

AMENDING OFFICIAL ZONING MAP

1414, 1509, 1511 and 1515 WEST CONE BOULEVARD AND 2111, 2113, 2115 and 2117
CLEBURNE STREET, GENERALLY DESCRIBED AS SOUTH OF WEST CONE
BOULEVARD AND WEST OF CLEBURNE STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by original zoning from R-3(Residential Single Family – 3) and R-5 (Residential Single Family - 5) to CD-RM-26 (Conditional District Residential Multifamily - 26).

The area is described as follows:

BEGINNING AT A POINT AT THE SOUTHWEST INTERSECTION OF CLEBURNE STREET AND W CONE BOULEVARD AND BEING THE NORTHEAST CORNER OF HEREIN DESCRIBED 23.47 ACRES, SAID POINT ALSO BEING A NORTHEAST CORNER OF DEED BOOK 1827 PAGE 469, THENCE WITH THE WESTERN 50 FOOT WIDE RIGHT OF WAY FOR CLEBURNE STREET SOUTH 02 DEG. 53 MIN. 30 SEC. EAST DISTANCE BEING 241.60 FEET TO A POINT, THENCE WITH THE SAME SOUTH 03 DEG. 45 MIN. 00 SEC. EAST DISTANCE BEING 20.00 FEET TO A POINT BEING THE NORTH EAST CORNER OF LOT 9 OF THE CLEBURNE STREET SUBDIVISION AS RECORDED IN PLAT BOOK 18 PAGE 91, THENCE WITH THE SAME S 03 DEG. 45 MIN. 00 SEC. EAST DISTANCE BEING 320.00 FEET TO A POINT BEING THE NORTH EAST CORNER OF CRAIG A. TRASK AND WIFE WENDY I. HEISE AS DESCRIBED IN DEED BOOK 8281 PAGE 654, THENCE WITH THE NORTH LINE OF SAID CRAIG A. TRASK AND WIFE WENDY I. HEISE SAME BEING THE NORTH LINE OF LOT 5 AS SHOWN IN PLAT BOOK 18 PAGE 47 SOUTH 74 DEG. 34 MIN. 00 SEC. WEST DISTANCE BEING 160.00 FEET TO A POINT, THENCE WITH THE SOUTHERN LINE OF HEREIN DESCRIBED AS RECORDED IN DEED BOOK 1827 PAGE 469 AND THE NORTHERN LINE OF BERKSHIRE SUBDIVISION AS RECORDED IN PLAT BOOK 188 PAGE 53 SOUTH 73 DEG. 47 MIN. 30 SEC. WEST DISTANCE BEING 340.79 FEET TO A POINT BEING THE NORTHWEST CORNER OF HALSTEAD MCADOO AND WIFE CYNTHIA B. MCADOO AS DESCRIBED IN DEED BOOK 3630 PAGE 296, THENCE WITH THE NORTHERN LINE OF HALSTEAD MCADOO AND WIFE CYNTHIA B. MCADOO ALSO SHOWN RECORDED ON PLAT BOOK 50 PAGE 62 LOT A AND THE NORTHERN LINE OF ALAN W. IRVIN AND WIFE

