



Z-17-03-005

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

Zoning Commission Hearing Date: March 20, 2017

GENERAL INFORMATION

APPLICANT	2751-2767 Horse Pen Creek Road
HEARING TYPE	Rezoning Request
REQUEST	Rezone from R-3 (Residential Single-Family) to CD-RM-12 (Conditional District-Residential Multifamily)
CONDITIONS	<ol style="list-style-type: none">1. Uses shall be limited to 200 multifamily dwellings for elderly citizens, 55 years and older.2. Each building shall have elevator service.
LOCATION	2751-2767 Horse Pen Creek Road
PARCEL ID NUMBER(S)	Multiple
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). 172 notices were mailed to those property owners in the mailing area.
TRACT SIZE	16.7 Acres
TOPOGRAPHY	Undulating
VEGETATION	Residential and Undeveloped

SITE DATA

Existing Use	Residential Single-family and undeveloped	
	Adjacent Zoning	Adjacent Land Uses
N	R-3 (Residential Single-family)	Single-family dwellings
E	R-3 (Residential Single-family) CD-O (Conditional District-Office)	Single-family dwelling Place of Religious Assembly
W	R-3 (Residential Single-family)	Single-family dwellings

S CD-RM-5 (Conditional District-Residential Multifamily) Townhomes

Zoning History

Case #	Date	Request Summary
N/A	N/A	The property is currently zoned R-3 (Residential Single-Family) and has been since the adoption of the Land Development ordinance in July 2010. Prior to the LDO, the subject property was zoned RS-12 (Residential Single-Family).

ZONING DISTRICT STANDARDS

District Summary *

Zoning District Designation:	Existing (R-3)	Requested (CD-RM-12)
Max. Density:	3.0 units per gross acre	12.0 units per gross acre
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Conditioned to allow max. 200 multifamily dwellings.

**These regulations may not reflect all requirements for all situations; see the City of Greensboro Land Development Ordinance for all applicable regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Overlay District Ordinance/Historic Preservation

n/a

Environmental/Soils

Water Supply Watershed Site drains to Greensboro Watersupply Watershed WS-III, Horsepen Creek sub-basin

Floodplains On site. Any disturbance within the FEMA 1% Special Flood Hazard Area(SFHA) requires a Floodplain Development Permit. If structures are placed in the SFHA, an Elevation Certificate will be required to show that the structure is 1ft above the Base Flood Elevation (BFE).

Streams Possible stream on site. Feature must be identified for any 401/404 permits. A 30ft non-encroach area measured from top of stream bank each side will be required.

Other: Site is also located within the 5 mile statue radius of the PTI Airport. No BMP that holds a normal pool elevation is allowed without further documentation. Site must meet current Watersupply Watershed requirements, water quality and water quantity control must be addressed. Maximum High Density Development is 70%, Low Density is 24%.

Utilities (Availability)

Potable Water Available

Waste Water Available

Airport Overlay District & Noise Cone

n/a

Landscaping & Tree Conservation Requirements

Landscaping:

Street Yards:

Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

Buffer Yards:

Adjacent to single family residential: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, & 17 shrubs per 100 linear feet.

Adjacent to vacant property or multi-family residential: Vehicular Use Area buffer yard (see below) between any parking lot or drive aisle and the adjacent property line.

Parking Lots:

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 for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

Tree Conservation:

For 16.7 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation.

Transportation

Street Classification: Horse Pen Creek Road – Minor Thoroughfare.
Tannenbaum Circle – Private Street.

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

Traffic Counts: Horse Pen Creek Road ADT = 19,072 (GDOT, 2015)

Trip Generation:	24 Hour = 1,336, AM Peak Hour =102, PM Peak Hour = 128.
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 not exist along the frontage of this property.
Transit in Vicinity:	No.
Traffic Impact Study: (TIS)	Yes, a Transportation assessment was performed for this site to determine feasibility of a left turn lane and cross access to the future Talmaga Lane signal. Please see the end of this staff report for excerpts from the Assessment.
Street Connectivity:	N/A.
Other:	Subject site is within the limits of the Horse Pen Creek Road Widening Project that is scheduled to begin construction spring of 2017.

