

**MEETING OF THE  
ZONING COMMISSION  
March 9, 2015**

**Z-15-03-008** 5300 High Point Road (north of High Point Road and west of Alamance Road) – (A) An original zoning request from County RS-40 (Residential Single Family) and County-GO-M (General Office-Moderate) to City-PUD (Planned Unit Development) with the outlined conditions below and (B) A rezoning request from O (Office) to PUD (Planned Unit Development) with the outlined conditions as follows: (1) Uses: All uses permitted in the PUD district **except** manufactured dwellings, manufactured dwelling parks, sexually oriented businesses, rooming houses, fraternities and sororities, cemeteries, wireless communication facility, junk motor vehicles, portable storage units, animal shelters, TV/HDTV/AM/FM broadcast facilities, amusement and water parks/fairgrounds, campgrounds and recreational vehicle parks, pawn shops, satellite dishes/TV and radio antennae towers; (2) Tract 1 and Tract 2, proposed mixed use/commercial, shall be limited to uses permitted in the R, RM, TN, MU, CL, CM, CH, and O zoning districts. (a) A mix of residential and commercial uses is allowed. The number of residential units in Tract 1 (18.91 acres) shall not exceed 445 units with a maximum building height of four stories and a minimum open space of 1.89 acres. Commercial square footage in this tract shall not exceed 225,000 (GFA), with a minimum open space of 0.52 acres; (b) A mix of residential and commercial uses is allowed. The number of residential units in Tract 2 (16.72 acres) shall not exceed 380 units. If developed as residential, there will be a minimum open space of 1.67 acres. Commercial square footage in this tract shall not exceed 260,000 (GFA), with a minimum of 0.6 acres of the Tract reserved for open space. No building in Tract 2 shall exceed 5 stories in height. (3) Tract 3 (43.1 acres), proposed mixed use/commercial/residential/adaptive reuse, shall be limited to: (a) All uses permitted in R, RM, and TN districts with dwelling units not to exceed 571 units with a maximum building height of 4 stories. (b) Uses permitted in retail, office or an institutional setting containing uses permitted in the R, RM, MU, PI, CL, CM, CH, CN, and O zoning districts. New commercial square footage will not exceed 200,000 square feet (GFA), in addition to the square footage of existing buildings located on Tract 3 as of March 9, 2015. (c) A mix of residential and commercial uses is allowed. (4) Tract 4 (11.79 acres) and 5 (24.08 acres), proposed residential, shall be limited to uses permitted in the R, RM, and TN districts and shall be further conditioned as follows: (a) The number of residential units in Tract 4 shall not exceed 93 minimum units with a maximum building height of two stories and a minimum open space of 1.77 acres. (b) The number of residential units in Tract 5 shall not exceed 226 units, with a maximum building height of two stories and a minimum open space of 3.61 acres. (5) Tract 6 (16.81 acres) will be reserved as a buffer and mitigation site with permitted uses limited to those consistent with the PNR district, with an exception to allow construction necessary for wetland mitigation and storm water control. – For property located at 5300 High Point Road generally described as north of High Point Road and west of Alamance Road (128 acres original zoning and 3.4 acres rezoning) – Henry Isaacson on behalf of Pilot Life Center. **(FAVORABLE RECOMMENDATION)**

Mr. Kirkman indicated that although there will be separate votes, the presentations for Z-15-03-008 and Z-15-03-009 will be combined.

Ms. Smith described the subject properties, as well as surrounding properties, and noted issues in the staff report.

Chair Pinto asked if there was anyone wishing to speak in favor of the requests.

Henry Isaacson, 101 West Friendly Avenue, was present on behalf of Kisco Senior Living, owner of the subject property. He distributed packets of information to Commission members.

**Additional Conditions:**

Mr. Isaacson requested that the following new conditions be added to the zoning application as follows:

2. **The following conditions will apply to the western property boundary on Tract I continuous with the Sedgefield Landing community:**
  - (a) **In conjunction with the initial phase of any new construction, a minimum of an 84 inch, where permitted, opaque fence will be constructed along the west side of Tract I abutting Sedgefield Landing. The fence will be continuous, that is no breaks, and will continue the entire Tract I property line beginning with the southernmost point of the Duke Power right-of-way, where permitted, and continuing to the point where the fence meets the existing NCDOT sound wall, if the DOT permits.**
  - (b) **A gate will be constructed in the fence, if permitted, at the point where the fence crosses the Duke Power right-of-way.**
  - (c) **There shall be a 35 foot wide buffer on the entire property line of Tract I that abuts Sedgefield Landing consisting of evergreen plantings in order to achieve a consistent visual screen. The initial evergreen plantings in this buffer shall be 6 feet tall and shall be installed on the Sedgefield Landing side of the fence with the fence installed no closer than 15 feet to the property line where there are Sedgefield Landing residences within 25 feet of the property line and will be at least 5 feet from the property line in all other instances.**
  - (d) **Buildings located within 75 feet of the property line on Tract I which directly abuts the Sedgefield Landing Community shall be no more than 1 story in height whereas structures outside of this 75 foot boundary may exceed 1 story. Businesses located in those buildings shall have operating hours no earlier than 6:00 a.m. and no later than midnight and subject to City approval, there shall be no vehicle access behind these buildings.**
  - (e) **Trash dumpsters shall be screened and located at least 50 feet from the western property boundary of Tract I that abuts Sedgefield Landing.**
  - (f) **There will be no vehicular traffic access from the end of Sedgefield Gate Road in Sedgefield Landing onto the subject property or from the subject property onto Sedgefield Gate Road.**

Mr. Placentino moved to add the conditions as presented, seconded by Ms. Bachmann. The Commission voted 9-0 in favor of the motion. (Ayes: Pinto, Placentino, Parmele, Gilmer, Bachmann, Griffin, Blackstock, Marshall, Lester. Nays: None.)

Referring to distributed material, Mr. Isaacson stated that the subject property is the former Sedgefield Pilot property. He reviewed the illustrative site plan and said that Tracts 1 and 2 are being reserved for commercial and residential use because the impact of the highway allows a more intense use to be adjacent to that roadway. There will be one access point for Tract 1 and one access point for Tract 2. Tract 3 is where the existing Sedgefield Pilot buildings are located. It is planned to be mixed use for retail and office and hopefully adaptive reuse for the existing buildings. Tracts 4 and 5 are reserved for residential development exclusively. The conditions provide for a lower density and lower building height out of respect to the Sedgefield neighborhood across High Point Road. Illustrative photographs were included in the distributed material to show what might be constructed on the property.

Mr. Isaacson stated that a letter was sent to residents on the City's list along and others to inform them about the project. At least six neighborhood meetings were held to receive feedback. He noted favorable acceptance of the proposed plan at the meetings that were held. The property has been vacant for six years due to economic conditions. Mr. Isaacson felt that the zoning application represented a well-conceived, thoughtful plan which coincides with current traffic patterns.

Ms. Bachmann asked for clarification regarding feedback from neighbors at the meetings. Mr. Isaacson indicated that Sedgefield Landing has the greatest impact from the project and a lot of time was spent with the neighborhood to respond to their concerns as reflected in the conditions. In addition, residents from the Sedgefield community at the January meeting seemed to be pleased with the plan and felt it was thoughtfully done. Several neighbors had thoughts about relocating to the new community. Addressing traffic concerns, Mr. Isaacson stated that a Traffic Impact Analysis was submitted and reviewed. The study calls for certain improvements to be made to the intersections and the roadways which will be done as part of the Planned Unit Development.

Mr. Lester pointed out that the density in Tracts 4 and 5 seem to far exceed the densities of the traditional Sedgefield community across High Point Road. Mr. Isaacson said that single family homes are located across High Point Road. The proposed development has limited the number of units and the height of the buildings so that there could be no high rise apartments or hotels in either Tract 4 or 5. Mr. Lester asked why the developer did not further limit Tracts 4 and 5 to single family residential development and then have Tract 3 with multifamily mixed use.

Responding to Mr. Lester's question, Mitchell Brown, Kisco Senior Living, stated that in regards to Tracts 4 and 5, the existing zoning in the County allows the same density they are requesting in the annexation. They are not asking for PUD zoning greater than what the County already allows, they are just carrying it forward. The market will dictate what goes on the property. Mr. Brown added that the density is very compatible at this point given the fact they tried to create a new community that has a little bit more overall intensity to it. The City is looking at this as a way to anchor the development of Gate City Boulevard and High Point Road all the way from the Coliseum to Jamestown. Investment in this property will allow a certain amount of mixed use and adaptive reuse of the historic Pilot buildings. Their intention is to keep all the density up behind the 1927 buildings, The buildings behind the 1927 buildings were built in the late 1950s and early 1960s and are not visible from High Point Road because of the way it was thoughtfully laid out. They plan to build a Kisco Senior Living community in the Tract 3 area. He felt that a range of tasteful densities would be a great complement for Sedgefield.

