



City of Greensboro

Melvin Municipal
Office Building
300 W. Washington Street
Greensboro, NC 27401

Agenda Report

File Number: 2023-292

Agenda Item# H.8.

Agenda Date: 4/17/2023. **Department:** Planning

Meeting Type: Council Meeting **Category:** Public Hearing Agenda

Title: 2023-292 Public Hearing for an Ordinance for Rezoning for 5908 and 5912 Ballinger Road – Marc Isaacson on behalf of Tom Flanagan for BRC Ballinger, LLC

Council Priority: Place an ‘x’ in the box.

- | | |
|--|---|
| <input type="checkbox"/> Safest City | <input type="checkbox"/> Most Skilled Workforce |
| <input type="checkbox"/> Easiest Place to Do Business | <input type="checkbox"/> Most Connected City |
| <input type="checkbox"/> Youth Sports Capital | <input type="checkbox"/> Hub of Recreation and Entertainment |
| <input type="checkbox"/> Abundance of Attainable Housing | <input checked="" type="checkbox"/> Other/Admin <u>Promote Economic Development</u> |

Council District: District 5

Public Hearing: Yes

Advertising Date/By: April 6 and 13, 2023/by City Clerk

Contact 1 and Phone: Sue Schwartz, Ext 2149

Contact 2 and Phone: Mike Kirkman, Ext 4649

PURPOSE:

Marc Isaacson, on behalf of Tom Flanagan for BRC Ballinger, LLC, is requesting rezoning from **R-3** (Residential Single Family- 3) and **CD-O** (Conditional District Office) to **CD-O** (Conditional District Office) for 5908 and 5912 Ballinger Road, generally described as north of Ballinger Road and west of Fleming Road.

As the Planning and Zoning Commission’s approval of this request was appealed, the City Council will conduct a public hearing to consider and take action on this request at its **April 17, 2023** meeting.

BACKGROUND:

Following a public hearing on March 20, 2023, the Planning and Zoning Commission voted 9-0 to recommend approval of this request. There was one speaker in favor and four speakers in opposition for this item. (See minutes of the March 20, 2023 Planning and Zoning Commission meeting).

This request includes the following conditions:

1. Uses shall be limited to those found in Section 30-8-6.7 (Medical Facilities) (excluding hospitals and specialty hospitals), Section 30-8-8.2 (Office Uses), and Section 30-8-8.5

Vision Statement: “A Community with Endless Economic Opportunities and Exceptional Quality of Life.”

(Personal and Professional Services) of the Land Development Ordinance, except the following uses shall not be permitted: Communications and Broadcasting Office (except for dispatch purposes); Conference Center; Residential Office Conversion; Bank Branch with Drive Through; Barber Shop; Beauty Shop, Massage Therapist (as principal use); Tanning Salon; Bulk Mailing Service; Dry Cleaning Pick Up/Drop off Station; Funeral Home, Mortuary, Crematorium; Kennel; Laundromat; Pet Grooming; Shoe Repair and Shoeshine Shop; Tailor, Milliner, Upholsterer; Taxidermist; Veterinary Service and Animal Hospital; Courier Service; Satellite Office; Music Production and Recording; Photocopying, Blueprint and Duplicating Service; Quick Sign Service; and Taxi Dispatch Center.

2. Building height shall be limited to up to 48 feet excluding architectural design features, rooftop equipment (e.g., HVAC equipment and the like) and any other non-structural components.
3. All activities associated with principal uses shall be conducted fully indoors, except that mobile medical facilities/vehicles/equipment shall be permitted to remain on the subject property for a period of sixty (60) days at one time.
4. Plantings with required "Type B" buffer along the western property line shall be of evergreen material. Any new vegetation to supplement existing vegetation shall be a minimum of 3 feet in height at time of planting.
5. Exterior façade of any building shall be constructed of at least 75 percent brick, glass, stone, cementitious (i.e. Hardieboard) or other materials of similar quality and appearance.
6. Freestanding signage shall be monument style. Any electronic message board must use a minimum hold time between messages of 6 hours

BUDGET IMPACT:

This item will have no budget impact

ACCOUNT NUMBER:

N/A

RECOMMENDATION / ACTION REQUESTED:

It is recommended that City Council hold a public hearing and approve this request.

The Planning and Zoning Commission recommended **approval** of this request 9-0.

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

- Request is consistent with the **Filling in Our Framework** Big Idea to arrange land uses to create a more vibrant and livable Greensboro.
- Request is consistent with the **Growing Economic Competitiveness** Big Idea so Greensboro will build a prosperous, resilient economy that creates equitable opportunities to succeed.