



# City of Greensboro

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

## Meeting Agenda - Draft City Council

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Tuesday, October 18, 2016

5:30 PM

Council Chamber

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### Call to Order

### Moment of Silence

### Pledge of Allegiance to the Flag

### Recognition of Courier

### Council Procedure for Conduct of the Meeting

## I. CEREMONIAL AND/OR PRESENTATION ITEMS

1. **ID 16-0836** Resolution Recognizing 150 Year Anniversary of Saint Matthews United Methodist Church
2. **ID 16-0838** Recognition of the Guilford Metro 911 Team "A" for the Receipt of the North Carolina NENA Team of the Year Award  
Recognition of Dana Hall, Master Telecommunicator, for Receipt of the North Carolina APCO Communications Member of the Year

## II. PUBLIC COMMENT PERIOD

*Speakers from the Floor (Each speaker will be allowed a maximum of three (3) minutes on non-agenda items and cannot cede their time to another speaker. Speakers from the floor will be limited to a maximum of thirty (30) minutes. Please provide any handouts to the courier when signing up to speak for distribution to Council.*

## III. CONSENT AGENDA (One Vote)

3. [ID 16-0802](#) Resolution Authorizing a Landscape and Maintenance Contract in the Amount of \$75,000 to New Earth Designs, Inc. in the Charles B. Aycock Historic Municipal Service District

**Attachments:** [Planning memo Aycock landscaping](#)  
[AycockLandscapingMap](#)  
[New Earth SOS](#)  
[16-0802 Resolution\\_aycock\\_landscaping](#)

- 4. ID 16-0808** Resolution Authorizing Award of a Drainage Study Contract to Jewell Engineering Consultants, PC in the amount of \$20,000 in the Charles B. Aycock Historic Municipal Service District
- Attachments:** Aycock Drainage Study Memo for HPC Sept 2016  
Map of Aycock Historic District  
Jewell Engineering SOS  
16-0808 Jewell Aycock reso..docx
- 5. ID 16-0779** Resolution Approving Bid in the Amount of \$719,000 and Authorizing Execution of Contract 2015-041A with Harper Corporation for the TZO Mechanical Bar Screen Upgrades
- Attachments:** 2015-041A TZO Mechanical Bar Screen Upgrade GFE Memo Letter.pdf  
2015-041A resolution memo.docx
- 6. ID 16-0813** Resolution Authorizing Renewal of Contract 2015-10350 with Integrity Sports Officiating to provide Sports Officials Services for Youth Football, Youth and Adult Basketball in the Parks and Recreation Department
- Attachments:** Integrity Sports MWBE Memo.pdf  
16-0813 Resolution.docx
- 7. ID 16-0827** Resolution Authorizing Renewal of Contract 2015-10349 with Its Official to provide Sports Officials Services for Youth Baseball, Adult Kickball and Softball Programs in the Parks and Recreation Department
- Attachments:** S.O.S.pdf  
Its Official MWBE Memo .pdf  
16-0827 Resolution.docx
- 8. ID 16-0824** Resolution Authorizing Sole Source Purchase of Trapeze PASS Scheduling and Interactive Voice Response System from the Trapeze Software Group, Inc. d.b.a. TripSpark Technologies
- Attachments:** 16-0824 Resolution
- 9. ID 16-0785** Resolution Authorizing Amended Agreement with the North Carolina Department of Transportation for Greensboro Phillips Avenue Sidewalk Project (U-5532 B)
- Attachments:** 16-0785 Resolution
- 10. ID 16-0786** Ordinance in the Amount of \$100,579 Amending Street and Sidewalk Capital Project Fund Budget for Amended Agreement with the North Carolina Department of Transportation for Greensboro Phillips Avenue Sidewalk Project (U-5532 B)
- Attachments:** 16-0786 Ordinance

11. **ID 16-0787** Ordinance Amending in the Amount of \$176,000 the State, Federal, and Other Grants Fund Budget for the Fiscal Year 2017 FTA Section 5303 Planning Assistance Grant
- Attachments:** 16-0787 Ordinance
12. **ID 16-0803** Ordinance in the Amount of \$300,000 Amending the State, Federal, and Other Grants Fund Budget for the Appropriation of Federal Grant Funds for Violent Gang and Gun Crime Reduction Program (PSN) FY16
- Attachments:** AWARD\_REPORT.pdf  
16-0803 PSN FY16-18 ordinance.docx
13. **ID 16-0809** Ordinance in the Amount of \$33 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Interest Earned on VA Asset Forfeiture Proceeds
- Attachments:** 16-0809 Ordinance Interest Appropriation for VA Asset Proceeds.docx
14. [ID 16-0763](#) Resolution Approving Change Order 1 in the Amount of \$10,640 to Contract 2008-046 with Withers Ravenel, Inc. for Lynwood Lakes Water & Sewer project
- Attachments:** [Withers Sec State](#)  
[W&R Amendment Request 8-2016 \(2\)](#)  
[MWBE Memo Lynwood Lakes Water and Sewer Project Change Order](#)  
[16-0763-Resolution Withers Change Order 1](#)
15. **ID 16-0829** Budget Adjustments Approved by Budget Officer 8/30/16-9/26/16
- Attachments:** Budget Adjustments Approved by Budget Officer 8/30/16-9/26/16
16. **ID 16-0830** Budget Adjustments Requiring Council Approval 9/2/16-9/26/16
- Attachments:** Budget Adjustments Requiring Council Approval 9/2/16-9/26/16
17. **ID 16-0840** Motion to Approve the Minutes of the Regular Meeting of September 20, 2016

**IV. PUBLIC HEARING AGENDA**

18. [ID 16-0635](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 5812, 5908 and 5910 Lake Brandt Road and 2000 and 2020 Trospen Road - 16.78-Acres

**Attachments:**

[LakeBrandtTrospen\\_Annex.pdf](#)

[Lake brandt trospen anx petition.pdf](#)

[sun capital sos.pdf](#)

[residence develop sos.pdf](#)

[Lake Brandt and Trospen Road description](#)

[Partial Planning board minutes](#)

[16-0635 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIM](#)

*THIS ITEM WAS POSTPONED FROM THE SEPTEMBER 20TH MEETING OF COUNCIL WITHOUT FURTHER ADVERTISING*

19. [ID 16-0736](#) Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan

**Attachments:**

[CP16-06LakeBrandtTrospen](#)

[2016 PLAN BRD July 20 Minutes](#)

[16-0736 Ordinance CP 16-06](#)

*THIS ITEM WAS POSTPONED FROM THE SEPTEMBER 20TH MEETING OF COUNCIL WITHOUT FURTHER ADVERTISING*

20. [ID 16-0734](#) Ordinance Establishing Original Zoning for Property Located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trospen Road and a Portion of the Trospen Road Right-of-Way

**Attachments:**

[PLZ16-11\\_LakeBrandtTrospen-Zoning.pdf](#)

[PLZ16-11\\_LakeBrandtTrospen-Aerial.pdf](#)

[zoning staff report for PL\(Z\) 16-11 \(Lake Brandt & Trospen Rd\).docx](#)

[minutes for PL\(Z\) 16-11 \(Lake Brandt & Trospen Rd\).docx](#)

[zoning statement for PL \(Z\) 16-11 \(Lake Brandt & Trospen\).docx](#)

[16-0734 ordinance for PL\(Z\) 16-11 \(Lake Brandt & Trospen Rd\).docx](#)

*THIS ITEM WAS POSTPONED FROM THE SEPTEMBER 20TH MEETING OF COUNCIL WITHOUT FURTHER ADVERTISING*

21. [ID 16-0735](#) Ordinance Establishing Original Zoning for a Portion of Lake Brandt Road Right of Way

**Attachments:**

[PLZ16-12\\_LakeBrandt-Zoning.pdf](#)  
[PLZ16-12\\_LakeBrandt-Aerial.pdf](#)  
[zoning staff report for PL\(Z\) 16-12 \( Lake Brandt ROW\).docx](#)  
[minutes for PL\(Z\) 16-12 \(Lake Brandt Rd right of way\).docx](#)  
[zoning statement forPL\(Z\) 16-12 \(Lake Brandt ROW\).docx](#)  
[16-0735 ordinance for PL\(Z\) 16-12 \(Lake Brandt Rd Dr row\).docx](#)

*THIS ITEM WAS POSTPONED FROM THE SEPTEMBER 20TH MEETING OF COUNCIL WITHOUT FURTHER ADVERTISING*

22. **ID 16-0801** Ordinance Appealing the Rezoning Decision - 5100 Hilltop Road

**Attachments:**

PLZ16-16\_5100Hilltop-Zoning.pdf  
PLZ16-16\_5100Hilltop-Aerial.pdf  
zoning staff report for PLZ 16-16 (5100 Hilltop Rd).docx  
zoning statement for PLZ 16-16 (5100 Hilltop Rd).docx  
September 19, 2016 ZC minutes placeholder.docx

23. [ID 16-0797](#) Ordinance Amending the Future Land Use Map of the Lindley Park Neighborhood Plan and Corresponding Portion of the Greensboro Connections 2025 Comprehensive Plan

**Attachments:**

[CP16\\_04\\_2201SpringGardenSt\\_GFLUM](#)  
[PB 2016 8 AUGUST Minutes](#)  
[16-0797 Ord. Lindley Plan Amend](#)

24. **ID 16-0805** Ordinance Rezoning Property Located at 2201 Spring Garden Street

**Attachments:**

PLZ16-13\_2201SpringGardenSt-Zoning.pdf  
PLZ16-13\_2201SpringGardenSt-Aerial.pdf  
zoning staff report for PLZ 16-13 (2201 Spring Garden St).docx  
zoning statement for PLZ 16-13 (2201 Spring Garden St).docx  
September 19, 2016 ZC minutes placeholder.docx  
16-0805 ordinance for PL(Z) 16-13 (2201 Spring Garden St).docx

25. **ID 16-0719** Ordinance Annexing Territory into the Corporate Limits for Property Located at 5405 Marley Drive - .60-Acres

**Attachments:**

5405 MarleyDr Annex Petition  
5405 Marley Dr Description  
5405MarleyDr Annex Map  
CMH Homes SOS  
PLAN BRD 2016 AUGUST 17 Minutes  
16-0719 Ord. 5405 Marley Drive.docx

- 26. ID 16-0793** Ordinance Establishing Original Zoning for Property Located at 5405 Marley Drive
- Attachments:** PLZ16-15\_5405MarleyDr-Zoning.pdf  
PLZ16-15\_5405MarleyDr-Aerial.pdf  
zoning staff report for PLZ 16-15 (5405 Marley Dr).docx  
zoning statement for PL(Z) 16-15 (5405 Marley Dr).docx  
September 19, 2016 ZC minutes placeholder.docx  
16-0793 ordinance for PL(Z) 16-15 (5405 Marley Dr).docx
- 27. ID 16-0720** Ordinance Annexing Territory into the Corporate Limits for Property Located at 3436 Randleman Road - .97-Acres
- Attachments:** 3436 Randleman Rd Annex Petition  
3436 Randleman Rd Annex Description  
3436 RandlemanRd Annex Map  
PLAN BRD 2016 AUGUST 17 Minutes  
16-0720 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIM
- 28. ID 16-0792** Ordinance Establishing Original Zoning for Property Located at 3436 Randleman Road
- Attachments:** PLZ16-14\_3436RandlemanRd-Zoning.pdf  
PLZ16-14\_3436RandlemanRd-Aerial.pdf  
zoning staff report for PLZ 16-14 (3436 Randleman Rd).docx  
zoning statement for PL(Z) 16-14 (3436 Randleman Rd).docx  
September 19, 2016 ZC minutes placeholder.docx  
16-0792 ordinance for PL(Z) 16-14 (3436 Randleman Rd).docx
- 29. ID 16-0810** Ordinance to Change Name of West Lee Street, off West Gate City Boulevard, to Binford Street
- Attachments:** WLeeChgBinfordPLP16-18.pdf  
16-0810 ordinance for street name change (W Lee St to Binford St).docx
- 30. [ID 16-0822](#)** Ordinance Establishing Revolution Mills, 1200 Revolution Mill Drive as a Guilford County Historic Landmark
- Attachments:** [RevolutionMillLandmarkApplication\(r\)](#)  
[16-0822 ordinance revolution mill](#)

**V. GENERAL BUSINESS AGENDA**

31. **ID 16-0828** Resolution Authorizing the Award of Contract 2016-10495 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Various Divisions Within the Water Resources Department.

**Attachments:** S.O.S.pdf  
Temp Labor Water Resources MWBE Memo.pdf  
16-0828 Resolution.docx

32. **ID 16-0815** Resolution Approving Bid in the Amount of \$9,192,000 and Authorizing Execution of Contract 2010-130 with Haren Construction for the Stewart Mill Road and Rock Creek Lift Stations Improvements

**Attachments:** 2010-130 Stewart Mill Road and Rock Creek Lift Stations Improvements GFE R  
16-0815 Resolution Stewart Mill and Rock Creek LS.docx

33. **ID 16-0782** Resolution Authorizing Execution of Contract With the Guilford County Board of Education for the School Safety Resource Officer Program

**Attachments:** SRO CONTRACT FY 16-17.pdf  
16-0782 SRO resolution.docx

34. **ID 16-0823** Resolution Authorizing Interlocal Agreement with the County of Guilford and the City of High Point for a Community Notification System

**Attachments:** CITY OF HP GSO - Notification System Partnership - LEGAL UPDATES.docx  
16-0823 RES fire Interlocal Agreement.docx

Matters to be discussed by the Mayor and Members of the Council (if time permits)

Matters to be presented by the City Manager (if time permits)

Matters to be presented by the City Attorney (if time permits)

**VI. ATTACHMENTS FOR COUNCIL'S INFORMATION:****Adjournment**

**INFORMATION FOR THE PUBLIC**

For safety purposes, all packages, handbags and briefcases will be visually inspected by security prior to individuals entering the Council Chambers.

- At hearings involving rezoning applications, proponents and opponents shall be provided a total of fifteen (15) minutes notwithstanding the number of persons desiring to be heard. Proponents shall be heard first followed by comments from opponents. Each side may speak a total of five (5) minutes rebuttal.
- Speakers who wish to speak to other agenda items will be allowed a maximum of three (3) minutes.
- Speakers who wish to speak on non-agenda items will be allowed a maximum of three (3) minutes. Only those speakers who have signed up by the time the regularly scheduled speakers from the floor session is complete will be allowed to speak at the end of the meeting.
- A closed session may be held at this meeting.
- The Council will consider all public hearing and business items listed on the agenda. If the meeting continues to 10:30 p.m., Council will adjourn the meeting after all agenda items have been considered; speakers from the floor and Council comments at the end of the meeting will not be heard. Council reserves the right to change the conduct of the meeting.
- Prior to the date of the meeting, contact Greensboro Television Network (GTN) at 333-6922 if you have electronic presentations. GTN STAFF WILL BE AVAILABLE FROM 2:00 - 2:30 P.M. ON THE DAY OF THE MEETING IN THE COUNCIL CHAMBER OR AT 5:00 P.M. WHEN THE DOORS OPEN TO THE PUBLIC, TO REVIEW PRESENTATIONS. PLEASE BRING ANY PRESENTATION ON A JUMP/FLASH DRIVE.
- Any individual with a disability who needs an interpreter or other auxiliary aids or services for this meeting may contact the City Clerk's Office at 373-2397 or 333-6930 (TDD).
- Citizens attending public meetings of the Greensboro City Council will be provided free parking after 5:00 p.m. in the public lot located at Washington/Eugene Streets, Governmental Center, Greensboro, NC.
- The next regular City Council meeting will be held on Tuesday, November 1, 2016 at 5:30 p.m. in the Council Chamber of the Melvin Municipal Office Building.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0836

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**Agenda Date:** 10/18/2016

**Status:** Draft

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 1.

Resolution Recognizing 150 Year Anniversary of Saint Matthews United Methodist Church

Department: Legislative

Council District: n/a

Public Hearing: n/a

Advertising Date/By: n/a

Contact 1 and Phone: Councilmember Hightower, Ext. 2396

Contact 2 and Phone: Betsey Richardson, Ext. 2397

**PURPOSE:**

Councilmember Hightower has requested a resolution recognizing the 150 year anniversary of Saint Matthews United Methodist Church.

**RECOMMENDATION / ACTION REQUESTED:**

City Council is being requested to adopt a resolution recognizing the 150 year anniversary of St. Matthews United Methodist Church.



# City of Greensboro

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300 W. Washington Street  
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## Agenda Memo Report

File Number: ID 16-0838

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Presentation

**Agenda Number:** 2.

Recognition of the Guilford Metro 911 Team "A" for the Receipt of the North Carolina NENA Team of the Year Award

Recognition of Dana Hall, Master Telecommunicator, for Receipt of the North Carolina APCO Communications Member of the Year

Department: Guilford Metro 911

Council District: All

Public Hearing: n/a

Advertising Date/By: n/a

Contact 1 and Phone: Melanie Neal, Ext. 2646

Contact 2 and Phone: Jim Westmoreland, Ext. 2002

### **PURPOSE:**

To recognize Guilford Metro 911 employees that received State awards September 14th, 2016 for their team work displayed during a crime spree on October 6th, 2015 in the City of Greensboro that lasted an hour and a half. Multiple home invasions, assaults, carjackings, etc occurred during this crime spree. Squad A worked seamlessly during this time to put together the suspect's actions and movements and assisted the Greensboro Police Department in setting up a perimeter that led to the arrest of the suspect.

### **BACKGROUND:**

N/A

### **BUDGET IMPACT:**

None

### **RECOMMENDATION / ACTION REQUESTED:**

No action required



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0802

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 3.

