



Legislation Details (With Text)

File #: ID 15-0321 **Version:** 1 **Name:**

Type: Ordinance **Status:** Passed

File created: 4/7/2015 **In control:** City Council

On agenda: 4/21/2015 **Final action:** 4/21/2015

Title: Ordinance Establishing Zoning and Rezoning Property Located at 5300 High Point Road

Sponsors:

Indexes:

Code sections:

Attachments: 1. PL(Z) 15-11_HighPointRdJeffPilot-Zoning.pdf, 2. PL(Z) 15-11_HighPointRdJeffPilot-Aerial.pdf, 3. minutes for PL(Z) 15-11 (5300 High Point Rd).pdf, 4. zoning staff report for PLZ 15-11 (5300 High Point Rd).pdf, 5. zoning statement for PLZ 15-11 (5300 High Point Rd).pdf, 6. 15-0321 Ordinance for PL(Z) 15-11 (5300 High Point Rd).pdf

Date	Ver.	Action By	Action	Result
4/21/2015	1	City Council	adopt	Pass

Ordinance Establishing Zoning and Rezoning Property Located at 5300 High Point Road

Department: Planning
Council District: Proximate to District 5

Public Hearing: April 21, 2015
Advertising Date/By: April 9 & 16/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649
Contact 2 and Phone: Sue Schwartz 373-2149

PURPOSE:

Henry Isaacson, on behalf of KSL Sedgefield Pilot, LLC is requesting original zoning from **County RS-40** (Residential Single Family), **County GO-M** (General Office Moderate) and **City O** (Office) to **City PUD** (Planned Unit Development) for property located at 5300 High Point Road, generally described as north of High Point Road and west of Alamance Road.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **April 21, 2015** meeting.

BACKGROUND:

Following a public hearing on March 9, 2015, the Zoning Commission voted 9-0 to recommend approval of this request. Two persons spoke in favor of the request and one in opposition. (See attachment B: Minutes of the March 9, 2015 Zoning Commission meeting). This request is associated with a voluntary annexation petition.

The proposed original zoning request to **PUD** (Planned Unit Development) includes the following conditions

(Conditions noted in **bold** were added at the March 9, 2015 Zoning Commission):

- 1) Uses: All uses permitted in the PUD zone 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, CN 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 .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 .6 acres of the Tract reserved for open space. No building in Tract 2 shall exceed 5 stories in height.

2A) The following Conditions will apply to the western property boundary of Tract 1 contiguous with the Sedgefield Landing community.

- a) **In conjunction with the initial phase of any new construction, a minimum 84 inch (where permitted) opaque fence will be constructed along the western side of Tract 1 that abuts Sedgefield Landing. The fence will be continuous (no breaks), and will continue along the entire Tract 1 property line beginning with the southernmost point of the Duke Power right-of-way, if**

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 along the entire property line of Tract 1 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' 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 1 which directly abuts the Sedgefield Landing community shall be no more than one story in height (structures outside of this 75 foot boundary may exceed one story). Businesses located in those buildings shall have operating hours of no earlier than 6 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 1 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.
- 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 a retail, office or an institutional setting containing uses permitted in 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) Tracts 4 (11.79 acres) and 5 (24.08 acres), proposed residential, shall be limited to uses permitted in 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 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.

This request addresses the following MAP Goals:

MAP Goal 1 - Create an environment that promotes economic development opportunities and job creation

MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities

BUDGET IMPACT:

This item will have no budget impact.

RECOMMENDATION / ACTION REQUESTED:

The Zoning Commission voted 9-0 to **recommend approval** this request.

Planning recommends **approval** of the request based on:

- Request is consistent with the **Growth at the Fringe** goal to promote sound, sustainable land use patterns that provide for the efficient provision of public services and facilities.
- Request is consistent with the **Economic Development** goal to 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.

- Request is consistent with 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.