IMPACT/POLICY ANALYSIS

Land Use Compatibility

The proposed **CD-RM-12 (Conditional District – Residential, Multi-family – 12 du/ac)** zoning, as conditioned, 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 **Low Residential (3-5 d.u./acre)** and **Mixed Use Commercial**. The requested **CD-RM-12 (Conditional District – Residential, Multi-family – 12 du/ac)** zoning district, as conditioned, is generally consistent with the **Mixed Use Commercial** GFLUM designation, but generally inconsistent with the **Low Residential (3-5 d.u./acre)** GFLUM designation. However the applicant has concurrently submitted a request to amend the GFLUM designation (**CP 17-01**) on the subject site to **Moderate Residential (5-12 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 4B: Target capital investments to leverage private 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.

Policy 4D: Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

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 5E: Improve the aesthetic quality of publicly owned and maintained 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 7A: Target city investment and regulatory policies for economic development.

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

Low Residential (3-5 d.u./acre): 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.

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.

Comprehensive Plan Amendment History

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

Applicant Stated Reasons for Request

“The subject property is presently located in an area designated as Low-Residential. A rezoning application is being submitted concurrently to rezone the property from r-3 to Rm-12 so that the applicant can construct a maximum of 200 apartment units for elderly citizens, 55 years and older. There is a need for more housing in Greensboro for the elderly, and this location on Horsepen Creek Road, a road that has been and continues to be in transition toward more multi family housing, appears to be an appropriate site for the intended use.”

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

“Horsepen Creek Road is being widened to a four lane median lined roadway. There are many uses along the roadway; a large portion of those uses is multi family housing.

Approving this change along this roadway is very much in keeping with the current trend toward Multi-Family housing near retail and professional services which would fit well for the occupants (elderly 55 years and older) of the apartment units proposed for the site.”

COMPREHENSIVE PLAN POLICY ANALYSIS**Need for Proposed Change**

The requested **CD-RM-12 (Conditional District – Residential, Multi-family – 12 du/ac)** zoning, as conditioned, would allow uses that are incompatible with a portion of the subject site’s current designation in the GFLUM as **Low Residential (3-5 d.u./acre)**. If approved, the requested GFLUM amendment (**CP 17-01**) to **Moderate Residential (5-12 d.u./acre)** would resolve this 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

The Planning Board reviewed GFLUM amendment request CP 17-01 during its meeting on February 15, 2017. The Planning Board commented that the proposed change appears consistent as a transition between the single family and mixed use commercial designations in the vicinity. Concern was expressed about the remaining single family designated areas lying on the south side of the Horse Pen Creek Road.

CONFORMITY WITH OTHER PLANS

City Plans

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 Saddle Creek Neighborhood, located to the north of the subject site.

Based on the proximity of the subject site to planned bicycle lanes along Horse Pen Creek Road and the planned McAlister Trail to the west of the subject site as specified in the 2015 Greensboro BiPed Plan, 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 for use by residents, visitors, and employees.

Staff Analysis

The 16.7-acre subject property is currently a combination of single-family dwellings and undeveloped property. North of the request are primarily single-family dwellings zoned R-3. East of the request is a combination of single-family dwellings and a place of religious assembly (zoned R-3 and CD-O). South of the request are townhomes zoned CD-RM-5. West of the request is a single-family dwelling zoned R-3.

The Comprehensive Plan's Generalized Future Land Use map designates this area as both Low Residential and Mixed Use Commercial, with the Low Residential designation covering most of

the site. This category includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within a density range of 3 to 5 dwelling units per gross acre. The Mixed Use Commercial 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. As part of this request the applicant has requested a change to the Moderate Residential designation. 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.

The rezoning request, as conditioned, is limited to a maximum of 200 multifamily units for the elderly. The development fits the changing context of the larger Horse Pen Creek Road corridor that has seen a number of multifamily rezonings in recent years and is directly adjacent to property recently rezoned for office uses. The request also fits with the planned expansion and upgrades to Horse Pen Creek that are currently underway. The site is also not far from the variety of commercial services offered at the intersection of Horse Pen Creek Road and New Garden Road.

The request, as submitted, supports the Comprehensive Plan's Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas and the Housing and Neighborhoods goal to 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.

Staff Recommendation

Staff recommends **approval** of the requested **CD-RM-12** (Conditional District-Residential Multifamily) zoning district.

Horse Pen Creek Road Senior Living Residential Development – Greensboro, NC Transportation Assessment Prepared for Weaver-Kirkland Development, LLC March 6, 2017

Introduction

The proposed Horse Pen Creek Road Senior Living Residential Development is proposed to be located on the south side of Horse Pen Creek Road between Quaker Run Drive and Terrault Drive in Greensboro, North Carolina. The development is to consist of 200 apartment dwelling units to be restricted to residents age 55 and up. One site access is proposed on Horse Pen Creek Road approximately 875 feet west of the intersection with Terrault Drive. Figure 1 presents the preliminary site plan. Figure 2 shows the vicinity map.