LAURA F. IRVIN AS DESCRIBED IN DEED BOOK 7834 PAGE 1656 BEING LOT 6 OF THE PROXIMITY MANUFACTURING COMPANY PLAT RECORDED IN PLAT BOOK 14 PAGE 43 SOUTH 73 DEG. 47 MIN. 05 SEC. WEST DISTANCE BEING 545.60 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF THE CITY OF GREENSBORO AS DESCRIBED IN DEED BOOK 847 PAGE 262 NORTH 26 DEG. 03 MIN. 30 SEC. WEST DISTANCE BEING 273.50 FEET TO A POINT BEING THE SOUTHEAST CORNER OF TERRY L. FRIPP AND GAYLE H. FRIPP AS DESCRIBED IN DEED BOOK 4713 PAGE 1853 ALSO BEING THE SOUTHEAST CORNER OF LOT 14 AS RECORDED IN PLAT BOOK 14 PAGE 41, THENCE WITH THE EASTERN LINE OF SAID OF TERRY L. FRIPP AND GAYLE H. FRIPP N 26 DEG. 01 MIN. 30 SEC. WEST DISTANCE BEING 267.00 FEET TO A POINT BEING IN THE EASTERN LINE OF R. MARK ROSE AND WIFE MARGARET S. ROSE AS DESCRIBED IN DEED BOOK 4180 PAGE 322, THENCE WITH THE EASTERN LINE OF SAID R. MARK ROSE AND WIFE MARGARET S. ROSE AND THE EASTERN LINE OF STEPHEN E. HOFBAUER AND WIFE HOLLAND E. HOFBAUER AS RECORDED IN DEED BOOK 6806 PAGE 1812 NORTH 01 DEG. 39 MIN. 00 SEC. EAST DISTANCE BEING 260.40 FEET TO A POINT BEING THE NORTH EASTERN CORNER OF SAID STEPHEN E. HOFBAUER AND WIFE HOLLAND E. HOFBAUER AS RECORDED IN DEED BOOK 6806 PAGE 1812 ALSO BEING THE NORTHEASTERN CORNER OF LOT 7 AS RECORDED IN PLAT BOOK 14 PAGE 41, THENCE WITH THE NORTHERN LINE OF SAID STEPHEN E. HOFBAUER AND WIFE HOLLAND E. HOFBAUER AS RECORDED IN DEED BOOK 6806 PAGE 1812 SOUTH 66 DEG. 58 MIN. 33 SEC. WEST DISTANCE BEING 120.00 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF JASON N. PETERSON AND WIFE REBECCA PETERSON AS DESCRIBED IN DEED BOOK 8312 PAGE 2440 NORTH 26 DEG. 11 MIN. 44 SEC. WEST DISTANCE BEING 80.93 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF EDWIN T. BARNES AND KAREN J. BARNES AS DESCRIBED IN DEED BOOK 8167 PAGE 1834 NORTH 32 DEG. 51 MIN. 55 SEC. WEST DISTANCE BEING 74.27 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF TODD D. RANGEL AND WIFE KIMBERLY S. RANGEL AS DESCRIBED IN DEED BOOK 7985 PAGE 343 NORTH 36 DEG. 50 MIN. 55 SEC. WEST DISTANCE BEING 85.41 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF ELIOT FOX VOELKER AND WIFE CAITLIN G. MAHONEY AS DESCRIBED IN DEED BOOK 8283 PAGE 1927 NORTH 55 DEG. 54 MIN.

15 SEC. WEST DISTANCE BEING 82.43 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF CHRISTOPHER NORRIS AND WIFE ERIN HORNING AS DESCRIBED IN DEED BOOK 7937 PAGE 2864 N 35 DEG. 57 MIN. 10 SEC. EAST DISTANCE BEING 38.95 FEET TO A POINT BEING THE NORTH EAST CORNER OF SAID CHRISTOPHER NORRIS AND WIFE ERIN HORNING ALSO BEING THE NORTHEAST CORNER OF LOT 2 IN THE KIRKWOOD SUBDIVISION AS RECORDED IN PLAT BOOK 14 PAGE 41, THENCE WITH THE NORTHERN LINE OF SAID CHRISTOPHER NORRIS AND WIFE ERIN HORNING AS DESCRIBED IN DEED BOOK 7937 PAGE 2864 NORTH 88 DEG. 58 MIN. 00 SEC. WEST DISTANCE BEING 73.30 FEET TO A POINT, SAID POINT BEING IN AN EASTERN LINE OF THE DASAL GROUP, LLC AS DESCRIBED IN DEED BOOK 8139 PAGE 546, THENCE WITH THE EASTERN LINE OF THE DASAL GROUP, LLC AS DESCRIBED IN DEED BOOK 8139 PAGE 546 NORTH 00 DEG. 09 MIN. 00 SEC. EAST DISTANCE BEING 75.00 FEET TO A POINT, SAID POINT BEING THE EASTERN MOST CORNER OF CREEKMUIR HOLDINGS LLC, AS DESCRIBED IN DEED BOOK 8197 PAGE 1089, THENCE WITH THE EASTERN LINE OF SAID CREEKMUIR HOLDINGS LLC, AS DESCRIBED IN DEED BOOK 8197 PAGE 1089 AND BEING LOT 8 OF THE IRVING PARK WEST SUBDIVISION SECTION 4 AS RECORDED IN PLAT BOOK 28 PAGE 27 NORTH 11 DEG. 50 MIN. 00 SEC. WEST DISTANCE BEING 67.00 FEET TO A POINT, THENCE WITH THE SAME NORTH 36 DEG. 10 MIN. 00 SEC. WEST DISTANCE BEING 75.00 FEET TO A POINT, THENCE WITH THE NORTHERN LINE OF RAYMOND H. CARPER AS DESCRIBED IN DEED BOOK 7594 PAGE 202 NORTH 36 DEG. 10 MIN. 00 SEC. WEST DISTANCE BEING 94.53 FEET TO A POINT, THENCE WITH THE SAME NORTH 45 DEG. 31 MIN. 30 SEC. WEST DISTANCE BEING 45.00 FEET TO A POINT, THENCE WITH THE NORTHERN LINE OF ANDREW J. KOESTERS AND WIFE JODI L. KOESTERS AS DESCRIBED IN DEED BOOK 8274 PAGE 2265 NORTH 45 DEG. 31 MIN. 30 SEC. WEST 60.00 FEET TO A POINT, THENCE WITH THE SAME NORTH 59 DEG. 13 MIN. 30 SEC. WEST DISTANCE BEING 23.60 FEET TO A POINT, THENCE WITH THE NORTHERN LINE OF AMY K. BEESLEY AND HUSBAND KENNETH L. BEESLEY AS DESCRIBED IN DEED BOOK 8195 PAGE 801 NORTH 59 DEG. 13 MIN. 30 SEC. WEST DISTANCE BEING 113.70 FEET TO A POINT, THENCE WITH THE NORTH LINE OF JAMES R. CAPPS AND WIFE JOANNA J. CAPPS AS DESCRIBED IN DEED BOOK 8308 PAGE 1103 NORTH 59