Resolution Authorizing a Landscape and Maintenance Contract in the Amount of \$75,000 to New Earth Designs, Inc. in the Charles B. Aycock Historic Municipal Service District  
Department: Planning  
Council District: 2

Public Hearing: September 28, 2016 by Historic Preservation Commission  
Advertising Date/By: September 8 & 21, By Planning

Contact 1 and Phone: Stefan-leih Geary 336-412-6300  
Contact 2 and Phone: Sue Schwartz, FAICP 336-373-2149

### **PURPOSE:**

Consider a resolution authorizing a contract to be awarded for work as allowed under the Charles B. Aycock Municipal Service District Plan.

### **BACKGROUND:**

The updated Charles B. Aycock Municipal Service District Plan was adopted by City Council in June 2016. The plan identifies eligible projects and programs that support the unique historic character of the Aycock neighborhood through the Municipal Service District. The enhancement of gateways through landscaping and maintenance enhances the historic character of the district, and is included as an eligible activity in the plan. Areas to be included within the scope of the contract are shown on the attached map.

The Request for Proposals (RFP) package was sent out on July 18, 2016 to over 40 vendors including contacts provided by the City's M/WBE office. A voluntary site visit was conducted on August 4, 2016. Three proposals were received and reviewed by a committee of City staff and neighborhood representatives. The contract is being awarded on a best value basis. Funds will be disbursed on a reimbursement basis, following review and verification of work by staff.

Recent changes to the Municipal Service District require all contract awards be subject to a public hearing and approval by the City Council.

### **BUDGET IMPACT:**

Funds associated with this program are budgeted in 210-2001-01, in the Municipal Service District Fund. No further budget action is required.

**RECOMMENDATION / ACTION REQUESTED:**

In August, the Historic Aycock Neighborhood Association reviewed the proposed contract and recommended approval. On September 28, the Historic Preservation Commission conducted the required public hearing on the proposed contract award not to exceed \$75,000 over a two-year service period to New Earth Designs, Inc.

Staff recommends approval.



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PLANNING

**DATE:** September 21, 2016

**TO:** Sue Schwartz, FAICP  
Director

**FROM:** Stefan-leih Geary  
Preservation Planner

**SUBJECT:** Aycock Municipal Service District Landscaping Contract Recommendation

The Aycock Municipal Service District (MSD) proposes to award a contract for landscaping services in public right-of-way areas throughout the district. The work aligns with the neighborhood's Strategic Plan, adopted by City Council on June 7, 2016, under the goal of *Enhance Neighborhood Gateways: Maintain/restore existing landscaping areas and install new areas at gateway points throughout the neighborhood.*

The project involves 3 existing landscape areas in the neighborhood and one area for new landscape installation (see attached map). A Request for Proposals (RFP) package was sent out on July 18, 2016 to over 40 vendors including contacts provided by the City's M/WBE office. A voluntary site visit opportunity was provided on August 4, 2016. As a result of the site visit, an addendum and Questions and Answers sheet were provided and the deadline for submittals was adjusted. Three submittals were received and reviewed by a committee of City Staff and neighborhood representatives. In August, the Historic Aycock Neighborhood Association reviewed the recommendation and recommended approval of the contract within the terms provided.

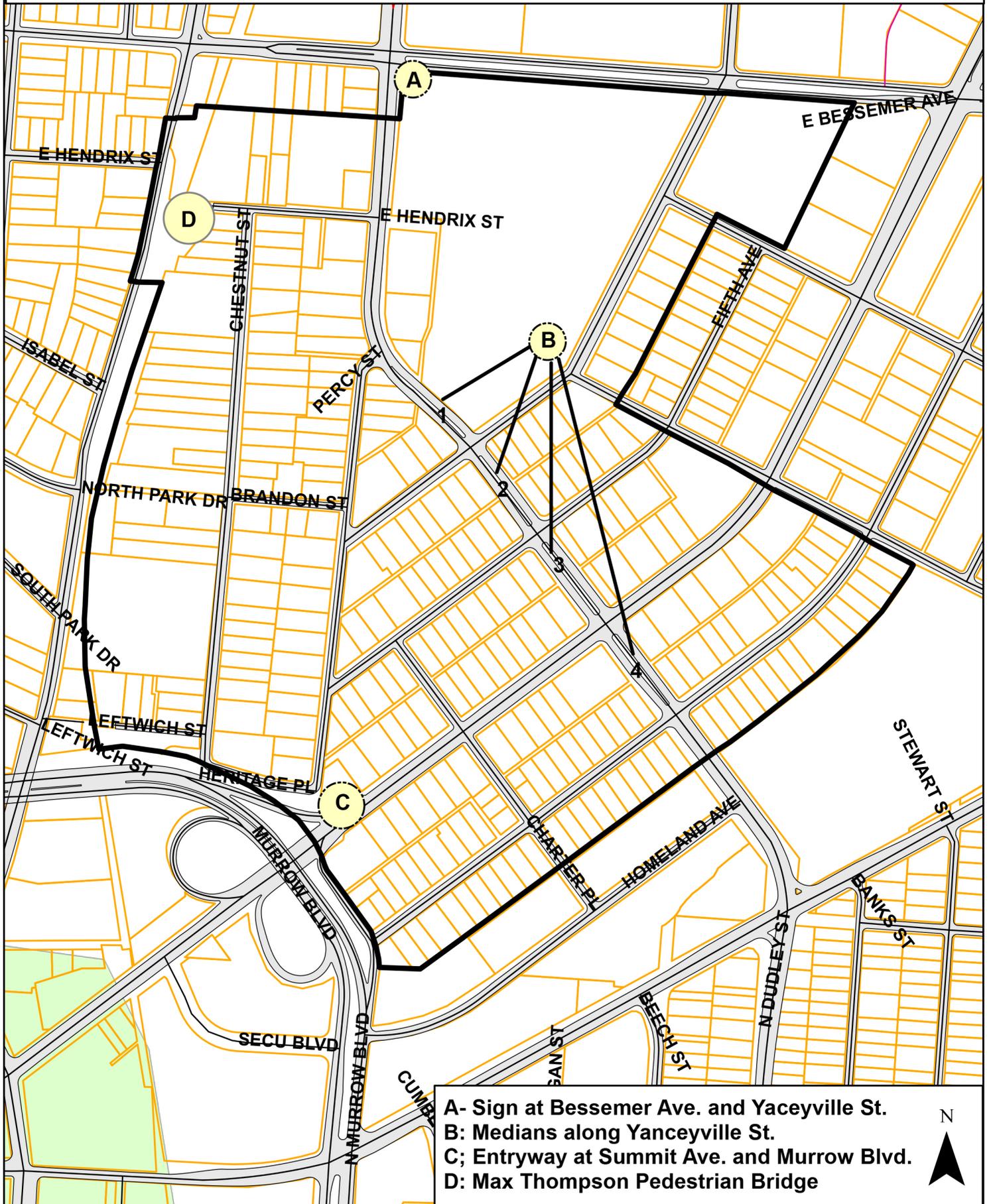
The proposal submitted by New Earth Designs, Inc. is recommended for selection based on best value. The review committee considered qualifications, experience, equipment, scheduling, M/WBE and price in consideration of the best value. A not to exceed contract for \$75,000 for two years is recommended. The project will be funded from the Aycock Municipal Service District budget account: 210200101.5422.

As part of the MSD approval process a Public Hearing will be held before the Historic Preservation Commission on Wednesday September 28, 2016.

SLG  
Attachment

cc: David Horth, Aycock Neighborhood President

Aycock Landscaping Project  
City of Greensboro  
June 2016





Elaine F. Marshall  
Secretary

North Carolina

DEPARTMENT OF THE  
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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**Corporate Names**

**Legal:** New Earth Designs, Inc.

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**Business Corporation Information**

**SosId:** 0102001  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 12/17/1981  
**Fiscal Month:** December  
**State of Incorporation:** NC  
**Registered Agent:** Apple, Timothy D.

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**Corporate Addresses**

**Reg Office:** 401 E. Bessemer Ave  
Greensboro, NC 27401  
**Principal Office:** 401 Ew. Bessemer Ave  
Greensboro, NC 27401  
**Mailing:** PO Box 9822  
Greensboro, NC 27429  
**Reg Mailing:** PO Box 9822  
Greensboro, NC 27429

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**Officers**

**Treasurer/sec:** Elaine Apple  
4038 NC Highway 150 East  
Browns Summit NC 27214  
**President:** Timothy Apple  
4038 NC Highway 150 East  
Browns Summit NC 27214

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**Stock**

**Class:** COMMON  
**Shares:** 100000  
**Par Value:** 1

RESOLUTION AUTHORIZING A CONTRACT FOR LANDSCAPING SERVICES IN  
THE AYCOCK MUNICIPAL SERVICE DISTRICT

WHEREAS, the Charles B. Aycock Municipal Service District Plan recognizes the importance of the gateways into the Historic District; and

WHEREAS, continued maintenance and installation of landscape areas at the entry points into the historic district help to enhance the character of the district; and

WHEREAS, the Aycock district supports these improvements through their special tax district funds; and

WHEREAS, New Earth Designs, Inc. has provided a proposal to maintain and install landscaping in the district for a period of 2 years not to exceed \$75,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the contract in the amount of \$75,000 to new earth designs, inc. for landscaping services in the Charles B. Aycock municipal service district is hereby authorized.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0808

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 4.

Resolution Authorizing Award of a Drainage Study Contract to Jewell Engineering Consultants, PC in the amount of \$20,000 in the Charles B. Aycock Historic Municipal Service District

Department: Planning

Council District: 2

Public Hearing: September 28, 2016 by Historic Preservation Commission

Advertising Date/By: September 8 & 21, By Planning

Contact 1 and Phone: Stefan-leih Geary 336-412-6300

Contact 2 and Phone: Sue Schwartz, FAICP 336-373-2149

### **PURPOSE:**

Consider a resolution authorizing a contract to be awarded for work as allowed under the Charles B. Aycock Municipal Service District Plan.

### **BACKGROUND:**

The updated Charles B. Aycock Municipal Service District Plan was adopted by City Council in June 2016. The plan identifies eligible projects and programs that support the unique historic character of the Aycock neighborhood through the Municipal Service District. The proposed study will help to determine if drainage issues may be compromising historic properties, and is included as an eligible activity in the plan. Areas to be included within the scope of the contract are shown on the attached map.

A Request for Proposals (RFP) package for Professional Services was sent out on July 22, 2016 to over 10 prime consultants from the Water Resources Master On-Call consultant list, and subsequently shared with over 50 sub-consultants. Only one submittal was received, which was reviewed by a committee of City Staff and neighborhood representatives.

Recent changes to the Municipal Service District require all contract awards be subject to a public hearing and approval by the City Council.

### **BUDGET IMPACT:**

Funds associated with this program are budgeted in 210-2001-01, in the Municipal Service District Fund. No further budget action is required.

**RECOMMENDATION / ACTION REQUESTED:**

In August, the Historic Aycock Neighborhood Association reviewed the proposed contract and recommended approval. On September 28, the Historic Preservation Commission conducted the required public hearing on the proposed contract award not to exceed \$20,000 to Jewell Engineering Consultants, PC. Staff recommends approval.



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PLANNING

**DATE:** September 23, 2016

**TO:** Sue Schwartz, FAICP  
Director

**FROM:** Stefan-leih Geary  
Preservation Planner

**SUBJECT:** Aycock Municipal Service District Drainage Study Contract Award

The City of Greensboro Water Resources Department, on behalf of the Aycock Municipal Service District (MSD), has solicited bids for a drainage study on privately owned drainage areas throughout the district. The work aligns with the neighborhood's Strategic Plan, adopted by City Council on June 7, 2016, under the goal of *Preserve Historic Architecture: Partner with the City of Greensboro to conduct an Engineering Study on the Drainage Infrastructure in the neighborhood*. This effort will help determine if drainage infrastructure issues may be compromising historic properties. As part of the MSD approval process, a Public Hearing will be held before the Historic Preservation Commission on Wednesday September 28, 2016.

The project involves a study of the private drainage infrastructure throughout the neighborhood (see attached map) to determine condition, adequacy and connectivity to the public drainage infrastructure. A similar but separate study of the public drainage infrastructure is being conducted in close coordination with and funded by the Water Resources Department. A Request for Proposals (RFP) package for Professional Services was sent out on July 22, 2016 to over 10 prime consultants from the Water Resources Master On-Call consultant list, and subsequently share with over 50 sub-consultants. Only one submittal was received and reviewed by a committee of City Staff and neighborhood representatives. The proposal was reviewed by the Historic Aycock Neighborhood Association in August, and they recommended approval of the contract.

The proposal submitted by Jewell Engineering Consultants, PC for \$20,000 is recommended for selection. The review committee considered qualifications, familiarity with the project area, creativity in approach, and strength of team experience in consideration of the proposal. The project will be funded from the Aycock Municipal Service District budget account: 210-2001-01.5413.

SLG  
Attachment

cc: David Horth, Aycock Neighborhood President  
David Phlegar, City of Greensboro Stormwater Division Manager



0 62.5 125 250 375 500  
1 in = 150 ft  
Feet

### Aycock Historic District Drainage





*Elaine F. Marshall*  
Secretary

North Carolina

**DEPARTMENT OF THE  
SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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**Corporate Names**

**Legal:** JEWELL ENGINEERING CONSULTANTS, P.C.

**Professional Corporation Information**

**SosId:** 0488216  
**Status:** Current-Active  
**Annual Report Status:** Not Applicable  
**Citizenship:** Domestic  
**Date Formed:** 3/17/1999  
**State of Incorporation:** NC  
**Registered Agent:** Jewell II, C Douglas

**Corporate Addresses**

**Principal Office:** 311 South Main Street Ste A  
Kernersville, NC 27284  
**Reg Office:** 311 South Main Street Ste A  
Kernersville, NC 27284  
**Reg Mailing:** PO Box 2294  
Kernersville, NC 27285-2294  
**Mailing:** PO Box 2294  
Kernersville, NC 27285-2294

**Professions**

Engineering services

RESOLUTION AUTHORIZING A CONTRACT FOR THE STUDY OF PRIVATE  
DRAINAGE SYSTEMS IN THE CHARLES B. AYCOCK MUNICIPAL SERVICE  
DISTRICT

WHEREAS, the Charles B. Aycock Municipal Service District Plan recognizes the importance of appropriate drainage for the long term preservation and protection of property within the Historic District;

WHEREAS, continued proper drainage from private property in the historic district helps to preserve and enhance the character of the district;

WHEREAS, the Aycock district supports these improvements through their special tax district funds;

WHEREAS, Jewell Engineering Consultants, PC has provided a proposal to study the private drainage system in the district for a fee not to exceed \$20,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the a contract in the amount of \$20,000 to Jewell Engineering Consultants, PC for a study of the private drainage system in the Charles B. Aycock municipal service district is hereby authorized.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0779

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 5.

Resolution Approving Bid in the Amount of \$719,000 and Authorizing Execution of Contract 2015-041A with Harper Corporation for the TZO Mechanical Bar Screen Upgrades

Department: Water Resources

Council District: 2

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Steven Drew - 373-7893

Contact 2 and Phone: Ted Kallam - 373-2883

### **PURPOSE:**

The bids for Contract 2015-041A (TZO Mechanical Bar Screen Upgrades) have been received. In order for the work to proceed on this contract, City Council approval is requested for award of the contract to Harper Corporation in the amount of \$719,000.

### **BACKGROUND:**

The City determined that due to the intensive labor and high cost of repairs, the existing mechanical bar screens had reached their useful life and needed to be replaced. The replacement of the bar screens will help aid in resolving issues with the grit system and the primary setting tanks. This work consists of: installation of 4 mechanical bar screens, 2 screw conveyors, 2 screenings washer/compactors, 1 electric gate actuator, control panels and all appurtenances, 7 ultrasonic level transmitters, piping, structural work, electrical work, and all necessary appurtenances. The bids for this project were opened on September 6, 2016 and the apparent lowest, responsible bidder is Harper Corporation (Greenville, SC) with a bid of \$719,000.

The M/WBE utilization goal was MBE 5.0% and WBE 6.0%.

The contractor's commitment is MBE 5.48% and WBE 45.5%.

Additional bids received were:

Laughlin-Sutton Construction	\$774,000.00	(MBE 0.0%, WBE 40.5%)	Brown Summit, NC
Garney Companies, Inc.	\$770,000.00	(MBE 5.5%, WBE 40.0%)	Cary, NC

The proposed date for start of construction is November 21, 2016. The proposed date of completion is July 3, 2016.

### **BUDGET IMPACT:**

Funds for this construction contract are budgeted in Water Resources Capital Improvements Fund account:

503-7025-04.6019 A16042. A budget adjustment is needed to use this account.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended by the Departments of Engineering & Inspections and Water Resources that City Council approve the bid and award Contract 2015-041A (TZO Mechanical Bar Screen Upgrades) to Harper Corporation for the bid amount of \$719,000, and the associated budget adjustment.



**DATE:** September 27, 2016  
**TO:** Donald Saintsing, Engineering & Inspections  
**FROM:** Kirim McGee, M/WBE Specialist  
**DEPARTMENT:** Engineering & Inspections  
**SUBJECT:** 2015-041A TZO Mechanical Bar Screen Upgrade

The M/WBE Office reviewed the documentation submitted by The Harper Corporation, Inc. to determine compliance with the City of Greensboro's M/WBE Program Plan. The contract goals established for the project were MBE 5% and WBE 6%. Documentation submitted with the bid indicates The Harper Corporation, Inc. met both the MBE and WBE Goals.