Improvements are underway for Horse Pen Creek Road that will convert it to a 4-lane divided facility through the project area. In discussions with the Greensboro Department of Transportation (GDOT), it was determined that a median break would be considered at this location for a directional leftover, allowing left turns into the site from westbound Horse Pen Creek Road, but restricting traffic exiting the site to right turns only. As part of the Horse Pen Creek Road project, a traffic signal is proposed to be installed at the intersection with Talmaga Lane. This intersection will also have a 4th leg opposite Talmaga Lane to serve an office development that has been approved, but not yet constructed. Traffic exiting the site for destinations to the west / north on Horse Pen Creek Road will be able to make a U-turn at this

signal or, using a proposed cross-access with the adjacent office development, exit at the signal at Talmaga Lane.

DAVENPORT was retained to examine the following items:

- 1) The amount of storage needed for the westbound left turn (leftover) into the site access.
- 2) Whether an eastbound right turn lane into the site access is
- 3) warranted.
- 4) Whether the proposed eastbound left turn lane storage at the traffic signal at Talmaga Lane (210' per the design plans) will be sufficient to accommodate the U-turn traffic leaving the site.
- 5) The operation of the office development drive with a cross-access in place allowing site traffic to also utilize this access.

To provide the most conservative analysis for each item, it was assumed for items 1 through 3 above that 100% of the traffic would use the proposed site access for this development. For item 4, it was assumed that up to 50% of the site traffic would use the signal through the cross-access. The analysis and results are thus broken into the following scenarios:

- **Scenario 1:** All site traffic enters and exits through the primary site access. Used for items 1 through 3 above.
- **Scenario 2:** Up to 50% of site traffic may utilize the proposed cross-access with the adjacent office development in order to access the traffic signal at Talmaga Lane. Used for items 4 above.

The study intersections were analyzed during the AM peak (7:00 – 9:00 AM) and PM peak (4:00 – 6:00 PM) for the Future Build Conditions. 2019 was chosen for the analysis year as this is when the Horse Pen Creek Road improvements are expected to be completed. Information regarding the property was provided by the developer, Weaver-Kirkland Development, LLC and the civil engineer, Borum, Wade and Associates, P.A.

Summary and Conclusion

The proposed Horse Pen Creek Road Senior Living Development is proposed to be located on the south side of Horse Pen Creek Road between Quaker Run Drive and Terrault Drive in Greensboro, North Carolina. The development is to consist of 200 apartment dwelling units. One site access is proposed on Horse Pen Creek Road approximately 875 feet west of the intersection with Terrault Drive. Based on trip generation equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a trip generation potential of 102 trips in the AM peak and 128 trips in the PM peak.

Improvements are underway for Horse Pen Creek Road that will convert it to a 4-lane divided facility through the project area. In discussions with the Greensboro Department of Transportation (GDOT), it was determined that a median break would be considered at this location for a directional leftover, allowing left turns into the site from westbound Horse Pen Creek Road, but restricting traffic exiting the site to right turns only. As part of the Horse Pen Creek Road project, a traffic signal is proposed to be installed at the intersection with Talmaga Lane. Traffic exiting the site for destinations to the west / north on Horse Pen Creek Road can make a U-turn at this signal.

DAVENPORT was retained to examine the following items:

- 1) The amount of storage needed for the westbound left turn (leftover) into the site access.

- 2) Whether an eastbound right turn lane into the site access is warranted.
- 3) Whether the proposed eastbound left turn lane storage at the traffic signal at Talmaga Lane (210' per the design plans) will be sufficient to accommodate the U-turn traffic leaving the site.
- 4) The operation of the office development drive with a cross-access in place allowing site traffic to also utilize this access.

Based on the results of the analysis, 100 feet of storage, with appropriate deceleration length and taper, is recommended for the leftover into the site. The need for an auxiliary right turn lane for the site access was evaluated based the GDOT Driveway Manual. Based on the anticipated volumes, a right turn lane is not warranted.

The analysis also found that the left turn storage proposed to be constructed at the intersection of Horse Pen Creek Road and Talmaga Lane is adequate to accommodate the projected U-turn traffic from the proposed development. With the analysis re-run with 50% of the site traffic using the signal through the proposed cross-access, this intersection is also expected to operate at a satisfactory level of service.

In conclusion, this study has determined that future traffic volumes can be accommodated without adverse impacts to the study area. The proposed site access should be constructed in accordance with GDOT standards.