity of the site access, we recommend providing a separate left turn lane exiting the site with 100 feet of storage and appropriate taper. With this improvement, the intersection delay is expected to reduce by 1.2 seconds in the AM peak and by 0.3 seconds in the PM peak.

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. Please note that the site access will be required to be constructed according to GDOT Driveway Manual standards.