The Harper Corporation, Inc. has agreed to meet its M/WBE commitment utilizing the following certified firms:

MBE	Cinda Corporation	Forsyth	Concrete/Demolition	\$8,500.00	1.18%
MBE	Premier Design Builders	Forsyth	Process Equipment and Install/Demolition	\$24,480.00	3.40%
MBE	Scott's LTD, Inc	Forsyth	Painting	\$2,013.20	0.28%
MBE	Hopkins Service Inc	Guilford	Pressure Washing	\$3,600.00	0.50%
MBE	GP Supply Company	Guilford	Pipe and Valve	\$816.78	0.11%
WBE	Cooper Electrical Construction	Guilford	Electrical	\$308,532.00	42.91%
WBE	Structural Steel of Carolina LLC	Forsyth	Grating, Railing, Ladders, and Metal	\$17,787.00	2.47%
WBE	Carolina Disposal Service, Inc	Davidson	Dumpster/Toilet	\$1,340.00	0.19%

Please be reminded that during the performance of the contract, if there is a change to the scope of work either through change orders or additions or if a subcontractor is replaced; the contractor must contact the M/WBE Office prior to making any such changes or substitutions.

Please give me a call if you have any questions.

Kirim McGee  
cc Gwen Carter

RESOLUTION APPROVING BID IN THE AMOUNT OF \$719,000.00 AND AUTHORIZING  
EXECUTION OF CONTRACT 2015-041A WITH HARPER CORPORATION FOR THE  
CONSTRUCTION OF THE TZ OSBORNE WRF BAR SCREENS

WHEREAS, after due notice, bids have been received for the TZ Osborne WRF Bar Screens project;

WHEREAS, Harper Corporation, a responsible bidder, has submitted the low base bid in the total amount of \$719,000.00 as general contractor for Contract 2015-041A which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Harper Corporation is hereby accepted, and the City is authorized to enter into a contract with Harper Corporation for the TZ Osborne WRF Bar Screen project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of:

\$719,000.00 503-7025-04.6019 A16042 A budget adjustment is needed for this account.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0813

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 6.

Resolution Authorizing Renewal of Contract 2015-10350 with Integrity Sports Officiating to provide Sports Officials Services for Youth Football, Youth and Adult Basketball in the Parks and Recreation Department

Department: Parks and Recreation

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Wade Walcutt, Parks and Recreation Department Director, 373-2964

Contact 2 and Phone: Phil Fleischmann, Parks and Recreation Community Recreation Services Manager, 373-3275

### **PURPOSE:**

The Parks and Recreation Department provides various sport programs to the citizens of Greensboro. The Department plans to renew a one-year Contract #2015-10350 for Sports Officials Services for a second term. The contract value will exceed \$100,000, which requires City Council approval.

### **BACKGROUND:**

The Centralized Contracting Division conducted an online solicitation for Parks and Recreation Sports Officials Services through the Greensboro Electronic Procurement System (GePS) in 2015. Integrity Sports Officiating, a sole proprietor was awarded a contract to provide officiating services for Youth Football, Youth and Adult Basketball through October 31, 2016 based on being the lowest responsive, responsible bidder. The M/WBE memo is attached.

Both the Department and the Contractor wish to renew the current agreement for a second year at the same unit pricing.

### **BUDGET IMPACT:**

The initial contract term is one year, with four potential one-year renewals. The total cost over this term is estimated at \$54,500. The total potential five year amount is estimated at approximately \$272,500. Funding for this agreement is available in the current fiscal-year budget. Funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

### **RECOMMENDATION / ACTION REQUESTED:**

The Parks and Recreation Department, M/WBE Office and Centralized Contracting Division concur in the recommendation for City Council approval of the resolution authorizing up to four one-year

renewals of contract #2015-10350 for Parks and Recreation Sports Officials Services.



**DATE:** September 28, 2016  
**TO:** Austin Holmes, Parks & Recreation  
**FROM:** Tiffany Jones, M/WBE Office  
**DEPARTMENT:** Parks and Recreation  
**SUBJECT:** M/WBE Review Sports Officiating Service – Contract Renewal #1

The M/WBE Program Plan requires a Prime contractor to make Good Faith Efforts to provide M/WBE firms an equal opportunity to perform on a contract including change orders if there are subcontracting opportunities. Integrity Sports is currently providing officiating services for youth football, youth basketball, and adult basketball; under the requested contract renewal, there are no subcontracting opportunities and Integrity Sports will self perform the work associated with the change order amount of \$54,500.

Please be reminded that during the performance of the contract, if there is a change to the scope of work either through change orders or additions; the contractor must contact the M/WBE Office prior to making any such changes or substitutions. Please give me a call at 336-373-7698 if you have any questions.

TJ

cc: Gwen Carter, M/WBE Coordinator

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACT 2015-10350 WITH  
INTEGRITY SPORTS FOR PARKS AND RECREATION SPORTS OFFICIALS SERVICES**

**WHEREAS**, the Parks and Recreation Department provides various sport programs to the citizens of Greensboro; and

**WHEREAS**, the Department plans to renew a one-year Contract #2015-10350 for Sports Officials Services. The contract value will exceed \$100,000, which requires City Council approval; and

**WHEREAS**, Integrity Sports Officiating, a sole proprietor was awarded a contract to provide officiating services for Youth Football, Youth and Adult Basketball through October 31, 2016 based on being the lowest responsive, responsible bidder; and

**WHEREAS**, both the Department and the Contractor wish to renew the current agreement for a second year at the same unit pricing and per the terms of the original contract, may renew up to a total of four times and

**WHEREAS**, The total cost for this contract term is estimated at \$54,500; and

**WHEREAS**, the initial contract term is one year, with four potential one-year renewals. The total potential five-year amount is estimated at \$272,500; and

**WHEREAS**, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:**

That the resolution authorizing up to four one-year renewals of Contract 2015-10350 to Integrity Sports Officiating for Sport Officials for various Sport Programs in the Parks and Recreation Department is hereby approved.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0827

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 7.

Resolution Authorizing Renewal of Contract 2015-10349 with Its Official to provide Sports Officials Services for Youth Baseball, Adult Kickball and Softball Programs in the Parks and Recreation Department

Department: Parks and Recreation

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Wade Walcutt, Parks and Recreation Department Director, 373-2964

Contact 2 and Phone: Phil Fleischmann, Parks and Recreation Community Services Manager, 373-3275

### **PURPOSE:**

The Parks and Recreation Department provides various sport programs to the citizens of Greensboro. The Department plans to renew the original one-year Contract #2015-10349 for Sports Officials Services for a second term. The contract value will exceed \$100,000, which requires City Council approval.

### **BACKGROUND:**

The Centralized Contracting Division conducted an online solicitation for Parks and Recreation Sports Officials Services through the Greensboro Electronic Procurement System (GePS) in 2015. Its Official a limited liability company was awarded a contract to provide officiating services for Youth Baseball, Adult Kickball and the Softball Programs through October 31, 2016 based on being the lowest responsive, responsible bidder. The M/WBE memo is attached.

Both the Department and the Contractor wish to renew the current agreement for a second year at the same unit pricing.

### **BUDGET IMPACT:**

The initial contract term was awarded for one year, with four potential one-year renewals. The total cost for year two of the contract is estimated at \$73,500. The total potential five year amount is estimated at \$367,500. Funding for this agreement amendment is available in the current fiscal-year. Funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

### **RECOMMENDATION / ACTION REQUESTED:**

The Parks and Recreation Department, M/WBE Office and Centralized Contracting Division concur in the recommendation for City Council approval of the resolution authorizing a one-year renewal of

contract #2015-10349 for Parks and Recreation Sports Officials Services.



*Elaine F. Marshall*  
Secretary

North Carolina

DEPARTMENT OF THE  
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)907-2000

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### Corporate Names

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**Legal:** It's Official LLC

### Limited Liability Company Information

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**SosId:** 1511191  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 4/15/2016  
**Fiscal Month:** January  
**State of Incorporation:** NC  
**Registered Agent:** Fillman, Geniro

### Corporate Addresses

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**Mailing:** 640 Simpson Calhoun Road  
Greensboro, NC 27455  
**Principal Office:** 640 Simpson Calhoun Road  
Greensboro, NC 27455  
**Reg Office:** 640 Simpson Calhoun Road  
Greensboro, NC 27455  
**Reg Mailing:** 640 Simpson Calhoun Road  
Greensboro, NC 27455

### Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

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**DATE:** September 28, 2016  
**TO:** Austin Holmes, Parks & Recreation  
**FROM:** Tiffany Jones, M/WBE Office  
**DEPARTMENT:** Parks and Recreation  
**SUBJECT:** M/WBE Review Sports Officiating Service – Contract Renewal #1

The M/WBE Program Plan requires a Prime contractor to make Good Faith Efforts to provide M/WBE firms an equal opportunity to perform on a contract including change orders if there are subcontracting opportunities. It's Official is currently providing officiating services for youth baseball, adult kickball and softball; under the requested contract renewal, there are no subcontracting opportunities and Integrity Sports will self perform the work associated with the change order amount of \$73,500.

Please be reminded that during the performance of the contract, if there is a change to the scope of work either through change orders or additions; the contractor must contact the M/WBE Office prior to making any such changes or substitutions. Please give me a call at 336-373-7698 if you have any questions.

TJ

cc: Gwen Carter, M/WBE Coordinator

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACT 2015-10349 WITH ITS  
OFFICIAL FOR PARKS AND RECREATION SPORTS OFFICIALS SERVICES**

**WHEREAS**, the Parks and Recreation Department provides various sport programs to the citizens of Greensboro; and

**WHEREAS**, the department plans to renew the original one-year Contract #2015-10349 for Sports Officials Services. The contract value will exceed \$100,000, which requires City Council approval; and

**WHEREAS**, Its Official a limited liability company was awarded a contract to provide officiating services for Youth Baseball, Adult Kickball and the Softball Programs through October 31, 2016 based on being the lowest responsive, responsible bidder; and

**WHEREAS**, both the Department and the Contractor wish to renew the current agreement for a second year at the same unit pricing, and per the terms of the original contract, may renew up to a total of four times (i.e., for four additional one-year terms); and

**WHEREAS**, The total cost for this contract term is estimated at \$73,500; and

**WHEREAS**, the initial contract term is for one year, with four potential one-year renewals. The total potential five-year amount is estimated at approximately \$367,500; and

**WHEREAS**, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:**

That the resolution authorizing up to four one-year renewals of Contract 2015-10349 to Its Official LLC for Sport Officials for various Sport Programs in the Parks and Recreation Department is hereby approved.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0824

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 8.

Resolution Authorizing Sole Source Purchase of Trapeze PASS Scheduling and Interactive Voice Response System from the Trapeze Software Group, Inc. d.b.a. TripSpark Technologies

Department: Transportation

Council District: Citywide

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Adam Fischer 373-2861

Contact 2 and Phone: Bruce Adams 412-6237

### **PURPOSE:**

A resolution must be approved to authorize the City Manager to enter into a Sole Source Procurement for the purchase of the Trapeze PASS Scheduling and Interactive Voice Response System for the Greensboro Transit Authority.

### **BACKGROUND:**

To enhance the Greensboro Transit Authority's paratransit service's efficiency and access, the GTA Board recommends the purchase of Trapeze PASS Scheduling and Interactive Voice Response System by a sole-source procurement. In April 2006, the GTA entered into a regional Memorandum of Understanding with High Point Transit, Guilford County Transportation, Winston-Salem Transit Authority and the Piedmont Authority for Regional Transportation to have one regional Paratransit scheduling system for all five entities. The purpose of this agreement was to allow disabled individuals who use transit in the Triad to have the capability to travel seamlessly throughout the Triad region. Since Winston-Salem Transit Authority already had the Trapeze PASS license, it was decided that all of the other jurisdictions would purchase additional licenses from Winston-Salem Transit, and it would serve as the designated entity to control the access to the system.

Since 2006, the Trapeze PASS software has undergone several updates, but the regional entities have not agreed to purchase all of these updates. Currently, the regional system is four updates behind, and the maps that are necessary to operate the system have not been updated since 2006. This has caused many issues and service disruption in the GTA Paratransit system; including scheduling, missed trips, and late trips. In addition, in an effort to hold the GTA's contractor responsible for these issues, the failure of the region to maintain the most up-to-date scheduling software is an issue that staff has sought to address. The region, however, is not in a position to update the software at this time, but staff has determined that purchasing a separate license for the GTA with all of the updates and the ability to control the modifications and parameters of the software to suit our needs, is a critical priority. With the

purchase of this software, GTA can substantially improve the efficiency and effectiveness of the paratransit service.

Staff proposes to use local funds to purchase this software. Since local funds will be used, state procurement law applies. State law allows cities to use a sole-source procurement when “standardization or compatibility is the overriding consideration.” *See*, N.C.G.S. 143-129(e)(6). Since GTA is already using the Trapeze PASS system, this purchase will ensure that the GTA has the capability to employ the rules and regulations specifically pertaining to GTA as opposed to the current situation in which Winston-Salem’s rules and regulations are followed. Additionally, all GTA personnel are currently trained in the Trapeze PASS system, so minimal additional training will be required.

**BUDGET IMPACT:**

The cost to purchase the licenses and to install the Trapeze PASS system is \$200,229. The annual on-going operational costs and service support are approximately \$31,000, but will increase minimally from year to year. The GTA currently pays yearly increases to the regional partners for these same services; however, they do not include the map updates. This contract includes these map updates. We currently pay approximately \$52,000 annually for the same services.

Funding for this project will come from Transit Administration operating account 564-4531-01.5212. A budget adjustment is required to move funds to the appropriate account to purchase the software.

**RECOMMENDATION / ACTION REQUESTED:**

The Transportation Department recommends and requests City Council approve the resolution authorizing the City Manager to enter into a sole source contract with Trapeze Software Group, Inc. d.b.a. TripSpark Technologies to provide the City with the Trapeze PASS Scheduling and Interactive Voice Response System Software for a sum not to exceed \$200,229 and approve the associated budget adjustment.

**RESOLUTION AUTHORIZING SOLE SOURCE CONTRACT WITH TRAPEZE SOFTWARE GROUP, INC. D.B.A. TRIPSPARK TECHNOLOGIES FOR THE PURCHASE OF THE TRAPEZE PASS SCHEDULING AND INTERACTIVE VOICE RESPONSE SYSTEM**

WHEREAS, In April 2006, the Greensboro Transit Authority entered into a regional Memorandum of Understanding with High Point Transit, Guilford County Transportation, Winston-Salem Transit Authority and the Piedmont Authority for Regional Transportation to have one regional Paratransit scheduling system for all five entities;

WHEREAS, the purpose of this Agreement was to allow disabled individuals who use transit in the Triad to have the capability to travel seamlessly throughout the Triad region;

WHEREAS, the Winston-Salem Transit Authority serves as the designated entity to control the access to the system, the Greensboro Transit purchased additional licenses from Winston-Salem Transit;

WHEREAS, since 2006, the Trapeze PASS software has undergone several updates, but the regional entities have not agreed to purchase all of these updates, and currently, the regional system is four updates behind, and the maps that are necessary to operate the system have not been updated since 2006;

WHEREAS, this has caused many issues and service disruption in the GTA Paratransit system; including scheduling, missed trips, and late trips. In addition, in an effort to hold the GTA's contractor responsible for these issues, the failure of the region to maintain the most up-to-date scheduling software is an issue that staff has sought to address;

WHEREAS, staff has determined that purchasing a separate Trapeze PASS license for the GTA with all of the updates and the ability to control the modifications and parameters of the software to suit its needs is a critical priority. With the purchase of this software, GTA can substantially improve the efficiency and effectiveness of the paratransit service;

WHEREAS, State law allows cities to use a sole-source procurement when "standardization or compatibility is the overriding consideration", and since GTA is already using the Trapeze PASS system, this purchase will ensure that the GTA has the capability to employ the Paratransit rules and regulations specifically pertaining to GTA as opposed to the current situation in which Winston-Salem's rules and regulations are followed. Additionally, all GTA personnel are currently trained in the Trapeze PASS system, so minimal additional training will be required.

WHEREAS, Trapeze Software Group, Inc. d.b.a. TripSpark Technologies provided a quote of \$200,229.00 to purchase the required licenses and to install and setup the software;

WHEREAS, the GTA Board voted on **September 27, 2016** to recommend to the City Council to enter into a sole source contract with Trapeze Software Group, Inc. d.b.a. TripSpark Technologies to provide Trapeze PASS Scheduling and Interactive Voice Response System Software;

WHEREAS, the City desires to enter into a contract with Trapeze Software Group, Inc. d.b.a. TripSpark Technologies to provide the City with the Trapeze PASS Scheduling and Interactive Voice Response System Software;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager is authorized to enter into a sole source contract with Trapeze Software Group, Inc. d.b.a. TripSpark Technologies to provide the City with the Trapeze PASS Scheduling and Interactive Voice Response System Software for a sum not to exceed \$200,229.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0785

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 9.

Resolution Authorizing Amended Agreement with the North Carolina Department of Transportation for Greensboro Phillips Avenue Sidewalk Project (U-5532 B)

Department: Transportation

Council District: 2

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Adam Fischer 373-2861

Contact 2 and Phone: Tyler Meyer 373-2254

### **PURPOSE:**

Resolution will authorize an amended agreement with the North Carolina Department of Transportation (NCDOT) to increase funding for Phillips Avenue Sidewalk Project by the City of Greensboro.

### **BACKGROUND:**

Phillips Avenue Sidewalk Project (U-5532 B) includes constructing sidewalks where none exist along Phillips Avenue from Summit Avenue to Huffine Mill Road. The executed construction contract for this project exceeded the original allocation of federal TAP-DA Funds by the Greensboro Urban Area MPO. The MPO has coordinated with NCDOT to allocate additional TAP-DA Funds to cover up to 80% of the additional funds needed to fully cover the construction contract.