DEG. 13 MIN. 30 SEC. WEST DISTANCE BEING 70.00 FEET TO A POINT IN THE EASTERN LINE OF JOHN M. BELL AND WIFE LAURA J. BELL AS DESCRIBED IN DEED BOOK 8057 PAGE 244, THENCE WITH THE EASTERN LINE OF SAID JOHN M. BELL AND WIFE LAURA J. BELL AS DESCRIBED IN DEED BOOK 8057 PAGE 244 NORTH 10 DEG. 03 MIN. 30 SEC. WEST DISTANCE BEING 50.00 FEET TO A POINT, THENCE WITH THE EASTERN LINE OF MAXINE H. DURHAM AS RECORDED IN DEED BOOK 3967 PAGE 2178 ALSO BEING THE EASTERN LINE OF LOT 16 AS SHOWN RECORDED IN PLAT BOOK 28 PAGE 27 NORTH 30 DEG. 52 MIN. 30 SEC. EAST DISTANCE BEING 128.45 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY FOR WEST CONE BOULEVARD, THENCE WITH THE SOUTHERN 40 FOOT WIDE RIGHT OF WAY FOR SAID WEST CONE BOULEVARD AS DESCRIBED ON PLAT BOOK 28 PAGE 27 BEING A CURVE TO THE RIGHT A CHORD BEARING OF SOUTH 57 DEG. 24 MIN. 30 SEC. EAST CHORD DISTANCE BEING 80.00 FEET ARC-LENGTH BEING 80.02 FEET AND HAVING A RADIUS OF 1,122.92 FEET TO A POINT, THENCE WITH THE SAME BEING A CURVE TO THE RIGHT A CHORD BEARING OF SOUTH 53 DEG. 21 MIN. 30 SEC. EAST CHORD DISTANCE BEING 80.00 FEET ARC-LENGTH BEING 80.02 FEET AND HAVING A RADIUS OF 1,122.92 FEET TO A POINT, THENCE WITH THE SAME BEING A CURVE TO THE RIGHT A CHORD BEARING OF SOUTH 49 DEG. 57 MIN. 30 SEC. EAST CHORD DISTANCE BEING 53.15 FEET ARC-LENGTH BEING 53.16 FEET AND HAVING A RADIUS OF 1,122.92 FEET TO A POINT, THENCE WITH THE SAME SOUTH 48 DEG. 36 MIN. 30 SEC. EAST DISTANCE BEING 26.85 FEET TO A POINT, SAID POINT BEING THE NORTHEAST CORNER OF LOT 19 AS SHOWN RECORDED ON PLAT BOOK 28 PAGE 27, THENCE WITH THE SOUTHERN RIGHT OF WAY FOR WEST CONE BOULEVARD SOUTH 48 DEG. 36 MIN. 30 SEC. EAST DISTANCE BEING 640.00 FEET TO A POINT, THENCE WITH THE SAME BEING A CURVE TO THE LEFT A CHORD BEARING OF SOUTH 77 DEG. 09 MIN. 30 SEC. EAST CHORD DISTANCE BEING 979.22 FEET ARC-LENGTH BEING 1020.95 FEET AND HAVING A RADIUS OF 1,024.46 FEET TO A POINT, THENCE WITH THE SAME NORTH 74 DEG. 17 MIN. 30 SEC. EAST DISTANCE BEING 249.92 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 23.47 ACRES MORE OR LESS.