### **In Opposition:**

Mary Jane Fox, 32 Pilot Ridge Court, indicated she received the notice from the City but did not receive a letter from the developer concerning the development. Her property is located north of the railroad track. She asked for clarification on how the proposed development might affect her property. She was concerned about the presence of large commercial buildings behind her property. She noted that an elementary school is located nearby.

### **Rebuttal in Support:**

Mitchell Brown explained that a second railroad track line was added to the right-of-way about four years ago and therefore, it is a double freight track line. Referring to the map, he said that Gate City Boulevard is a 120 foot right-of-way with four divided lanes. There is also an area of unbuildable buffer abutting the school that may be used for wetland mitigation. Therefore, there is a double elevated railroad track, a 120 foot major arterial highway with a 40 foot sound wall that currently extends from Adams Farm Shopping Center to the top end of the pond beyond Sedgefield Landing. He described the separation between

property owned by Ms. Fox and the development and indicated on the north side of the school, there is open space and the elevated road. He stated that no traffic from the development will go near the Adams Farm neighborhood or elementary school because the railroad tracks present a physical barrier. In addition, Mr. Brown confirmed that everybody within 600 feet of the request was notified of the request.

There being no other speakers on Z-15-03-008 and Z-15-03-009, Chair Pinto closed the Public Hearing.

### **Staff Report:**

Mr. Kirkman stated that this site is designated as **Mixed Use Corporate Park** on the Generalized Future Land Use Map. The Mixed Use Corporate Park designation is intended for large tracts of undeveloped land near the City's fringe appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. With this request the applicant is also requesting a change to Mixed Use Planned Community, which is intended for large tracts of undeveloped land near the City's fringe that are appropriate for larger scale, creatively planned residential, mixed with other uses such as supporting retail and small to medium scale office development. Compatibility among these uses and with the area's scenic character will be maintained through generous open space reservations and design standards that address the locations, character of, and relocation between uses, while affording greater development flexibility than provided by standard zoning district classifications. The proposed request does support the Comprehensive Plan's Growth at the Fringe goal to provide a development framework for the fringe that guides sound, sustainable patterns of land use. The proposal also supports the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing. The proposal does include a number of measures (max units, max gross floor area, and height) to limit potential negative impacts on surrounding properties. The proposed PUD (Planned Unit Development) zoning district as conditioned supports residential and non-residential uses compatible with adjacent development. Staff is recommending approval of this request.

### **Comments:**

Mr. Gilmer plans to support this request. The development is a great use for the fringe of the City. He was pleased to see the property being developed.

Mr. Lester commended the developer for his work on the project and efforts to address neighborhood concerns. It appears that the conditions imposed on Tracts 4 and 5 are consistent with existing County maximum density in that area. Due to the conditions placed on Tracts 4 and 5 as well as the overall proposed development, he plans to support the request.

Ms. Bachmann expressed support for the request and commented that the area is full of history and continues to grow. She felt the developer had done a tremendous job planning this project out through tracts and various uses for the land. She was pleased that there is interest in preserving the history of the original Pilot buildings.

Mr. Blackstock commended the developer on his work. He plans to support the request.

Mr. Parmele was supportive of the development and felt that it made a lot of sense to place the commercial component up front coming off of the bypass and tapering back toward the residential component. He felt the project should be successful and was way overdue.

Chair Pinto commented that developers are becoming more creative coming out of the recession. This is a very creative use of the land transitioning away from Sedgefield. He commended the developer's effort to

take neighborhood concerns into account while working the project into a Planned Unit Development. He felt the project was well done.

Mr. Parmele moved that in the matter of **Z-15-03-008**, the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 5300 High Point Road from County RS-40 (Residential Single Family) and County-GO-M (General Office-Moderate) to City-PUD (Planned Unit Development) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest because the request is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; the request does implement measures to protect neighborhoods from potential negative impacts of development; and the request does promote new patterns of intensity of use to increase economic competition to enhance quality of life in urban areas, seconded by Mr. Gilmer. The Commission voted 9-0 in favor of the motion. (Ayes: Pinto, Placentino, Parmele, Gilmer, Bachmann, Griffin, Blackstock, Marshall, Lester. Nays: None.)