### **BUDGET IMPACT:**

An additional \$100,579 in funding will be appropriated to the following Street and Sidewalk Capital Project Fund Account: #401-4563-01. The additional appropriation will be funded as follows:

\$80,463 State Grant (80%)

\$20,116 Local Bond Funds (20%)

\$100,579

A budget adjustment is required to move funding into the appropriate account to fund the local match.

### **RECOMMENDATION / ACTION REQUESTED:**

The Department of Transportation recommends and requests that City Council approve the attached resolution authorizing the City Manager to execute the amended agreement and approve the associated budget adjustment.

RESOLUTION AUTHORIZING AMENDED AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR GREENSBORO PHILLIPS AVENUE SIDEWALK PROJECT (U-5532 B)

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization in its effort to support and implement multi-modal transportation needs in the Greensboro area has directed federal funding to the City of Greensboro for Phillips Avenue Sidewalk Project; and

WHEREAS, the City of Greensboro and the North Carolina Department of Transportation are to enter into a Amended Agreement in order to receive additional \$80,463 in federal funding; and,

WHEREAS; the City of Greensboro shall provide a required additional local match of \$20,116; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That said project and associated budget adjustment are hereby formally approved by the City Council of the City of Greensboro and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the amended agreement with the North Carolina Department of Transportation for Project U-5532 B.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0786

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 10.

Ordinance in the Amount of \$100,579 Amending Street and Sidewalk Capital Project Fund Budget for Amended Agreement with the North Carolina Department of Transportation for Greensboro Phillips Avenue Sidewalk Project (U-5532 B)

Department: Transportation

Council District: 2

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Adam Fischer 373-2861

Contact 2 and Phone: Tyler Meyer 373-2254

### **PURPOSE:**

Ordinance will amend Street and Sidewalk Capital Project Fund Budget for amended agreement with the North Carolina Department of Transportation (NCDOT) to increase funding for Phillips Avenue Sidewalk Project by the City of Greensboro.

### **BACKGROUND:**

Phillips Avenue Sidewalk Project (U-5532 B) includes constructing sidewalks where none exist along Phillips Avenue from Summit Avenue to Huffine Mill Road. The executed construction contract for this project exceeded the original allocation of federal TAP-DA Funds by the Greensboro Urban Area MPO. The MPO has coordinated with NCDOT to allocate additional TAP-DA Funds to cover up to 80% of the additional funds needed to fully cover the construction contract.

### **BUDGET IMPACT:**

An additional \$100,579 in funding will be appropriated to the following Street and Sidewalk Capital Project Fund Account: #401-4563-01. The additional appropriation will be funded as follows:

\$80,463 State Grant (80%)

\$20,116 Local Bond Funds (20%)

\$100,579

A budget adjustment is required to move funding into the appropriate account to fund the local match.

### **RECOMMENDATION / ACTION REQUESTED:**

The Department of Transportation recommends and requests that City Council approve the attached ordinance amending the Street and Sidewalk Capital Project Fund budget for the Phillips Avenue

Sidewalk Project (U-5532 B) and approve the associated budget adjustment.

ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT FUND BUDGET FOR  
PROJECT U-5532 B: PHILLIPS AVENUE SIDEWALK PROJECT

**Section 1:**

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

That additional appropriation for the Project U-5532 B: Phillips Avenue Sidewalk Project Budget be established as follows:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
401-4563-01.6015	Sidewalk Construction	<u>\$100,579</u>
<b>TOTAL</b>		<b>\$100,579</b>

And, that this additional appropriation be financed by amending the following Project U-5532 B: Phillips Avenue Sidewalk Project accounts:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
401-4563-01.7110	State Grant	\$80,463
401-4563-01.9471	Local Matching Funds	<u>\$20,116</u>
<b>TOTAL:</b>		<b>\$100,579</b>

**Section 2:**

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0787

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 11.

Ordinance Amending in the Amount of \$176,000 the State, Federal, and Other Grants Fund Budget for the Fiscal Year 2017 FTA Section 5303 Planning Assistance Grant

Department: Transportation

Council District: Citywide

Public Hearing: NA

Advertising Date/By: NA

Contact 1 and Phone: Adam Fischer 373-2861

Contact 2 and Phone: Bruce Adams 412-6237

### **PURPOSE:**

The City of Greensboro Metropolitan Planning Organization received a grant award from the Federal Transit Administration (FTA) and North Carolina Department of Transportation (NCDOT) to support on-going short range service planning activities for the Greensboro Transit Authority (GTA). A budget ordinance must be approved to establish the budget for this grant and allow the expenditure of funds.

### **BACKGROUND:**

The Greensboro Urban Area Metropolitan Planning Organization (GUAMPO) adopted a resolution authorizing GTA's FY2016-2017 Program of Projects, including the FY2017 FTA Section 5303 Planning Assistance grant, in the amount of \$176,000 on August 24, 2016. This grant allows the City (through the Public Transportation Division) to commission a long-range transit planning study, as well as an assessment of the Higher Education Area Transit (HEAT) service, focusing on the effectiveness and efficiency of the service. The grant also supports one full-time Transit Services Planner position for the City of Greensboro-Public Transportation Division.

### **BUDGET IMPACT:**

Funding will be budgeted as follows in State, Federal, and Other Grant Fund account 220-4506-01. The local match is budgeted in the following Transit Operations account: 564-4531-01.6220.

\$140,800 (80%) Federal

\$ 17,600 (10%) State

\$ 17,600 (10%) Local

\$176,000

### **RECOMMENDATION / ACTION REQUESTED:**

The Department of Transportation recommends and requests that the City Council approve the attached

budget ordinance establishing \$176,000 for the FY2017 FTA Section 5303 Planning Assistance Grant.

ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE FISCAL YEAR 2017 FTA SECTION 5303 PLANNING ASSISTANCE GRANT

**Section 1**

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

That the Grant Project Budget for the FY 2017 FTA Section 5303 Planning Assistance Grant be established as follows:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
220-4506-01.4110	Salaries and Wages	\$ 59,769
220-4506-01.4510	FICA Contribution	\$ 4,461
220-4506-01.4520	Retirement Contribution	\$ 3,936
220-4506-01.4610	Health Coverage-Active	\$ 5,952
220-4506-01.4650	Dental Coverage-Active	\$ 444
220-4506-01.4710	Life Insurance-Active	\$ 390
220-4506-01.4750	Long Term Disability	\$ 536
220-4506-01.5111	Telephone-Equipment	\$ 425
220-4506-01.5413	Consultant Services	\$100,087
<b>Total</b>		<b>\$176,000</b>

And, that this increase be financed by increasing the following revenues:

<b><u>Account</u></b>	<b><u>Description</u></b>	<b><u>Amount</u></b>
220-4506-01.7100	Federal Grant	\$140,800
220-4506-01.7110	State Grant	\$ 17,600
220-4506-01.9564	Transfer from Transit Fund	\$ 17,600
<b>Total</b>		<b>\$176,000</b>

**Section 2:**

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0803

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 12.

Ordinance in the Amount of \$300,000 Amending the State, Federal, and Other Grants Fund Budget for the Appropriation of Federal Grant Funds for Violent Gang and Gun Crime Reduction Program (PSN) FY16

Department: Police

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Chief Scott, 373-2085

Contact 2 and Phone: Stephanie Moore, 373-2352

### **PURPOSE:**

The Office of Justice Programs has awarded the Greensboro Police Department a Violent Gang and Gun Crime Reduction Program (PSN) Federal Grant FY16 of \$300,000. The Greensboro Police Department will serve as the lead/fiscal agency for the Greensboro's PSN Task Force's grant activities over the award period of October 1, 2016 through September 30, 2018.

The grant will be approved by the Budget and Evaluation Director and City Manager in accordance with the City Grants Policy. To accept this grant, approval of a budget ordinance is also required by City Council.

### **BACKGROUND:**

Project Safe Neighborhoods (PSN) represents a strategic approach which brings more "science" into criminal justice operations by leveraging innovative applications of analysis, technology, and evidence-based practices with the goal of improving performance and effectiveness while containing costs. PSN is designed to create safer neighborhoods through a sustained reduction in gang violence and gun crime. The program's effectiveness is based on the cooperation of local, state, and federal agencies engaged in a unified approach led by the U.S. Attorney (USA) in each district.

Greensboro's PSN Task Force will utilize the funds to address this issue by: (1) Creating a PSN Task Force to coordinate firearm & gang crime investigations; (2) Implementing preventative & diversionary measures for young offenders (ages 12 to 18) currently committing misdemeanor crimes with a high rate of victimization; (3) Improving data-driven analysis & understanding of firearm & gang crime; and, (4) Supporting an innovative intervention strategy.

### **BUDGET IMPACT:**

This is a reimbursable grant; no match is required. The funds will be housed in grant account #220-3534-01. Expense reimbursement requests will be processed quarterly and dispersed to the partnering agencies upon receipt of funds by the City of Greensboro from the Office of Justice Programs.

**RECOMMENDATION / ACTION REQUESTED:**

The Greensboro Chief of Police requests City Council's consideration to adopt the associated budget ordinance for the Appropriation of Federal Grant Funds for FY 16 Violent Gang and Gun Crime Reduction Program (PSN) in the amount of \$300,000.



**U.S. Department of Justice**

Office of Justice Programs

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Office of the Assistant Attorney General

*Washington, D.C. 20531*

September 14, 2016

The Honorable Nancy Vaughan  
City of Greensboro  
PO Box 3136  
Greensboro, NC 27404

Dear Mayor Vaughan:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 16 Violent Gang And Gun Crime Reduction Program (PSN): USAO district populations of 2 million-4,999,999 in the amount of \$300,000 for City of Greensboro.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Elizabeth White, Program Manager at (202) 598-7402; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink that reads "Karol V. Mason".

Karol Virginia Mason  
Assistant Attorney General

Enclosures



## OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

U.S. Department of Justice

810 7th Street, NW  
Washington, DC 20531

Tel: (202) 307-0690

TTY: (202) 307-2027

E-mail: [askOCR@usdoj.gov](mailto:askOCR@usdoj.gov)

Website: [www.ojp.usdoj.gov/ocr](http://www.ojp.usdoj.gov/ocr)

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September 14, 2016

The Honorable Nancy Vaughan  
City of Greensboro  
PO Box 3136  
Greensboro, NC 27404

Dear Mayor Vaughan:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

### **Ensuring Access to Federally Assisted Programs**

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

### **Enforcing Civil Rights Laws**

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

## **Providing Services to Limited English Proficiency (LEP) Individuals**

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

## **Ensuring Equal Treatment for Faith-Based Organizations**

The DOJ regulation, Equal Treatment for Faith-Based Organizations, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The Equal Treatment Regulation also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at [http://www.ojp.usdoj.gov/about/ocr/equal\\_fbo.htm](http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm).

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(c); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

## **Using Arrest and Conviction Records in Making Employment Decisions**

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 (June 2013), available at [http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction\\_Advisory.pdf](http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf). Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

## **Complying with the Safe Streets Act**

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

### **Meeting the EEOP Requirement**

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at [EEOSubmission@usdoj.gov](mailto:EEOSubmission@usdoj.gov).

### **Meeting the Requirement to Submit Findings of Discrimination**

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

### **Ensuring the Compliance of Subrecipients**

SAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see [http://www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston  
Director

cc: Grant Manager  
Financial Analyst



U.S. Department of Justice  
Office of Justice Programs  
**Bureau of Justice Assistance**

**Grant**

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) City of Greensboro PO Box 3136 Greensboro, NC 27404		4. AWARD NUMBER: 2016-GP-BX-0010	
		5. PROJECT PERIOD: FROM 10/01/2016 TO 09/30/2018 BUDGET PERIOD: FROM 10/01/2016 TO 09/30/2018	
2a. GRANTEE IRS/VENDOR NO. 566000230		6. AWARD DATE 09/14/2016	7. ACTION  Initial
2b. GRANTEE DUNS NO. 071572374		8. SUPPLEMENT NUMBER 00	
3. PROJECT TITLE PSN Program		9. PREVIOUS AWARD AMOUNT \$ 0	
		10. AMOUNT OF THIS AWARD \$ 300,000	
		11. TOTAL AWARD \$ 300,000	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY16(BJA - PSN) Pub. L. No. 114-113, 129 Stat 2242, 2307			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.609 - Project Safe Neighborhoods			
15. METHOD OF PAYMENT GPRS			
[REDACTED] AGENCY APPROVAL [REDACTED]		[REDACTED] GRANTEE ACCEPTANCE [REDACTED]	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Karol Virginia Mason Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Nancy Vaughan Mayor	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL	19A. DATE
[REDACTED] AGENCY USE ONLY [REDACTED]			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR    FUND CODE    BUD. ACT.    DIV. OFC.    DIV. REG.    SUB.    POMS    AMOUNT X            B            GP            80            00            00                       300000		21. RGPUGT1429	



U.S. Department of Justice  
Office of Justice Programs  
**Bureau of Justice Assistance**

**AWARD CONTINUATION  
SHEET  
Grant**

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PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this 2016 award from the Office of Justice Programs (OJP).

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this 2016 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded in 2014 or earlier years), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2016 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. Compliance with DOJ Grants Financial Guide

The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide"), including any updated version that may be posted during the period of performance.

3. Required training for Point of Contact and all Financial Points of Contact

Both the Point of Contact (POC) and all Financial Points of Contact (FPOCs) for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

In the event that either the POC or an FPOC for this award changes during the period of performance, the new POC or FPOC must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after -- (1) the date of OJP's approval of the "Change Grantee Contact" GAN (in the case of a new POC), or (2) the date the POC enters information on the new FPOC in GMS (in the case of a new FPOC). Successful completion of such a training on or after January 1, 2015, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <http://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.



U.S. Department of Justice  
Office of Justice Programs  
**Bureau of Justice Assistance**

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 3 OF 10

PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

4. Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

5. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by DOJ awarding agency, must seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

6. Requirements related to System for Award Management and Unique Entity Identifiers

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <http://www.sam.gov>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <http://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

7. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <http://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: Award Condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.



U.S. Department of Justice  
Office of Justice Programs  
**Bureau of Justice Assistance**

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 4 OF 10

PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

8. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$150,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$150,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <http://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$150,000)), and are incorporated by reference here.

9. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <http://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

10. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").

11. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of activities under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.

12. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://ojp.gov/funding/ojptrainingguidingprinciples.htm>.



U.S. Department of Justice  
Office of Justice Programs  
**Bureau of Justice Assistance**

**AWARD CONTINUATION  
SHEET  
Grant**

PAGE 5 OF 10

PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

13. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

14. The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

15. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.

16. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries. Part 38 of 28 C.F.R., a DOJ regulation, was amended effective May 4, 2016.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38 also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.

17. Restrictions on "lobbying"

Federal funds may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government.

Should any question arise as to whether a particular use of Federal funds by a recipient (or subrecipient) would or might fall within the scope of this prohibition, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.



U.S. Department of Justice  
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**AWARD CONTINUATION  
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PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

18. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2016)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2016, are set out at <http://ojp.gov/funding/Explore/FY2016-AppropriationsLawRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

19. Reporting Potential Fraud, Waste, and Abuse, and Similar Misconduct

The recipient and any subrecipients ("subgrantees") must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award -- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by-- (1) mail directed to: Office of the Inspector General, U.S. Department of Justice, Investigations Division, 950 Pennsylvania Avenue, N.W. Room 4706, Washington, DC 20530; (2) e-mail to: [oig.hotline@usdoj.gov](mailto:oig.hotline@usdoj.gov); and/or (3) the DOJ OIG hotline: (contact information in English and Spanish) at (800) 869-4499 (phone) or (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <http://www.usdoj.gov/oig>.



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PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

20. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.



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*SPECIAL CONDITIONS*

21. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

22. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

23. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

24. The recipient agrees to submit to BJA for review and approval any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2016-GP-BX-0010 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.



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*SPECIAL CONDITIONS*

25. The recipient agrees to submit to BJA for review and comment any curricula, training materials, proposed publications, reports, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) working days prior to the targeted dissemination date. Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. 2016-GP-BX-0010 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the U.S. Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the OJP Financial Guide provides guidance on allowable printing and publication activities.
26. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
27. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)  
  
This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.
28. Award recipients must verify Point of Contact(POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.
29. The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.
30. The recipient agrees to participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.
31. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to OJP all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
32. The award recipient agrees to participate in a data collection process measuring program outputs and outcomes. The data elements for this process will be outlined by the Office of Justice Programs.



U.S. Department of Justice  
Office of Justice Programs  
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PROJECT NUMBER 2016-GP-BX-0010

AWARD DATE 09/14/2016

*SPECIAL CONDITIONS*

33. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
34. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
35. Applicants must certify that Limited English Proficiency persons have meaningful access to the services under this program(s). National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation when necessary. The U.S. Department of Justice has issued guidance for grantees to help them comply with Title VI requirements. The guidance document can be accessed on the Internet at [www.lep.gov](http://www.lep.gov).
36. The grantee agrees to secure and maintain on file signed statements by each member of the selection committee appointed by the United States Attorney or the PSN Task Force indicating that in making recommendations or decisions regarding contracts or subgrants paid for by this grant, the member had no conflict of interest. Such statements must include all of the language included in the PSN Conflict of Interest Certification, however, the grantee may use a different format or may add other related certifications of their own.
37. The recipient agrees to coordinate the project with the U.S. Attorney and Project Safe Neighborhoods Task Force for the district covered by the award. The recipient also is encouraged to coordinate with other community justice initiatives (such as Weed & Seed and ATF's Youth Crime Gun Interdiction Initiative), and other ongoing, local gun prosecution and law enforcement strategies.
38. The recipient agrees to submit to DOJ for review and approval, any proposal or plan for Project Safe Neighborhoods and Anti-Gang Initiative media-related outreach. DOJ approval must be received prior to any obligation or expenditure of grant funds related to the development of media-related outreach projects.
39. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
40. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has received and approved the signed Memorandum of Understanding (MOU) between the PSN law enforcement and partner agencies that clearly outlines their respective roles and responsibilities, and has issued a Grant Adjustment Notice (GAN) releasing this special condition.
41. The recipient is authorized to incur obligations, expend, and draw down funds for travel, lodging, and per diem costs only, in an amount not to exceed \$15,000, for the sole purpose of attending a required OJP conference associated with this grant award. The grantee is not authorized to incur any additional obligations, or make any additional expenditures or draw downs until the awarding agency and the Office of the Chief Financial Officer (OCFO) has reviewed and approved the recipient's budget and budget narrative, and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.
42. The recipient shall submit to OJP for approval any strategic plan involving funds administered through OJP.



