



## Legislation Details (With Text)

**File #:** ID 19-0402    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Passed  
**File created:** 5/28/2019    **In control:** City Council  
**On agenda:** 6/18/2019    **Final action:** 6/18/2019  
**Title:** Ordinance for Rezoning - 2301 Battleground Avenue - ALB Enterprise Holdings LLC  
**Sponsors:**  
**Indexes:**  
**Code sections:**

**Attachments:** 1. PL(Z)19-21-2301BattlegroundAve-Zoning.pdf, 2. PL(Z)19-21-2301BattlegroundAve-Aerial.pdf, 3. PL(Z)19-21-2301BattlegroundAve-GFLUM.pdf, 4. info for ALB Enterprise Holdings LLC.pdf, 5. zoning staff report for PLZ 19-21 (2301 Battleground Ave).pdf, 6. Zoning Minutes for PL(Z) 19-21 (2301 Battleground Ave).pdf, 7. zoning statement for PL(Z) 19-21 (2301 Battleground Ave).pdf, 8. 19-0402 ord 2301 Battleground Ave).pdf

Date	Ver.	Action By	Action	Result
6/18/2019	1	City Council	adopt as amended	Pass
6/18/2019	1	City Council	adopt	Pass

### ...Title

Ordinance for Rezoning - 2301 Battleground Avenue - ALB Enterprise Holdings LLC

Department: Planning  
Council District: District 4

Public Hearing: June 18, 2019, without further advertising  
Advertising Date/By: N/A/City Clerk

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

### PURPOSE:

ALB Enterprise Holdings LLC, is requesting rezoning from **CD-C-M** (Conditional District Commercial Medium) and **R-5** (Residential Single Family - 5) to **CD-C-M** (Conditional District Commercial Medium) for 2301 Battleground Avenue, generally described as west of Battleground Avenue and north of Markland Drive.

As the Zoning Commission did not have at least six favorable votes for this request, the City Council will conduct a public hearing to consider and take action on this request at its **June 18, 2019** meeting. *Note: This item was continued from the May 21, 2019 City Council meeting without further advertising*

### BACKGROUND:

Following a public hearing on April 15, 2019, the Zoning Commission voted 5-2 to recommend approval of this request. There were two speakers in favor and two in opposition. (See minutes of the April 15, 2019 Zoning Commission meeting).

This rezoning request includes the following 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.**

*Note: Condition 6 was added at the April 15, 2019 Zoning Commission meeting.*

**BUDGET IMPACT:**

This item will have no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission recommended **approval** of this request 5-2.

Planning recommends **approval** of the CD-C-M zoning request based on:

- Request is consistent with the **Reinvestment/Infill** goal to promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

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.