Section 2. That the zoning amendment from R-3 (Residential Single Family - 3) and R-5 (Residential Single Family – 5) to CD-RM-26 (Conditional District Residential Multifamily - 26) is hereby authorized subject to the following use limitations and condition:

1. EXCLUDED USES. Applicant will exclude the following uses on the Property:

- a. Forestry and crops;
- b. Manufactured Homes (Class AA);
- c. Manufactured Home Parks;
- d. Fraternities and Sororities;
- e. Private Dormitories;
- f. Rooming & Boarding Houses;
- g. All Cemeteries;
- h. Day Care Homes;
- i. Elementary/Secondary Schools, neighborhood scale;
- j. Elementary/Secondary Schools, community scale;
- k. All government uses;
- l. Shelters, Temporary & Emergency;
- m. Tourist Homes (Bed & Breakfast);
- n. Junked Motor Vehicles; [accessory use]
- o. Yard Sales (up to 2 per year); [accessory use]
- p. Land Clearing & Inert Debris Landfills, Minor [temporary use]
- q. Family care homes.
- r. Chartered homes.
- s. Assisted Living Facilities.
- t. All neighborhood-scale cultural and community uses.
- u. All community-scale cultural and community uses.
- v. Day Care Centers.
- w. Group Care Facilities.
- x. Clubs and Lodges.
- y. Golf Course, Driving Ranges, Country Clubs.
- z. Swim and Tennis Clubs.
- aa. Single-Room Occupancy Residences.
- bb. Park and Ride Facilities.
- cc. Accessory Dwelling Units. [accessory use]

2. TRAFFIC/ACCESS

- a. Access to the Property shall be limited to the following:
 - i. There shall be a maximum of two (2) access points on Cone Boulevard; and
 - ii. Vehicular access to Cleburne Street shall be limited to a gated emergency access only entrance.
 1. Gates shall be constructed to be compatible in material and design with

the required fencing along the Cleburne Street property line referenced in Condition 6.

3. DENSITY. The maximum number of multi-family units allowed shall be four hundred eighty (480).

4. BUILDING HEIGHT AND SETBACKS. Applicant will maintain the following building heights and setbacks from the adjacent property lines (see attached Exhibit "A" for designation of Sections listed below):

a. Immediately abutting Cleburne and adjacent properties on Cleburne Street:

- i. 35 foot setback for buildings with a maximum height of up to 60 feet.
- ii. 70 foot setback for buildings with a maximum height of up to 70 feet.
- iii. 250 foot setback for buildings with a maximum height of up to 80 feet.

b. Immediately abutting adjacent properties on and Berkshire Lane, Medford Lane, Colonial Avenue, Lafayette Avenue, and Lafayette Court:

- i. 70 foot setback for buildings with a maximum height of up to 70 feet.
- ii. 250 foot setback for buildings with a maximum height of up to 80 feet.

c. No accessory structure may be located closer than 40 feet to any property line abutting single-family residential homes.

5. BUFFERS Applicant will install and maintain the following vegetative buffers along perimeter of the property:

- a. Along Cleburne Street: Enhanced 25 foot width TYPE B BUFFER YARD planting rates with an increase from 5 understory trees to 10 understory evergreens planted 10 feet on center to create a continuous screen.
- b. Along the property line of adjacent properties on Berkshire Lane, Lafayette Court, 2110 Medford Lane and Colonial Avenue from 1506 Colonial Avenue through and including 1514 Colonial Avenue: 25 foot average width TYPE C BUFFER YARD planting rates
- c. Along the property line of adjacent properties from 2111 Medford Lane to 1208 Colonial Avenue: 100 foot wide buffer with all existing trees to remain.
- d. Along the property line of adjacent properties on Colonial Avenue from 1210 Colonial Avenue through and including 1504 Colonial Avenue: 50 foot average width TYPE C BUFFER YARD planting rates.

6. FENCING. Applicant will install and maintain the following fencing around the property:

- a. A fence shall be installed along all property lines with a minimum height of 6 feet, where allowed by current ordinances.
- b. The fence shall be constructed of a dark colored ornamental metal (wrought iron, etc.), stone, brick, or masonry-like materials with finished side facing abutting properties.

c. The fence shall not be constructed of wood, chain-link, plastic/vinyl, or any other materials prohibited by the Land Development Ordinance.

7. CONSTRUCTION. Applicant will adhere to the following conditions as related to construction and development of the property:

a. Any buildings associated with the construction of the property, including construction trailers, equipment shelters, portable restrooms, dedicated subcontractor parking, construction entrances, etc., shall not be located within 75 feet of any property line abutting single-family residential homes.

8. LIGHTING. (NEW)

a. All exterior pole-mounted lighting fixtures shall not exceed 20 feet in height.
b. Lamps shall be aimed so no direct light shall be visible from adjacent properties.

9. TRASH DISPOSAL. (NEW)

a. Dumpster location(s) shall be no closer than 75 feet to any property line abutting single-family residential homes.
b. Trash from the Property to be collected and stored in 1 or more Stationary Compaction Units (SCUs), which shall be unloaded off-site.

10. SIGNAGE. (NEW)

a. Any signage requiring a sign permit shall be limited to Cone Boulevard (except for required signage for Cleburne emergency access entrance, which is limited to 4 square feet).

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-RM-26 (Conditional District Residential Multifamily - 26) zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on November 17, 2020.