**U.S. Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Assistance*

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Washington, D.C. 20531

**Memorandum To:** Official Grant File  
**From:** Orbin Terry, NEPA Coordinator  
**Subject:** Categorical Exclusion for City of Greensboro

The FY16 Project Safe Neighborhoods Initiative, represents a strategic approach that brings more “science” into criminal justice operations by leveraging innovative applications of analysis, technology, and evidence-based practices with the goal of improving performance and effectiveness while containing costs while addressing crime associated with gun crime and gang violence. Awards under this program will implement the five core elements of PSN—partnerships, strategic planning, training, outreach, and accountability—to address specific gun crime and gang violence problems in that district.

None of the following activities will be conducted either under the OJP federal action or a related third party action:

- 1) New construction;
- 2) Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain;
- 3) A renovation which will change the basic prior use of a facility or significantly change its size;
- 4) Research and technology whose anticipated and future application could be expected to have an effect on the environment; or
- 5) Implementation of a program involving the use of chemicals.

Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment or a project which when viewed in its entirety would not meet the criteria for a categorical exclusion.



U.S. Department of Justice  
Office of Justice Programs  
Bureau of Justice Assistance

**GRANT MANAGER'S MEMORANDUM, PT. I:  
PROJECT SUMMARY**

**Grant**

PROJECT NUMBER  
2016-GP-BX-0010

PAGE 1 OF 1

This project is supported under FY16(BJA - PSN) Pub. L. No. 114-113, 129 Stat 2242, 2307

1. STAFF CONTACT (Name & telephone number)

Elizabeth White  
(202) 598-7402

2. PROJECT DIRECTOR (Name, address & telephone number)

Courtney Hemphill  
Grant Analyst  
P O Box 3136  
Greensboro, NC 27402  
(336) 373-2350

3a. TITLE OF THE PROGRAM

BJA FY 16 Violent Gang and Gun Crime Reduction Program (PSN): USAO district populations of 2 million-4,999,999

3b. POMS CODE (SEE INSTRUCTIONS ON REVERSE)

4. TITLE OF PROJECT

PSN Program

5. NAME & ADDRESS OF GRANTEE

City of Greensboro  
PO Box 3136  
Greensboro, NC 27404

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2016 TO: 09/30/2018

8. BUDGET PERIOD

FROM: 10/01/2016 TO: 09/30/2018

9. AMOUNT OF AWARD

\$ 300,000

10. DATE OF AWARD

09/14/2016

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

As part of BJA's Smart Suite, the Project Safe Neighborhoods (PSN), represents a strategic approach that brings more "science" into criminal justice operations by leveraging innovative applications of analysis, technology, and evidence-based practices with the goal of improving performance and effectiveness while containing costs. The program's effectiveness is based on the cooperation of local, state, and federal agencies engaged in a unified approach led by the U.S. Attorney (USA) in each district. The USA is responsible for establishing a collaborative PSN task force of federal, state, and local law enforcement and other community members to implement gang violence and gun crime enforcement, intervention and prevention initiatives within the district. Through the PSN task force, the USA will implement the five design features of PSN—partnerships, strategic planning, training, outreach, and accountability—to address specific gun crime and gang violence problems in that district.

The city of Greensboro, serving as the fiscal agent for the District of North Carolina, will utilize grant funds to create a PSN task force to coordinate gang and gun

crime investigations, to implement preventative and diversionary measures for offenders ages 12 to 18 who commit crimes with a high rate of victimization, as well as develop data driven analyses of firearm and gang crimes. The goal of the project is to reduce violent gun and gang crimes in six targeted neighborhoods.

CA/NCF

BUDGET ORDINANCE AMENDING THE STATE, FEDERAL, AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL GRANT FUNDS FOR VIOLENT GANG AND GUN CRIME REDUCTION PROGRAM (PSN) FY16

**Section 1**

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

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

**Account name – PSN FY 16-18**

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3534-01.4140	Roster Wages	\$ 48,600
220-3534-01.4510	Fica Contribution	\$ 1,000
220-3534-01.4740	Unemployment Compensation	\$ 400
220-3534-01.5212	Computer Software	\$ 6,000
220-3534-01.5415	Software Maintenance	\$ 4,500
220-3534-01.5413	Consultant Services	\$210,000
220-3534-01.5431	In-house Printing	\$ 1,000
220-3534-01.5520	Seminar/Training Expenses	<u>\$ 28,500</u>
<b>TOTAL:</b>		<b>\$300,000</b>

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3534-01.7100	Federal Grant	<u>\$300,000</u>
<b>TOTAL:</b>		<b>\$300,000</b>

**Section 2**

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0809

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 13.

Ordinance in the Amount of \$33 Amending State, Federal and Other Grants Fund Budget for the Appropriation of Interest Earned on VA Asset Forfeiture Proceeds

Department: Police

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Chief Scott, 373-2085

Contact 2 and Phone: Stephanie Moore, 373-2352

### **PURPOSE:**

The Commonwealth of Virginia awarded the Greensboro Police Department forfeited drug funds from proceeds of a joint drug investigation. Per the Forfeited Asset Sharing Program guidelines, a trust fund account has been established to house the interest earning funds. Interest has been calculated by the Finance Department for the account through September 2016. To expend these funds, approval of a budget ordinance is required by City Council.

### **BACKGROUND:**

The Virginia Constitution requires all property accruing to the Commonwealth by forfeiture to be paid into a separate, permanent and perpetual school fund known as the Literary Fund. Va. Const. art. VIII, § 8. The Virginia Constitution also allows the General Assembly to enact general laws exempting payment into the Literary Fund for “the proceeds from the sale of all property seized and forfeited to the Commonwealth for a violation of the criminal laws of this Commonwealth proscribing the manufacture, sale or distribution of a controlled substance or marijuana.” Such proceeds shall be paid into the state treasury and shall be distributed by law for the purpose of promoting law enforcement.

### **BUDGET IMPACT:**

A Budget Ordinance (Ord#16-14) was adopted by City Council to house and expend VA Asset Forfeiture Proceeds in the amount of \$10,877.79 on February 16, 2016. The interest bearing account has earned \$33.00 since the receipt of funds on March 17, 2016 and needs to be appropriated in order to spend the funds. The funds will be utilized to pay towards supplemental body cameras.

### **RECOMMENDATION / ACTION REQUESTED:**

It is requested that the City Council adopt the attached budget ordinance appropriating funding in the amount of \$33.00 for earned interest on VA Asset Forfeiture Proceeds.

ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF INTEREST EARNED ON VA ASSET FORFEITURE PROCEEDS

**Section 1**

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

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

Account name – Supplemental Body Cameras

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3571-01.5325	Small Tools & Equipment	<u>\$33</u>
<b>TOTAL:</b>		<b>\$33</b>

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3571-01.8504	Interest Earned-Nccmt	<u>\$33</u>
<b>TOTAL:</b>		<b>\$33</b>

**Section 2**

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0763

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 14.

Resolution Approving Change Order 1 in the Amount of \$10,640 to Contract 2008-046 with Withers Ravenel, Inc. for Lynwood Lakes Water & Sewer project

Department: Water Resources

Council District: N/A

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Steven Drew, 336-373-7893

Contact 2 and Phone: Virginia Spillman, 336-373-3260

### **PURPOSE:**

Water Resources is requesting a change order to contract 2008-046 related to Lynwood Lakes Water & Sewer project to provide for additional design and construction administration services. Change Order 1 includes coordination of efforts during construction administration phase, additional record drawing preparation needed for the completion of the project and additional time for project management coordination between the bonding company, the city, engineer of record and new contractor. In order to finish the construction of the project, approval of a contract change order is requested.

### **BACKGROUND:**

The county and city agreed to extend water and sewer service to the Lynwood Lakes neighborhood. A valid petition was approved by the county commissioners and the city council. Request for Proposals (RFP) was provided to eight consulting firms and Withers Ravenel was chosen as the consulting engineer. The project consists of approximately 27,000 feet of water and 30,000 feet of sewer. The City authorized professional services contract 2008-046 with Withers Ravenel, Inc in the amount of \$1,085,000 to provide design and construction administration services for the project.

As a result of the withdrawal of DeVere Construction Corporation from the project, Liberty Mutual, DeVere's bonding company, took the responsibility of completing the remaining construction requirements. The City worked diligently with the bonding company to come to an agreement that allowed the completion of the remaining construction by another contractor. The change order includes coordination of efforts during construction administration phase, additional record drawing preparation between City of Greensboro Inspections and the engineering of record, as well as, additional project management coordination efforts needed for the completion of the project by a new contractor. The takeover agreement does not include any language regarding the change order, therefore staff is not seeking reimbursement for this contract. City staff also feels this could potentially delay completion of the work by the submission of a claim against the bonding company. For respect of the citizens affected

by this project, it is in the best interest of the city to assume the full cost associated with the change order. Withers Ravenel will self perform the work proposed in this change order. The M/WBE Office reviewed the proposed scope of service and provided a memo confirming the absence of any subcontracting opportunities.

**BUDGET IMPACT:**

Funding in the amount of \$10,640 is budgeted in the Water Resources Capital Fund Account 504-7042-01.5410 (Professional Services). A budget adjustment is needed to use these accounts.

**RECOMMENDATION / ACTION REQUESTED:**

The Water Resources Department recommends City Council approve a Change Order in the amount of \$10,640 to contract 2008-046 with Withers Ravenel, Inc. for the Lynwood Lakes Water & Sewer project, and the associated budget adjustment.



*Elaine F. Marshall*  
Secretary

North Carolina

DEPARTMENT OF THE  
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

Account  
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Register

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View Document Filings

### Corporate Names

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**Prev Legal:** Withers & Ravenel, Engineering & Surveying, Inc.

**Prev Legal:** Withers & Ravenel, Inc.

**Legal:** WithersRavenel, Inc.

### Professional Corporation Information

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**SosId:** 0286445  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 4/23/1991  
**State of Incorporation:** NC  
**Registered Agent:** Wither, Tony

### Corporate Addresses

---

**Reg Mailing:** 111 mackenan drive Suite D  
Cary, NC 27511  
**Mailing:** 111 mackenan drive  
Cary, NC 27511

### Professions

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Engineering and Surveying Services  
Geology services  
Landscape Architect services



WithersRavenel

Our People. Your Success.

August 8, 2016

City of Greensboro Water Resources Department  
Attention: Melinda King, PE  
Utility, Mapping and Records Design Engineer  
2602 South Elm-Eugene Street  
P.O. Box 3136  
Greensboro, NC 27402-3136

RE: Lynwood Lakes Water and Sewer Project  
Contract No. 2008-046  
Additional Service Fee Request

Dear: Ms. King,

By our records, as of this date, there is only \$782.79 of budget remaining on our contract.

As this project has moved from inception, to design, to construction, we have encountered a number of circumstances that have required us to provide additional services on various tasks beyond what was considered or budgeted in our contract scope and fee. Fortunately we have been able to avoid a contract amendment utilizing the unused budget from other tasks to offset those additional costs. However, we have exhausted all of those unused budget opportunities and we are now faced with having to request some additional funds to cover the costs for some services that we have already provided and some others that we anticipate will be needed to close out the project. The following is a listing of the work areas that involve additional fee.

**RECORD DRAWINGS**

In the process of preparing the Record Drawings we provided the added service of back checking the As-built survey data that was provided and found that several valves, manholes, cleanouts or water meters had been missed. As a result, we provided additional coordination with the inspector and the surveyors to get the needed items surveyed and we performed multiple back checks and revisions to the drawings to incorporate this additional information into the Record Drawings. At this point we anticipate one more round of final revisions to one or more sewer pipes to capture the remaining corrections that are being made to the sewer.

We also were not aware at the time of the original contract scope preparation that an electronic version of the Record Drawings would be required, so there will be extra effort to convert the Civil 3D design files into line drawings for export as straight AutoCAD line drawing files. Because of the complexity of the drawing files on this project, we anticipate this could require as much as 24 hours of CAD time to do the conversion, fix any problems and complete the back checking.

For the extra work for Record Drawings, we are requesting a lump sum amount of \$5,840.

The required extra work totals to the following:

• CAD Designer	48 hrs @ \$95/hr	\$4,560
• Project Manager (QC and coordination)	8 hrs @ \$160/hr	\$1,280
	<b>TOTAL</b>	<b>\$5,840</b>

**CONTACTOR DEFAULT SERVICES**

Subsequent to the default of Devere for the construction of the work, we have attended several meetings, conferred on the corrective action efforts of the Bond Company contractor, Yates Construction, and anticipate responded to several emails and phone calls.

The required extra work has totaled to the following:

- Project Manager 10 hrs@ \$160/hr \$1,600

Before the project closes out, we anticipate that there will be additional items that will require our input, so we are also requesting an additional 20 hours of Project Manager time to be budgeted for this work. We will only bill this time if it is required.

For the extra work for Contractor Default Services, we are requesting a lump sum amount of \$4,800.

TOTAL \$4,800

The total requested amount of this Amendment is \$10,640.

If you have any questions, please do not hesitate to contact me.

Sincerely

WithersRavenel



Michael R. Koser, PE  
Vice President



**DATE:** September 9, 2016

**TO:** Melinda King, Water Resources

**FROM:** Tiffany Jones, M/WBE Office

**DEPARTMENT:** Water Resources Department

**SUBJECT:** Contract #2008-046 Lynwood Lakes Water and Sewer Project Change Order #1

The M/WBE Program Plan requires a Prime contractor to make Good Faith Efforts to provide M/WBE firms an equal opportunity to perform on a contract including change orders if there are subcontracting opportunities. WithersRavenel is currently providing engineering design service; under the requested change order, there are no subcontracting opportunities and WithersRavenel will self perform the work associated with the change order amount of \$10,640.

Please be reminded that during the performance of the contract, if there is a change to the scope of work either through change orders or additions; the contractor must contact the M/WBE Office prior to making any such changes or substitutions. Please give me a call at 336-373-7698 if you have any questions.

TJ

cc: Gwen Carter, M/WBE Coordinator

RESOLUTION AUTHORIZING CHANGE ORDER IN THE AMOUNT OF \$10,640 TO  
CONTRACT NO. 2008-046 WITH WITHERS RAVENEL, INC FOR THE LYNWOOD  
LAKES WATER AND SEWER PROJECT

WHEREAS, the county and city agreed to extend water and sewer service to the Lynwood Lakes neighborhood;

WHEREAS, a valid petition was approved by the county commissioners and the city council and a Request for Proposals (RFP) was provided to eight consulting firms and Withers Ravenel was chosen as the consulting engineer;

WHEREAS, the project consists of approximately 27,000 feet of water and 30,000 feet of sewer;

WHEREAS, the City authorized professional services contract 2008-046 with Withers Ravenel, Inc in the amount of \$1,085,000 to provide design and construction administration services for the project;

WHEREAS, as a result of the withdrawal of DeVere Construction Corporation from the project, Liberty Mutual, DeVere's bonding company, took the responsibility of completing the remaining construction requirements;

WHEREAS, the City has worked diligently with the bonding company to come to an agreement that allowed the completion of the remaining construction by another contractor;

WHEREAS, the change order includes coordination of efforts during construction administration phase, additional record drawing preparation that had been missed by DeVere and additional project management coordination efforts needed for the completion of the project;

WHEREAS, Withers Ravenel, Inc. will self perform the work proposed in this change order and the M/WBE Office reviewed the proposed scope of service and provided a memo confirming the absence of any subcontracting opportunities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City is authorized to enter into a contract change order for contract 2008-046 with Withers Ravenel, Inc for the Lynwood Lakes Water and Sewer Project in the amount of \$10,640 subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$10,640 from Account No. 504-7042-01.5410 (Professional Services).



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0829

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**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Report

**Agenda Number:** 15.

Budget Adjustments Approved by Budget Officer 8/30/16-9/26/16

Department: Budget & Evaluation

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Larry Davis, 373-2291

Contact 2 and Phone: Jason Martin, 373-4516

**PURPOSE:**

In compliance with G.S. 159-15 and Resolution passed by City Council on July 2, 1973, the following budget adjustments are submitted for your information. This item was referred to Council by the General Government Committee.

**RECOMMENDATION / ACTION REQUESTED:**

This information is being provided to Council for informational purposes only.

# Budget Adjustments Approved by Budget Officer

8/30/2016 - 9/26/2016

In compliance with G.S. 159-15 and Resolution passed by Council on February 15, 2011, the following budget adjustments are submitted for your information.

