



Legislation Text

File #: ID 18-0706, **Version:** 1

Ordinance Rezoning Property Located at 5300 High Point Road - Henry Isaacson, for KSL Sedgefield Pilot LLC

Department: Planning
Council District: District 4

Public Hearing: November 20, 2018
Advertising Date/By: November 8 and 15, 2018/City Clerk

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PURPOSE:

Henry Isaacson, for KSL Sedgefield Pilot LLC, is requesting rezoning from **PUD** (Planned Unit Development) to **PUD** (Planned Unit Development) for located at 5300 High Point Road, generally described as north of High Point Road and west of Alamance Road.

Because the decision of the Zoning Commission to approve the request was appealed within the required 10 day appeal period. As such, the City Council will conduct a public hearing to consider and take action on this request at its **November 20, 2018** meeting.

BACKGROUND:

Following a public hearing on November 20, 2018, the Zoning Commission voted 8-0 to approve this rezoning request. The Zoning Commission's decision was subsequently appealed within the required 10-day appeal period so City Council must now hold an additional public hearing before deciding on the request.

Six persons spoke in favor of the request and 7 persons spoke in opposition to the request. (See minutes of the October 15, 2018 Zoning Commission meeting).

This rezoning request includes the following condition:

(Conditions noted in **bold** were amended during the public hearing at the October 15, 2018 Zoning Commission meeting):

- 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 130 units with a maximum building height of three stories. Additionally, uses shall be limited to multifamily (Elderly). Chain link fencing is prohibited. No garages or storage buildings shall be located between High Point Road and the principal structure. Vinyl or stucco materials are prohibited on all exterior building elevations.**

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.

BUDGET IMPACT:

This item will have no budget impact.

RECOMMENDATION / ACTION REQUESTED:

The Zoning Commission voted 8-0 to **approve** this request.

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

- Request is consistent with the **Reinvestment/Infill** goal to promote sound investment in Greensboro's urban areas.
- 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