

AMENDING OFFICIAL ZONING MAP

2301 BATTLEGROUND AVENUE, GENERALLY DESCRIBED AS WEST OF BATTLEGROUND AVENUE AND NORTH OF MARKLAND DRIVE

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

Section 1. The Official Zoning Map is hereby amended by rezoning from **CD-C-M (Conditional District Commercial Medium)** and **R-5 (Residential Single Family – 5)** to **CD-C-M (Conditional District Commercial Medium)**.

The area is described as follows:

BEGINNING at an existing iron rod in the Northern margin of the right of way of Markland Drive, said existing iron rod being the southeast corner of Jennifer W. Leung (Book 6190, Page 1906; Plat Book 17, Page 59) ("Leung"); thence along and with the property of Leung the following two (2) courses and distances: (1) North 06° 26' 27" West 106.02 feet to an existing iron pipe and (2) North 51° 57' 04" West 55.68 feet to an existing iron pipe, said existing iron pipe being a corner with the property of BV 143 LLC (Book 7563, Page 1610) ("BV"); thence along and with the property of BV North 33° 25' 38" East 179.55 feet to a new iron pipe in the western margin of the right of way of US Hwy 220/Battleground Avenue; thence along and with the western margin of the right of way of US Hwy 220/Battleground Avenue the following three (3) courses and distances: (1) South 59° 02' 00" East 217.33 feet to a point; (2) South 57° 22' 00" East 49.18 feet to a point; and (3) South 55° 18' 00" East 48.07 feet to an existing iron pipe; thence South 41° 49' 00" West 70.39 feet to an existing iron pipe in the northern margin of the right of way of Markland Drive; thence along and with the northern margin of the right of way of Markland Drive the following three (3) courses and distances: (1) South 71° 36' 46" West 74.77 feet to an existing iron pipe; (2) South 74° 02' 26" West 99.94 feet to an existing iron pipe; and (3) South 78° 07' 28" West 98.60 feet to an existing iron rod in the northern margin of the right of way of Markland Drive, said existing iron rod being the point and place of BEGINNING; containing 1.330 acres, more or less, as shown on a Boundary and Location Survey for ALB Enterprise Holdings, LLC prepared by Norris Z. Clayton, Professional Land Surveyor, Hugh Creed Associates, Inc., P.A. which map, plat or survey is dated December 18, 2018 and revised January 11, 2019.

Section 2. That the zoning amendment from **CD-C-M (Conditional District Residential Multifamily - 18)** and **R-5 (Residential Single Family – 5)** to **CD-C-M (Conditional District Commercial Medium)** is hereby authorized subject to the following use limitations and conditions:

1. All uses allowed in the Commercial Medium (C-M) district except the following: no drive through facilities of any type; multifamily dwellings; Group Living facilities; Auditoriums, Coliseums and Stadiums; Day Care Centers; Passenger Terminals; Shelters, Temporary and Emergency; Broadcast Facilities; Wireless Communication Utility Facilities; Indoor Shooting Ranges; all Outdoor Recreation; all Overnight Accommodations; Bars, Nightclub, Brewpubs; Special Events Facilities; Taxi Dispatch Terminal; Outdoor Advertising Services;

Convenience Stores with Fuel Pumps; Pawnshops; Sexually Oriented Businesses; All Vehicle Sales and Service uses; Microbrewery; and Satellite Dishes/TV and Radio Antennae Towers.

2. A minimum 8 foot tall opaque fence shall be installed along the western property boundary
3. Maximum building height shall be 25 feet.
4. Vehicular access shall be limited only to Battleground Avenue
5. The maximum pole height for any outdoor lighting shall be 30 feet
6. No illuminated wall signage on Markland Drive side of building or rear of building.

Section 3 This property will be perpetually bound to the uses authorized and subject to the development standards of the **CD-C-M (Conditional District Commercial Medium)** 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 June 18, 2019.