Budget Adj#	Department Account Description	Account From	Account To	Amount	Total	Unencumbered Amount After Adjustment
<u>2017047</u>	<u>TRANSPORTATION</u>				<u>\$39,000</u>	\$70,828,109
	MISCELLANEOUS	471-4599-01 . 5949		\$39,000		\$43,256
	STREET CONSTRUCTION AND PAVING		471-4502-23 . 6014	\$39,000		
	A budget adjustment is required to fund a JE associated with U-5505 Fleming Road project. An expense that had previously been charged to the grant fund should be charged to the bond fund.					
<u>2017048</u>	<u>POLICE</u>				<u>\$1,227</u>	
	OFFICE SUPPLIES	220-3567-01 . 5213		\$41		\$245
	IN-HOUSE PRINTING SERVICES	220-3567-01 . 5431		\$28		\$657
	BUSINESS AND MEETING EXPENSES	220-3567-01 . 5510		\$354		\$0
	IN-KIND SERVICES	220-3567-01 . 5928		\$804		\$21,536
	OFFICE SUPPLIES		220-3567-02 . 5213	\$41		\$327
	IN-HOUSE PRINTING SERVICES		220-3567-02 . 5431	\$28		\$713
	BUSINESS AND MEETING EXPENSES		220-3567-02 . 5510	\$354		\$708
	IN-KIND SERVICES		220-3567-02 . 5928	\$804		\$25,119
	Budget adjustment is to amend the City grant account to carry forward the unspent funds from YR1 to YR2 of the grant (expense).					
<u>2017049</u>	<u>POLICE</u>				<u>\$30,014</u>	
	FEDERAL GRANT	220-3567-01 . 7100		\$29,182		\$70,818
	STATE DRUG EXCISE TAX	220-3567-01 . 7123		\$28		\$657
	LOCAL-IN-KIND SERVICES	220-3567-01 . 8695		\$804		\$23,511
	FEDERAL GRANT		220-3567-02 . 7100	\$29,182		\$129,182
	STATE DRUG EXCISE TAX		220-3567-02 . 7123	\$28		\$713
	LOCAL-IN-KIND SERVICES		220-3567-02 . 8695	\$804		\$25,119
	Budget adjustment to amend the City grant account to carry forward the unspent funds from YR1 to YR2 of the grant (revenue)					
<u>2017050</u>	<u>NEIGHBORHOOD DEVELOPMENT</u>				<u>\$33,000</u>	
	SALARIES & WAGES	211-2101-01 . 4110		\$26,000		\$772,776
	FICA CONTRIBUTION	211-2101-01 . 4510		\$2,000		\$61,225

Department	Budget Adj#	Account Description	Account From	Account To	Amount	Total	Unencumbered Amount After Adjustment	
		RETIREMENT CONTRIBUTION	211-2101-01 . 4520		\$2,000		\$84,856	
		HEALTH COVERAGE-ACTIVE	211-2101-01 . 4610		\$3,000		\$105,678	
		DISPOSITION EXPENSES		211-2101-02 . 5285	\$13,000		\$174,192	
		CONTRIBUTIONS TO NON-GOVMENTAL AGENCIES		211-2102-06 . 5931	\$20,000		\$20,000	
		Personnel expenses are transferred quarterly from the Nussbaum fund to HOME(213). This request will move unused admin budget to Nussbaum's Asset Management and White Flag Winter Shelter accounts.						
	<u>2017051</u>	<u>WATER RESOURCES</u>				<u>\$42,718</u>		
		SEWER LINES	504-7042-01 . 6017		\$42,718		\$431,152	
		PROFESSIONAL SVCS-CAPITAL PROJECTS		504-7042-01 . 5410	\$42,718		\$0	
		To correct fund sufficiency issue in the Water Resources Lynwood Lakes Water & Sewer Improvements fund (504).						
	<u>2017052</u>	<u>POLICE</u>				<u>\$37,938</u>		
		CONSULTANT SERVICES	220-3567-01 . 5413		\$28,788		\$70,572	
		CONSULTANT SERVICES	220-3567-02 . 5413		\$9,150		\$90,210	
		CONSULTANT SERVICES		220-3567-02 . 5413	\$28,788		\$0	
		SEMINAR/TRAINING EXPENSES		220-3567-02 . 5520	\$9,150		\$9,150	
		To move grant funds from YR1 to YR2 of the grant and to move funds within the YR2 to provide for training.						
	<u>2017053</u>	<u>TRANSPORTATION</u>				<u>\$5,000</u>		
		OTHER IMPROVEMENTS	567-4503-01 . 6019		\$5,000		\$342,900	
		PROFESSIONAL SVCS-CAPITAL PROJECTS		567-4503-01 . 5410	\$5,000		\$157,100	
		Budget adjustment necessary to shift funds to cover contingency costs in contract 15-025.						
	<u>2017054</u>	<u>WATER RESOURCES</u>				<u>\$16,714</u>		
		ADVERTISING	220-7068-01 . 5221		\$16,300		\$0	
		ADVERTISING	220-7070-01 . 5221		\$414		\$0	
		ADVERTISING		220-7074-01 . 5221	\$16,714		\$71,214	
		To move Year 11 and Year 12 expense appropriations for the Piedmont Triad Water Quality Partnership Stormwater Education Program into Year 14's account per the interlocal agreement.						
	<u>2017055</u>	<u>WATER RESOURCES</u>				<u>\$16,714</u>		
		LOCAL GOVERNMENT GRANTS	220-7068-01 . 7170		\$14,018		\$48,832	
		LOCAL GOVERNMENT GRANTS	220-7070-01 . 7170		\$356		\$46,644	
		TRANSFER FM STORMWATER MGMT ENTERPRISE FU	220-7068-01 . 9505		\$2,282		\$5,218	
		TRANSFER FM STORMWATER MGMT ENTERPRISE FU	220-7070-01 . 9505		\$58		\$7,442	
		LOCAL GOVERNMENT GRANTS		220-7074-01 . 7170	\$14,374		\$61,374	

Department		Account From	Account To	Amount	Total	Unencumbered Amount After Adjustment
Budget Adj#	Account Description					

	TRANSFER FM STORMWATER MGMT ENTERPRISE FUND	220-7074-01 . 9505		\$2,340		\$9,840
	To move Year 11 and Year 12 budget appropriations for the Piedmont Triad Water Quality Partnership Stormwater Education Program into Year 14's account per the interlocal agreement.					



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0830

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**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Report

**Agenda Number:** 16.

Budget Adjustments Requiring Council Approval 9/2/16-9/26/16

Department: Budget & Evaluation

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Larry Davis, 373-2291

Contact 2 and Phone: Jason Martin, 373-4516

**PURPOSE:**

In compliance with the resolution adopted February 15, 2011 which requires Council approval for budget adjustments over \$50,000. The following budget adjustments are submitted for your approval. This item was referred to Council by the General Government Committee.

**RECOMMENDATION / ACTION REQUESTED:**

Council approval of the attached budget adjustment list is requested in order to process the requested adjustments.

# Budget Adjustments for Council Approval

9/2/2016 - 9/26/2016

In compliance with G.S. 159-15 and Resolution passed by Council on February 15, 2011, the following budget adjustments are submitted for your approval.

Request ID	Department	Account Description	Account From	Account To	Amount	Total	Unencumbered Amount After Adjustment
6798	<u>TRANSPORTATION</u>					<u>\$233,305</u>	
		LAND RIGHT-OF-WAY	441-6002-01 . 6012		\$14,075		\$160
		MISCELLANEOUS	471-4599-01 . 5949		\$219,230		\$62,963,046
		CONTRIBUTIONS TO GOVERNMENTAL AGENCIES		441-6002-02 . 5932	\$14,075		\$2,611,880
		CONTRIBUTIONS TO GOVERNMENTAL AGENCIES		471-4502-27 . 5932	\$219,230		\$1,729,131

A budget adjustment is required to move funds into the appropriate bond accounts to pay the final invoice to NCDOT for the Signal System project.





# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0840

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**Agenda Date:** 10/18/2016

**Status:** Draft

**In Control:** City Council

**File Type:** Minutes

**Agenda Number:** 17.

Motion to Approve the Minutes of the Regular Meeting of September 20, 2016

Department: Legislative

Council District: All

Public Hearing: n/a

Advertising Date/By: n/a

Contact 1 and Phone: Betsey Richardson, Ext. 2397

Contact 2 and Phone: Angie Lord, Ext. 2396

**PURPOSE:**

To have the Greensboro City Council approve the minutes of the regular meeting of September 20, 2016.

**RECOMMENDATION / ACTION REQUESTED:**

Council is requested to approve the minutes of the regular meeting of September 20, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0635

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 18.

Ordinance Annexing Territory into the Corporate Limits for Property Located at 5812, 5908 and 5910 Lake Brandt Road and 2000 and 2020 Trosper Road - 16.78-Acres

Department: Planning

Council District: Nearest to District #3

Public Hearing: Yes

Advertising Date/By: September 8 and 15, 2016/City Clerk

Contact 1 and Phone: Steve Galanti at 373-2918

Contact 2 and Phone: Sue Schwartz at 373-2149

### PURPOSE:

Sun Capital, Inc., Residence Development Co., and Beverly Roberts have petitioned for annexation of their property located at 5812, 5908 and 5910 Lake Brandt Road and 2000 and 2020 Trosper Road. The City Council is required to hold a public hearing on this petition before considering its approval.

### BACKGROUND:

This property is within the Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. The proposed use for this site is to be developed as commercial / retail.

City water will be available by connecting to the 12-inch line located in Lake Brandt Road or the 8-inch line located in Trosper Road. In order for this site to be served with water the owner would be responsible for all costs associated with extending and connecting to the public line. Due to the depth of the existing sewer lines, City sanitary sewer service will be available by installing an outfall and sewer lift station that would connect to the existing system. It is suggested that the owner contact a private engineering firm to verify if it is possible to tie into the existing gravity sewer line. In order for this site to be served with sanitary sewer the owner would be responsible for all costs associated with extending and connecting to the public line.

The City's Fire Department notes that this site is currently served by Summerfield Station #39 and upon annexation will be served by City Station #41 on Lake Brandt Road (south). For multi-unit incidents, service will improve.

The Police Department can provide service with little difficulty.

Provision of other City services will involve a travel distance almost equal to that necessary to provide service to the previously-annexed property located to the east, south and west.

**BUDGET IMPACT:**

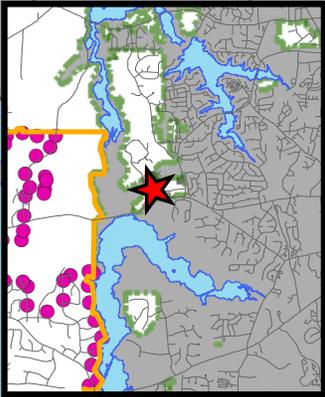
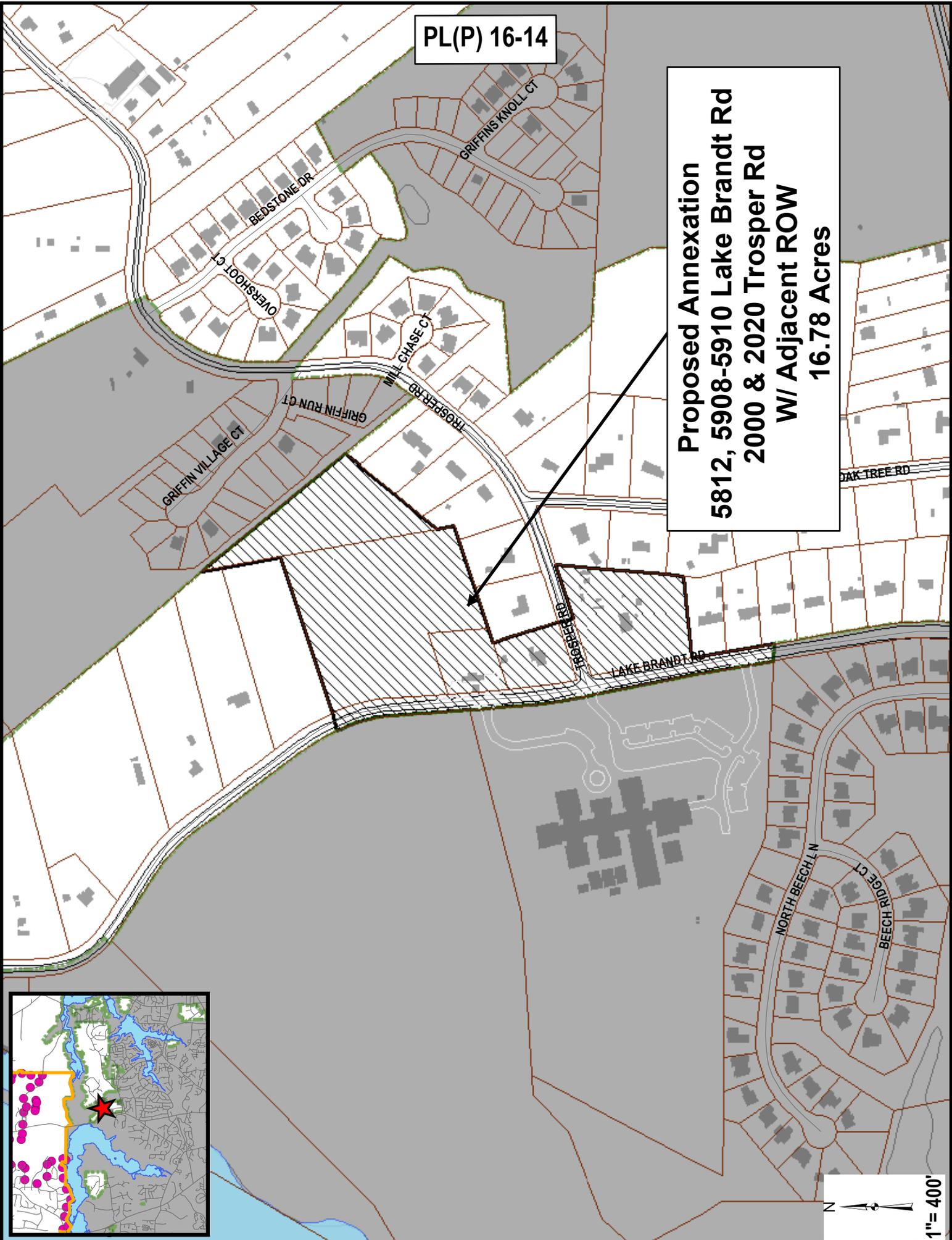
Initial service will be absorbed in the budget; future services will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its July meeting on a vote of 7-0-1. Accordingly, it is recommended that on September 20, 2016, the City Council hold a public hearing to receive public comment and to consider adoption of an ordinance annexing the above-mentioned property into the City of Greensboro.

PL(P) 16-14

**Proposed Annexation  
5812, 5908-5910 Lake Brandt Rd  
2000 & 2020 Trosper Rd  
W/ Adjacent ROW  
16.78 Acres**



CONTIGUOUS ANNEXATION PETITION  
FY 2015

Date June 27, 2016

TO THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. We the undersigned, being all the owners of the real property described in Paragraph 2 below, respectfully request that such property be annexed to the City of Greensboro, pursuant to N.C.G.S. 160A-31.
2. The area to be annexed is contiguous to the City of Greensboro and the boundaries of such territory are described below by metes and bounds. (You may print "See Attached" and attach the description.)  
See Attached.

*SEE ATTACHED*

3. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for water service.
4. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for sewer service.
5. We acknowledge that any zoning vested rights\*\* acquired pursuant to N.C.G.S. 160A-385.1 or N.C.G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such vested rights on this petition shall result in a termination of such vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

	<u>Print or Type Name and Address</u>	<u>Do you declare vested rights?*</u> (Indicate yes or no.)	<u>Signature</u>
1.	Beverly Roberts 2000-2002 Trosper Road _____ _____	<u>No</u>	<u>Beverly Roberts</u> _____
2.	_____ _____ _____	_____	_____
3.	_____ _____ _____	_____	_____

Important: Both husband and wife must sign, if applicable.

\*Acreage fees are not charged on land within an existing street or railroad right-of-way.

\*\*These are a special type of vested rights obtained only after the approval of a "site specific development plan" following a public hearing on that plan. Only a small number of plans have received such an approval.

Date Received: 7-1-16 Received By: L. Carter



NOR

CONTIGUOUS ANNEXATION PETITION  
FY 2015

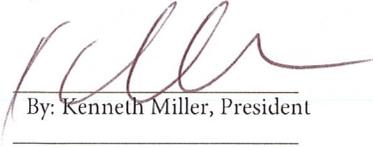
Date June 27, 2016

TO THE CITY COUNCIL OF THE CITY OF GREENSBORO:

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	<u>Do you declare vested rights?*</u> (Indicate yes or no.)	<u>Signature</u>
1. <u>Sun Capital, Inc.- 5812 Lake Brandt Road</u>	<u>NO</u>	<u></u> By: Kenneth Miller, President
2. <u>Sun Capital, Inc.- 2020 Trosper Road</u>	<u>NO</u>	<u></u> By: Kenneth Miller, President
3. <u>Sun Capital, Inc.- 5908 Lake Brandt Road</u>	<u>NO</u>	<u></u> By: Kenneth Miller, President

Important: Both husband and wife must sign, if applicable.

\*Acreage fees are not charged on land within an existing street or railroad right-of-way.

\*\*These are a special type of vested rights obtained only after the approval of a "site specific development plan" following a public hearing on that plan. Only a small number of plans have received such an approval.

Date Received: July 1, 2016 Received By: L. Canku



CONTIGUOUS ANNEXATION PETITION  
FY 2015

Date June 27, 2016

TO THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. We the undersigned, being all the owners of the real property described in Paragraph 2 below, respectfully request that such property be annexed to the City of Greensboro, pursuant to N.C.G.S. 160A-31.
2. The area to be annexed is contiguous to the City of Greensboro and the boundaries of such territory are described below by metes and bounds. (You may print "See Attached" and attach the description.)  
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*SEE ATTACHED*

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4. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for sewer service.
5. We acknowledge that any zoning vested rights\*\* acquired pursuant to N.C.G.S. 160A-385.1 or N.C.G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such vested rights on this petition shall result in a termination of such vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

	<u>Do you declare vested rights?*</u> (Indicate yes or no.)	<u>Signature</u>
1. <u>Residence Development Company</u> <u>5910 Lake Brandt Road</u>	<u>No</u>	<u><i>Katherine Weaver</i></u> By: Katherine Weaver, President
2. _____	_____	_____
3. _____	_____	_____

Important: Both husband and wife must sign, if applicable.

