

AMENDING OFFICIAL ZONING MAP

NORTHEAST CORNER OF NEW GARDEN ROAD AND HORSEPEN CREEK ROAD

BE IT ORDAINED BY THE ZONING COMMISSION OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from CD-SC (Conditional District - Shopping Center) to CD-SC (Conditional District - Shopping Center) subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance). The area is described as follows:

Beginning at an iron pipe at the northeast intersection of New Garden Road and Horse Pen Creek Road, said iron pipe having North Carolina grid coordinates of N 862,728.9041 feet and E 1,741,227.6890 feet, thence with the eastern right of way for Horse Pen Creek Road N 30 deg. 19 min. 29 sec. W distance being 230.33 feet to an iron pipe, thence N 22 deg. 15 min. 23 sec. W distance being 90.91 feet to an iron pipe, thence N 12 deg. 38 min. 16 sec. W distance being 270.46 feet, thence N 04 deg. 49 min. 11 sec. W distance being 45.65 feet to an iron pipe, thence N 49 deg. 53 min. 03 sec. E distance being 26.04 feet to an iron pipe, thence N 03 deg. 24 min. 38 sec. E distance being 49.55 feet to a nail, thence N 47 deg. 48 min. 37 sec. W distance being 46.07 feet to an iron pipe, thence leaving the eastern right of way for Horse Pen Creek Road and with the northern line of lot 1 as recorded in plat book 132 page 20 N 79 deg. 37 min. 39 sec. E distance being 377.79 feet to an iron pipe, thence s 46 deg. 19 min. 27 sec. E distance being 97.19 feet to an iron pipe, thence s 36 deg. 04 min. 21 sec. E distance being 119.52 feet to an iron pipe, thence N 36 deg. 33 min. 26 sec. E distance being 22.59 feet to an iron pipe, said iron pipe being the western most corner of lot 12 as recorded in plat book 34 page 33, thence with the western line of said lot 12 s 37 deg. 25 min. 47 sec. E distance being 242.44 feet to an iron pipe, thence s 78 deg. 36 min. 31 sec. E distance being 91.17 feet to an iron pipe, thence n 71 deg. 57 min. 12 sec E distance being 138.76 feet to an iron pipe, said iron pipe being the southwestern most corner of lot 10 as recorded in plat book 34 page 33, thence with the southern line of said lot 10 n 60 deg. 34 min. 27 sec. E distance being 159.31 feet to an iron pipe on the western 60 foot right of way for Will Doskey Drive, thence with the western 60 foot right of way for Will Doskey Drive s 28 deg. 20 min. 07 sec. E distance being 90.44 feet to an iron pipe, thence s 30 deg. 15 min. 30 sec. E distance being 336.69 feet to an iron pipe, thence S 00 deg. 02 min. 35 sec. W distance being 39.98 feet to an iron at the north western intersection of Will Doskey Drive and New Garden Road, thence with the northern right of way for New Garden Road s 59 deg. 27 min. 15 sec. W distance being 70.02 feet to an iron pipe, thence with a curve to the right a chord bearing of s 74 deg. 51 min. 20 sec. W chord distance being 214.46 feet and having a radius of 1909.86 feet to an iron pipe, thence s 82 deg. 50 min. 37 sec W distance being 473.98 feet to an iron pipe, thence s 70 deg. 55 min. 44 sec. W distance being 54.40 feet to an iron pipe, thence N 76 deg. 22 min. 50 sec. W distance being 238.39 feet to the point and place of beginning containing 14.275 acres more or less and being all of lots 1, 2, 3 and common area as shown on final plat of garden creek center as recorded in plat book 132 page 20.

Section 2. That the rezoning from CD-SC (Conditional District - Shopping Center) to CD-SC (Conditional District - Shopping Center) is hereby authorized subject to the following use limitations and conditions:

- 1) Permitted Uses: All uses in Shopping Center District except the following: night club, sexually-oriented businesses (30-2-2.7), auto repair center or dealership, carwash, boat sales, manufactured home sales and building supply stores.
- 2) Brick-veneer construction, with complementary (e.g. stucco and pre-cast concrete) permitted for accent trim.
- 3) Maximum of three access driveways, one each on New Garden Road, Horse Pen Creek Road, and Will Doskey Drive. In addition, one service drive may be located to rear of northernmost store building.
- 4) Limited to three outparcels.
- 5) No access from outparcels to New Garden Road.
- 6) Development of rear of shops section:
 - a. No service driveway at rear of shops.
 - b. Lighting at rear of shops limited to safety lighting, to be attached to building, compatible with residential-type exterior lighting, with a maximum of 100 watts incandescent bulb, or the equivalent, per fixture.
- 7) Freestanding signage limited to five total signs--one sign at each street frontage with a maximum height of twenty two (22) feet from the top of the curb adjacent to the sign and one sign for each out parcel.
- 8) Minimum landscape buffers:
 - a. 40 feet to rear of shop.
 - b. 25 feet along Will Doskey Drive.
 - c. 25 feet along Horse Pen Creek Road.
 - d. All existing, healthy mature-growth hardwood trees shall remain within buffer areas where practicable.
- 9) Pedestrian access paths from Will Doskey Drive and Horse Pen Creek Road to provide access to surrounding neighborhoods.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, 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 February 21, 2008.