

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
September 18, 2017**

**Z-18-09-003** 4403 Old Battleground Road (south of Old Battleground Road and east of Ragland Drive - A rezoning request from CD-RM-18 (Conditional District Residential Multifamily – 18) and R-3 (Single Family Residential – 3) to PUD (Planned Unit Development) with the following conditions: 1. Multifamily residential and accessory structures shall be the only permitted uses. 2. There shall be a maximum of seventy-two (72) dwelling units. 3. There shall be a minimum six (6) foot high opaque fence on the southern boundary, as permitted under applicable ordinances. 4. The exterior of the principal buildings shall be primarily brick and/or stone. 5. All buildings shall be limited to a maximum of three (3) above ground stories. 6. There shall be a fifty (50) foot wide buffer between the subject property and the residential properties on the southern boundary. This buffer shall consist of existing undisturbed vegetation (except of disturbance related to construction, operation and maintenance of storm water treatment devices or where disturbances are otherwise required by ordinance or statute). This condition shall be interpreted to expressly permit the construction, operation and maintenance of storm water treatment devices within the proposed fifty (50) foot buffer area. 7. Vehicular access from the subject property to Brookfield Drive shall be prohibited. – For the property located at 4493 Old Battleground Road generally described as east of Four Farms Road and south of Horse Pen Creek Road (6.429 Acres) – Marc L. Isaacson for RL REGI-NC CIL LLC. **(APPROVED)**

Mr. Kirkman described the subject properties, as well as surrounding properties, and noted issues in the staff report.

Vice Chair Lester asked if there was anyone to speak on this matter.

Marc Isaacson, 804 Green Valley Road, representing the applicant, stated that this is a request for a Planned Unit Development (PUD) zoning which is a little unusual since PUD zoning means this proposal has already been reviewed by the City's Technical Review Committee (TRC) process before moving forward. The property was initially zoned for RM-18 in 2007 and one of the main conditions was restricted to condominiums for sale. Of the 96 permitted units, only 24 were built (one building). The developers ran into financial difficulties during the market downturn in 2007-2008 and things changed dramatically. The remaining property has remained undeveloped and vacant since that time which has been very challenging for the 24-unit owners who have had to bear the maintenance expenses of the entire property. The property is currently owned by a financial institution and his client now intends to complete the development of the property at this time. It is felt that the stated conditions for this project would be essential for this development and make them a good neighbor to the existing condominium owners. Their intent is that this condition regarding building materials matches the condition of 2007 and would provide the opportunity to build substantially the same type of structure that is currently located on the property. There are very substantial buffers that will maintained and kept in place.

There being no other speakers in favor or opposition to the request, the public hearing was closed.

**Staff Recommendation:**

Mr. Kirkman stated that the Comprehensive Plan's Generalized Future Land Use Map designates this area as Mixed Use Residential which applies to districts where the predominant use is residential but include substantially compatible non-residential uses. The proposed request does support 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 and affordable housing in a stable and livable neighborhood. The PUD district, as conditioned, is limited to multifamily residential uses and staff recommends approval of the request.

**Comments:**

The Commission members voice their opinion that they felt that this proposed development would be a good fit for this particular neighborhood.

Ms. Mazzurco stated that the Greensboro Zoning Commission believes that its action to approve the zoning amendment for the property located at 4493 Old Battleground Road from CD-RM-18 and R-3 to PUD, with the conditions previously stated to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: 1) The request is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas. 2) The request is consistent with the Housing and Neighborhoods goal to meet the needs of present and future Greensboro citizens for a choice of decent and affordable housing. 3) The request does implement measures to protect neighborhoods from potential negative impacts, seconded by Mr. Blackstock. The Commission voted 6-0 in favor of the motion. (Ayes: Lester, Gilmer, Mazzurco, Blackstock, Duggins, Pinto. Nays: None)