\*Acreage fees are not charged on land within an existing street or railroad right-of-way.

\*\*These are a special type of vested rights obtained only after the approval of a "site specific development plan" following a public hearing on that plan. Only a small number of plans have received such an approval.

Date Received: 7-1-16 Received By: L. Carter



NOR



North Carolina  
**Elaine F. Marshall**  
 Secretary

North Carolina  
**DEPARTMENT OF THE**  
**SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

Account  
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[Print a Pre-Populated Annual Report form](#)

### Corporate Names

**Legal:** Sun Capital, Inc.

### Business Corporation Information

**SosId:** 0684928  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 7/29/2003  
**Fiscal Month:** December  
**State of Incorporation:** NC  
**Registered Agent:** Miller, Kenneth D

### Corporate Addresses

**Mailing:** 300 N Greene St, Ste 1750  
 Greensboro, NC 27401  
**Principal Office:** 300 N Greene St, Ste 1750  
 Greensboro, NC 27401  
**Reg Office:** 300 N Greene St, Ste 1750  
 Greensboro, NC 27401  
**Reg Mailing:** 300 N Greene St, Ste 1750  
 Greensboro, NC 27401

### Officers

**Treasurer:** Robert L Bean  
 300 N Greene St, Ste 1750  
 Greensboro NC 27401  
**Vice President:** Stephen C Hassenfelt  
 300 N Greene St, Ste 1750  
 Greensboro NC 27401  
**Secretary:** Kim Lemons  
 300 N Greene St, Ste 1750  
 Greensboro NC 27401  
**President:** Kenneth D Miller  
 300 N Greene St, Ste 1750  
 Greensboro NC 27401

### Stock

**Class:** Common  
**Shares:** 5000000  
**No Par Value:** Yes



North Carolina  
**Elaine F. Marshall**  
 Secretary

North Carolina

**DEPARTMENT OF THE  
 SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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[Print a Pre-Populated Annual Report form](#)

### Corporate Names

**Legal:** Residence Development Company  
**Prev Legal:** The Residence Development Company

### Business Corporation Information

**SosId:** 0122778  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Domestic  
**Date Formed:** 6/12/1923  
**Fiscal Month:** December  
**State of Incorporation:** NC  
**Registered Agent:** Weaver, Katherine S

### Corporate Addresses

**Mailing:** 324 W Wendover Ave Ste 205  
 Greensboro, NC 27408  
**Principal Office:** 324 W Wendover Ave Ste 205  
 Greensboro, NC 27408  
**Reg Office:** 324 W Wendover Ave Ste 205  
 Greensboro, NC 27408  
**Reg Mailing:** 324 W Wendover Ave Ste 205  
 Greensboro, NC 27408

### Officers

**Secretary:** Sidney J Stern , III  
 324 W Wendover Ave Ste 205  
 Greensboro NC 27408  
**Vice President:** Susan G Stern  
 324 W Wendover Ave Ste 205  
 Greensboro NC 27408  
**President:** Katherine S Weaver  
 324 W Wendover Ave Ste 205  
 Greensboro NC 27408

### Stock

**Class:** COMMON  
**Shares:** 1000  
**Par Value:** 100  
**Class:** PREFERRED  
**Shares:** 900  
**Par Value:** 100

## ANNEXATION BOUNDARY

### 16.78 ACRES AT LAKE BRANDT ROAD AND TROSPER ROAD

BEGINNING at a point in the existing Greensboro city limit line (as of June 30, 2016), said point being the intersection of said city limit line and the westward projection of the north line of Lot 2 of Michael J. Andrews, as recorded at Plat Book 83, Page 64; THENCE DEPARTING FROM THE EXISTING CITY LIMITS, crossing Lake Brandt Road with said projection, N 71° 08' 49" E approximately 60 feet to the northwest corner of said Lot 2; thence with said north line N 71° 08' 49" E 557.14 feet to the northeast corner of said Lot 2, also being the southeast corner of Lot 30 of Brandt Park, as recorded at Plat Book 9, Page 39; thence with the west line of Richard and Beverly Roberts, as recorded at Deed Book 3896, Page 1533, also being the east lines of Lots 30-32 of Brandt Park, N 07° 48' 10" W approximately 270 feet to the northernmost corner of Roberts, also being a point in the west line of the Common Elements of Griffin Village, Sheet 2, as recorded at Plat Book 188, Page 64, said point being in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with said west line S 41° 44' 52" E 627.23 feet to its intersection with the northeastward projection of the northwest line of Lot 6 in Block C of Section 3 of Great Oaks, as recorded at Plat Book 46, Page 75; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along said projection S 41° 42' 02" W 60.85 feet to the northernmost corner of said Lot 6; thence with the northwest lines of Lots 6, 5, and 4 of said Section 3 S 41° 42' 02" W 343.34 feet to a stake in a west line of said Lot 4; thence with said line S 07° 48' 10" E 60.00 feet to a corner of said Lot 4; thence with the north lines of Lots 4 and 3 of said Section 3 and of Lot 2 of Section 2 of Great Oaks, as recorded at Plat Book 45, Page 22, S 74° 04' 17" W 583.53 feet to the northeast corner of Lot 1 of said Section 2; thence with the east line of said Lot 1 S 15° 50' 30" E 230.87 feet to the southeast corner of said Lot 1; thence crossing Trospers Road S 15° 50' 30" E 60.00 feet to a point in the south right-of-way line of said road; thence with said right-of-way line N 74° 09' 30" E approximately 170 feet to the northwest corner of Lot 18 of said Section 3; thence with the west line of Lots 18-20 of said Section 3 S 06° 37' 57" W 437.05 feet to the northeast corner of Lot 9 of Section 1 of Great Oaks, as recorded at Plat Book 30, Page 88; thence with the north line of said Lot 9 S 82° 22' 00" W approximately 273.38 feet to a point in the east right-of-way line of Lake Brandt Road; thence in a southerly direction with said right-of-way line approximately 280 feet to a point in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, crossing Lake Brandt Road, approximately 60 feet to a corner in the existing city limit line; thence continuing with the existing city limit line in a northerly direction along the west side of said road approximately 1,500 feet to the point and place of BEGINNING, and containing approximately 16.78 acres. The plats and deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

**PARTIAL MINUTES FOR THE  
MEETING OF THE  
GREENSBORO PLANNING BOARD  
JULY 20, 2016**

The Greensboro Planning Board meeting was held on Wednesday, July 20, 2016 at 4:07 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair; Steve Allen; Danielle Brame; Day Atkins; Richard Bryson, Homer Wade, John Martin and Celia Parker. City staff present included Steve Galanti, Hanna Cockburn, Sheila Stains-Ramp, Shayne Thiel, and Lucas Carter. Also present was Jennifer Schneier, City Attorney's Office and Cynthia Blue, Neighborhood Development.

**STREET CLOSING:**

**PL(P) 16-15: RECOMMENDATION ON A RESOLUTION CLOSING A 0.199 ACRE (8,671 SF) PORTION OF BYERS RIDGE DRIVE. (RECOMMENDED)**

Mr. Wade was recused from this matter by unanimous vote of the Board members.

Lucas Carter presented the street closing request, stated that the right-of-way could be abandoned because its width was greater than the City minimum, and so that it could be used by the abutting property owner. There are Duke Energy, Time Warner Cable and AT&T utilities within the right-of-way and a condition has been added to address the situation. On July 8, 2016, the Technical Review Committee recommended approval of the street closing with the following conditions: 1) That the City retain a 20' utility maintenance easement over existing utility lines until such time as the lines are unnecessary; 2) The street closing shall become effective upon the completion of; a) Tract 1, which is 0.10 acres or 4,672 sq. ft. as shown on the survey, shall be dedicated as public right of way; and b) An easement shall be dedicated over all utility lines located within the portion of right of way to be closed.

Mr. Bryson moved to recommend the street closing to City Council, seconded by Ms. Parker. The Board voted 7-0-1 in favor of the motion. . (Ayes: Isaacson, Bryson, Brame, Atkins, Martin, Parker and Allen. Nays: None. Abstained: Wade.)

**ANNEXATION PETITION:**

**PL(P) 16-14 PROPOSED ANNEXATION OF 5812, 5908, AND 5910 LAKE BRANDT ROAD; 200-2002 AND 2020 TROSPER ROAD; AND ADJACENT RIGHT OF WAY, TOTALING APPROXIMATELY 17.2 ACRES. (RECOMMENDED)**

Chair Isaacson was recused from this matter by unanimous vote of the Board members.

Lucas Carter presented the contiguous annexation request, stated that it was approximately 17.2 acres, and included the street rights-of-way for Lake Brandt Road and Trospers Road. The site is

located within the Growth Tier 1 area of the Growth Strategy Map in the Comprehensive Plan. The TRC recommends approval of the annexation request at the July, 2016 meeting.

Mr. Atkins moved to recommend the annexation to City Council, seconded by Mr. Martin. The Board voted 7-0-1 in favor of the motion. (Ayes: Bryson, Brame, Atkins, Wade, Martin, Parker and Allen. Nays: None. Abstained: Isaacson.)

### **APPROVAL OF ABSENCES**

The absence of Mr. Mossman was acknowledged as excused.

### **ADJOURNMENT**

There being no further business before the Board, the meeting adjourned at 4:40 pm.  
Respectfully submitted,

Sue Schwartz, FAICP, Director  
Planning Department

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5812, 5908 AND 5910 LAKE BRANDT ROAD AND 2000-2002 AND 2020 TROSPER ROAD – 17.2 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of June 30, 2016), said point being the intersection of said city limit line and the westwardly projection of the north line of Lot 2 of Michael J. Andrews, as recorded at Plat Book 83, Page 64; THENCE DEPARTING FROM THE EXISTING CITY LIMITS, crossing Lake Brandt Road with said projection, N 71° 08' 49" E approximately 60 feet to the northwest corner of said Lot 2; thence with said north line N 71° 08' 49" E 557.14 feet to the northeast corner of said Lot 2, also being the southeast corner of Lot 30 of Brandt Park, as recorded at Plat Book 9, Page 39; thence with the west line of Richard and Beverly Roberts, as recorded at Deed Book 3896, Page 1533, also being the east lines of Lots 30-32 of Brandt Park, N 07° 48' 10" W approximately 270 feet to the northernmost corner of Roberts, a point in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the northeast line of Roberts S 37° 08' 45" E 933.19 feet to a point in the northwest right-of-way line of Trospers Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with said right-of-way line S 41° 42' 02" W 61.16 feet to the easternmost corner of Lot 6 in Block C of Section 3 of Great Oaks, as recorded at Plat Book 46, Page 75; thence with the northeast line of said Lot 6 N 37° 08' 45" W 306.02 feet to the northernmost corner of said Lot 6; thence with the northwest lines of Lots 6, 5, and 4 of said Section 3 S 41° 42' 02" W 343.34 feet to a stake in a west line of said Lot 4; thence with said line S 07° 48' 10" E 60.00 feet to a corner of said Lot 4; thence with the north lines of Lots 4 and 3 of said Section 3 and of Lot 2 of Section 2 of Great Oaks, as recorded at Plat Book 45, Page 22, S 74° 04' 17" W 583.53 feet to the northeast corner of Lot 1 of said Section 2; thence with the east line of said Lot 1 S 15° 50' 30" E 230.87 feet to the southeast corner of said Lot 1; thence crossing Trospers Road S 15° 50' 30" E 60.00 feet to a point in the south right-of-way line of said road; thence with said right-of-way line N 74° 09' 30" E approximately 170 feet to the northwest corner of Lot 18 of said Section 3; thence with the west line of Lots 18-20 of said Section 3 S 06° 37' 57" W 437.05 feet to the northeast corner of Lot 9 of Section 1 of Great Oaks, as recorded at Plat Book 30, Page 88; thence with the north line of said Lot 9 S 82° 22' 00" W approximately 273.38 feet to a point in the east right-of-way line of Lake Brandt Road; thence in a southerly direction with said right-of-way line approximately 280 feet to a point in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, crossing Lake Brandt Road, approximately 60 feet to a corner in the existing city limit line; thence continuing with the existing city limit line in a northerly direction along the west side of said road approximately 1,500 feet to the point and place of BEGINNING, and containing approximately 17.2 acres. The plats and deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 20, 2016, the liability for municipal taxes for the 2016-2017 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2017. Municipal ad valorem taxes for the 2017-2018 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0736

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 19.

Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan

Department: Planning

Council District: 3

Public Hearing: October 18, 2016

Advertising Date/By: September 29, October 6 2016/City Clerk

Contact 1 and Phone: Hanna Cockburn, AICP 336-574-3576

Contact 2 and Phone: Sue Schwartz, FAICP 336-373-2149

### **PURPOSE:**

To conduct a public hearing and consider an amendment to the Generalized Future Land Use Map of Connections 2025, Greensboro's Comprehensive Plan for property located at 5908, 5910 and 5812 Lake Brandt Road and 2000, 2002 and 2020 Trosper Road.

### **BACKGROUND:**

A request has been made to rezone property at 5908, 5910 and 5812 Lake Brandt Road and 2000, 2002 and 2020 Trosper Road that is not consistent with the current Interim Residential future land use category. Because of this discrepancy, the requested rezoning requires an amendment to the Comprehensive Plan's Generalized Future Land Use Map (GFLUM) to be approved.

The current and proposed land uses are:

From:

Interim Residential (at or above 3 dwelling units/acre): Areas with a mix of all types of residential densities and uses (single family detached, single family attached and multi-family), with some limited local-serving non-residential uses (schools, churches, convenience services).

To:

Mixed Use Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

The Planning Board provided comment on the proposed Comprehensive Plan amendment at their July 20, 2016 meeting. Minutes of the July 2016 Planning Board are attached.

**BUDGET IMPACT:**

N/A.

**RECOMMENDATION / ACTION REQUESTED:**

Staff recommends approval of the requested General Future Land Use Amendment.

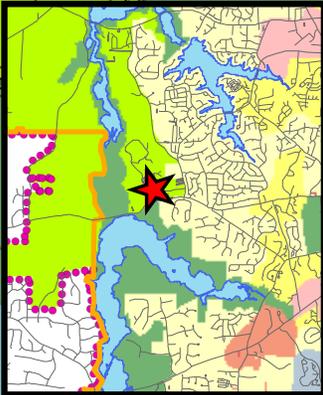
CP-16-06

**Proposed GFLUM Amendment  
Interim Residential to  
Mixed Use Residential  
16.78 Acres**

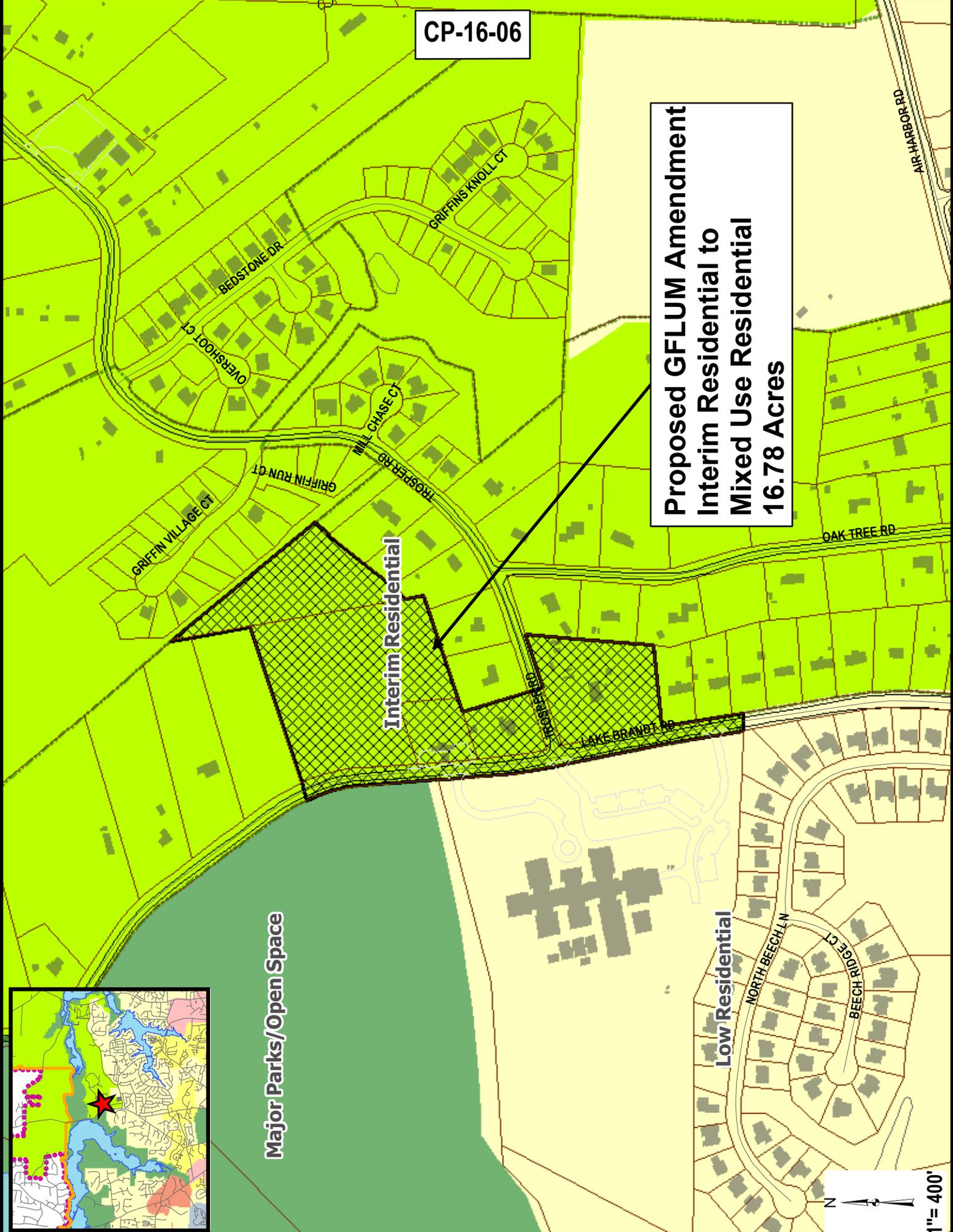
**Interim Residential**

**Major Parks/Open Space**

**Low Residential**



1" = 400'



**MEETING OF THE  
GREENSBORO PLANNING BOARD  
JULY 20, 2016**

The Greensboro Planning Board meeting was held on Wednesday, July 20, 2016 at 4:07 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair; Steve Allen; Danielle Brame; Day Atkins; Richard Bryson, Homer Wade, John Martin and Celia Parker. City staff present included Steve Galanti, Hanna Cockburn, Sheila Stains-Ramp, Shayne Thiel, Lucas Carter. Also present was Jennifer Schneier, City Attorney's Office.

Chair Isaacson welcomed everyone to the meeting and explained the procedures of the Planning Board.

**1. MEETING MINUTES:**

**a. Approval of Minutes of June 15, 2016 Planning Board Meeting (APPROVED)**

Mr. Martin moved to approve minutes of the June 2016 meeting, as submitted, seconded by Mr. Bryson. The Board voted unanimously (7-0) in favor of the motion. (Ayes: Isaacson, Bryson, Brame, Atkins, Wade, Martin, Parker. Nays: None.)

**STREET CLOSING:**

Mr. Allen arrived at 4:05 for the remainder of the meeting.

Mr. Wade was recused from this matter by unanimous vote of the Board members.

**a. PL(P) 16-15: Recommendation on a resolution closing a 0.199 acre (8,671 sf) portion of Byers Ridge Drive. (FAVORABLE RECOMMENDATION-APPROVED)**

Lucas Carter presented the street closing request and staff assessment. Mr. Carter presented maps of the proposed resolution related to this property. The reason that the right of way can be abandoned is because there was greater than the City minimum for a right of way width. It would benefit the property owner to have that property so they can do something with it. There are some utilities that run through this property, Duke Energy, Time Warner Cable and AT&T that go through this portion of the right of way. There will be a condition added to accommodate those utilities. On July 8, 2016 the Technical Review Committee recommended approval of the street closing with the following conditions: 1) That the City retain a 20' utility maintenance easement over existing utility lines until such time as the lines are unnecessary; 2) The street closing shall become effective upon the completion of; a) tract 1, which is 0.10 acres or 4,672 sq. ft. as shown on the survey, which is the smaller map, shall be dedicated as public right of way; b) An easement shall be dedicated over all utility lines located within the portion of right of way to be closed.

Chair Isaacson asked if the Board members had any questions.

Mr. Bryson moved to approve the recommendation of the street closing as presented by staff, seconded by Ms. Parker. The Board voted 7-0-1 in favor of the motion. . (Ayes: Isaacson, Bryson, Brame, Atkins, Martin, Parker and Allen. Nays: None. Abstained: Wade.)

**ANNEXATION PETITION:**

- a. **PL(P) 16-14 Proposed annexation of 5812, 5908, and 5910 Lake Brandt Road; 200-2002 and 2020 Trospen Road; and adjacent right of way, totaling approximately 17.2 acres. (RECOMMENDED)**

Chair Isaacson was recused from this matter by unanimous Board vote.

Lucas Carter presented maps of the property and stated that this is a contiguous annexation request. The approximate acreage is 17.2 acres that includes street right of way along Lake Brandt Road and a small portion of Trospen Road. This property is within the Growth Tier 1 area of the Growth Strategy Map in the Comprehensive Land Use Plan. The TRC recommends approval of the annexation request at the July, 2016 meeting. The Zoning Commission will hear the initial zoning portion of the request at the August 15, 2016 meeting, and it will go to the September 20, 2016 City Council meeting for final action.

Vice Chair Allen asked if there were any questions by the Board members.

Mr. Atkins moved to recommend the annexation as presented by staff, seconded by Mr. Martin. The Board voted 7-0-1 in favor of the motion. (Ayes: Bryson, Brame, Atkins, Wade, Martin, Parker and Allen. Nays: None. Abstained: Isaacson.)

**AMENDMENT TO GENERALIZED FUTURE LAND USE PLAN (GFLUM):**

- CP-16-06 Proposed GFLUM Amendment from Interim Residential to Mixed Use Residential for 5812, 5908, and 5910 Lake Brandt Road and 2000-2002 and 2020 Trospen Road.**

Hanna Cockburn stated that for the same request, CP-16-06, requested in conjunction with an annexation and original zoning. The current designation is internal Residential and is proposed to be amended to Mixed Use Residential. This designation applies to neighborhoods and districts where the predominant use is residential and where substantial compatible local serving non-residential uses may be introduced. This district is applied in areas suitable to a diverse mixture of housing types and densities and ensuring that buildings are an appropriate scale and intensity is critical.

In response to questions, Steve Galanti stated that the main trigger for annexation is that they want to develop the property and tap onto the City water and sewer. Mr. Galanti stated that the neighbors have not been notified of the annexation request but they will be notified by mail of the original zoning case, which has the Comprehensive Plan comments included. When the request goes to City Council it will be advertised.

**Board Comments:**

Mr. Bryson stated that he wants to make sure that the current residents are notified. Mr. Allen stated that he is familiar with the traffic in this area and he is eager to see development in this particular part of the city.

Chair Isaacson returned to the podium.

**EASEMENT RELEASES:**

- a. **Proposed release of a portion of a 20' wall maintenance and utility easement located at 27 Elm Ridge Lane, as recorded in Plat Book 86, Page 54. (APPROVED)**

Shayna Thiel stated that the applicant wishes to construct an accessory structure. At this time, all utility providers have reviewed the request and given their approval.

Mr. Allen moved to approve the easement release as identified and presented by staff, seconded by Mr. Bryson. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Bryson, Brame, Atkins, Wade, Martin, Allen, Parker. Nays: None.)

- b. **Proposed release of a drainage maintenance utility easement (DMUE) over and 15' around a dry detention pond, and a 20' access easement to a dry detention pond located at 2414 Battleground Avenue, as recorded in Plat Book 185, Page 40. (APPROVED)**

Shayna Thiel stated that the applicant wishes to construct a cell tower on this site. At this time, all utility providers have reviewed the request and given their approval.

Mr. Allen moved to approve the easement release as identified and presented by staff, seconded by Mr. Martin. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Bryson, Brame, Atkins, Wade, Martin, Allen, Parker. Nays: None.)

**ITEMS FROM THE PLANNING DEPARTMENT**

Hanna Cockburn wished to give a quick update on some items of interest to the Planning Board members. She stated staff has received a draft of the Solar Roadmap and staff anticipates presenting that to the Board at the next meeting in August. There is a wealth of information about where we are as far as the solar market in Greensboro and things that can be done to help encourage that. Staff is also preparing some draft recommendations for the Friendly Avenue Corridor Study going from Elam Avenue along Friendly Avenue to Holden Road. This will be taken to the public in August for public input. It is anticipated that will come before the Board in September or October meeting. There was a successful workshop for Blocks of Opportunity, properties that are held by the Greensboro Housing Development Partnership and the Redevelopment Commission that are available for development purposes throughout the City, primarily in redevelopment areas. That information will be shared with the Board very soon.

**Items from the Staff****Informational update on Housing Programs**

Cynthia Blue stated that for the last several months there have been 76 units to come on-line. In regard to the low income tax credit awards, it is anticipated that the NC Housing Finance Agency will make their award announcements around the 2<sup>nd</sup> week in August and the successful applicants from Greensboro and staff will be determining if there is a way to work with them to further improve the affordability of the units in those projects. Recommendations will be brought to the Board in September for review. City Council has approved a Bond Referendum for \$25 Million to be placed on the November Referendum ballot. Descriptive information was

provided for the Board members' review. These are the activities that have been discussed and Council has approved, in concept, but these needs could be changed around, as the Council deems necessary.

**Items from the Chair:**

Chair Isaacson had no items to report.

**Items from the Board Members**

Mr. Allen stated that he attended one of the development projects put on by staff at the Greensboro Regional Realtor's Association a few weeks ago and he appreciates staff for that opportunity. He thought it was a very well run seminar to let people know about some of the opportunities available.

**Speakers from the Floor on Items under Planning Board Authority**

None.

**Approval of Absences**

The absence of Mr. Mossman was acknowledged as excused.

**Adjournment**

There being no further business before the Board, the meeting adjourned at 4:40 pm.

Respectfully submitted,

Sue Schwartz

Planning Department, Director  
SS:/jd

AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GROWTH STRATEGY MAP WITHIN THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and labeled Figure 4-2; and

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 5908, 5910 and 5812 Lake Brandt Road and 2000, 2002 and 2020 Trosper Road and a portion of the Trosper Road right-of-way generally described a north and south of Trosper Road and east of Lake Brandt Road.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map, Figure 4-2 is amended as follows:

- Section 1. The Generalized Future Land Use Map, Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0734

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 20.

Ordinance Establishing Original Zoning for Property Located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trosper Road and a Portion of the Trosper Road Right-of-Way

Department: Planning

Council District: Proximate to District 3

Public Hearing: September 20, 2016

Advertising Date/By: September 8 and 15, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

Marc Isaacson, on behalf of Sun Capital LLC, is requesting original zoning from **County AG** (Agricultural), **County LB** (Limited Business) and **County RS-40** (Residential Single Family) to **City CD-C-M** (Conditional District Commercial Medium) for property located at 5812, 5908 & 5910 Lake Brandt Road, 2000 & 2020 Trosper Road and a portion of the Trosper Road right-of-way, generally described as north and south of Trosper Road and east of Lake Brandt Road.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **September 20, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on August 15, 2016, the Zoning Commission voted 5-3 to recommend approval of this request. Three persons spoke in favor of the request and eight in opposition. (See attachment B: Minutes of the August 15, 2016 Zoning Commission meeting). This request is associated with a voluntary annexation petition.

This rezoning request includes the following conditions:

1. All uses permitted within the C-M district except: cemeteries,; hotels and motels; funeral homes and crematoriums,; taxi dispatch terminal; taxidermist; pawn shop; sexually oriented businesses; self storage facilities; any Light Industrial uses; wholesale trade and any warehousing storage and freight handling; **any Residential Use; Auditoriums, Coliseums, Stadiums; Governmental Facilities (not to include general office space); Specialty Hospitals; Temporary and Emergency Shelters; TV/HDTV/AM/FM Broadcast; Wireless Telecom Facilities; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Campgrounds and RV Parks; Park & Ride Facilities; All**

**other commercial parking; Bars, Nightclubs, Brewpubs; Kennels with outdoor accommodations; ABC Stores; Tattoo Parlors.**

- 2. A minimum of 50% of the exterior building materials will consist of wood, brick, glass or stone.**
- 3. The following conditions shall apply to any commercial development on the parcel located at the southeast corner of Lake Brandt Road and Trosper Road, known as Tax Parcel 0137457:**

- a. Within any required landscaped buffer abutting a single family residence, a continuous visual screen shall be required. This may be achieved by installation of evergreen materials to augment existing vegetation or by installing plantings of an evergreen variety at a rate and layout designed to achieve the continuous visual screen. Additionally an opaque fence a minimum of six (6) feet high, where allowed, shall also be installed between the required buffer and any development.**
- b. No illuminated signage may be placed on a building wall facing an abutting residential use.**

**Note: The applicant offered (and Zoning Commission accepted) amended and new conditions for this request at the August 15, 2016 Zoning Commission meeting at the beginning of the public hearing on this item.**

This request addresses the following MAP Goals:

**MAP Goal 1- Create an environment that promotes economic development opportunities and job creation**

**MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

**BUDGET IMPACT:**

This item will have no budget impact.

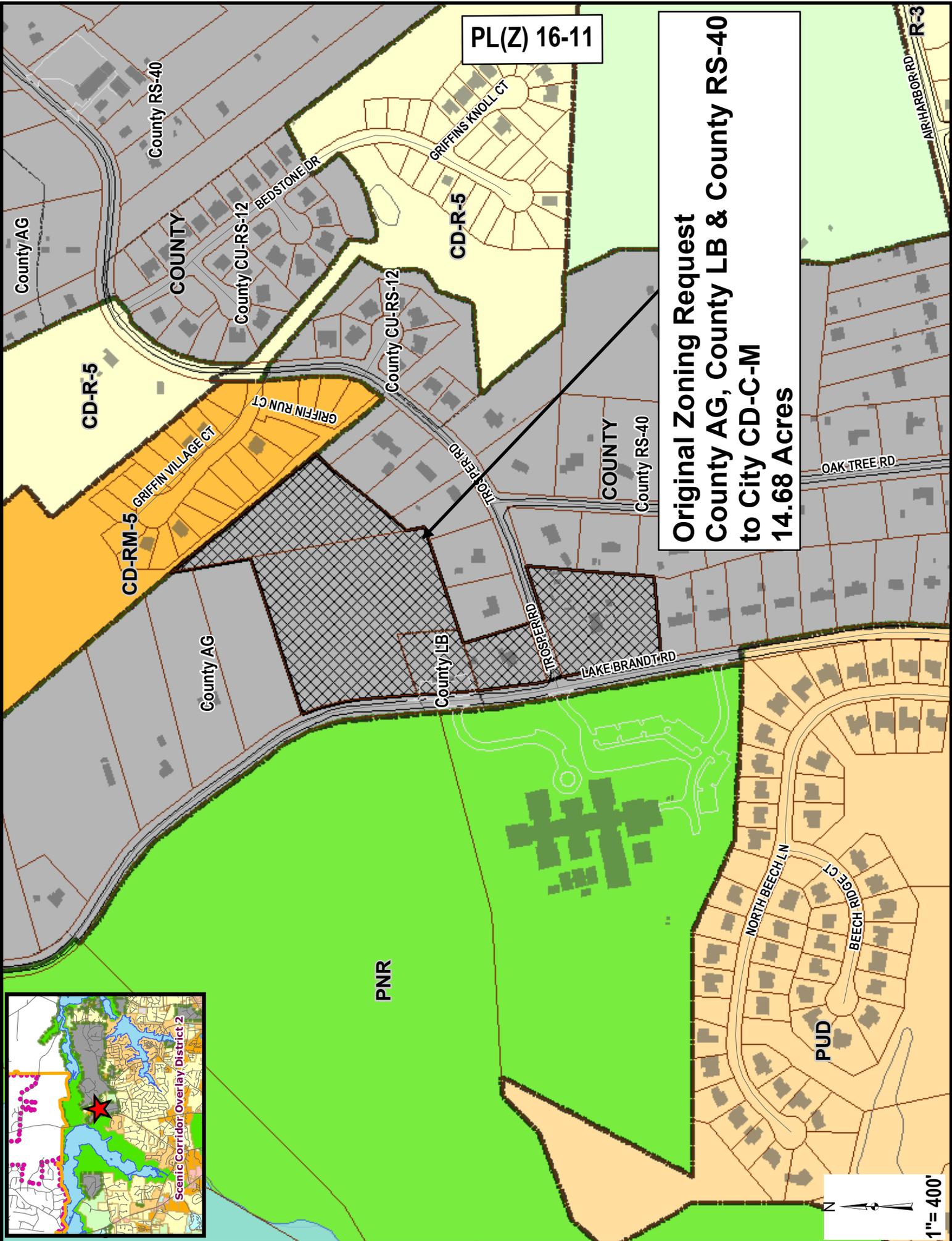
**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 5-3 to **approve** this request.

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

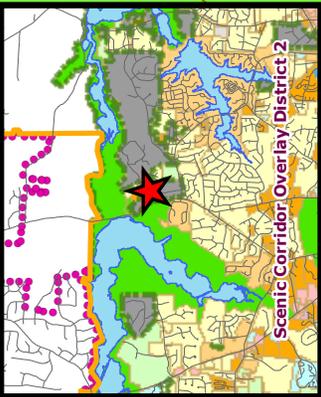
- Request is consistent with the **Growth at the Fringe** goal to promote sound, sustainable land use patterns that provide for the efficient provision of public services and facilities.
- Request is consistent with the **Economic Development** goal to promote a healthy, diversified economy with a strong 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.



PL(Z) 16-11

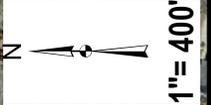
**Original Zoning Request  
 County AG, County LB & County RS-40  
 to City CD-C-M  
 14.68 Acres**



1" = 400'

PL(Z) 16-11

Original Zoning Request  
County AG, County LB & County RS-40  
to City CD-C-M  
14.68 Acres





Z-16-08-002

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**City Council Hearing Date: September 20, 2016**

**GENERAL INFORMATION**

**APPLICANT** Marc Isaacson on behalf of Sun Capital, Inc.

**HEARING TYPE** Original Zoning Request

**REQUEST** **County AG** (Agricultural), **County LB** (Limited Business) and **County RS-40** (Residential Single Family) to **City CD-C-M** (Conditional District-Commercial-Medium)

**CONDITIONS** 1. All uses permitted within the C-M district **except** cemeteries; bus and rail terminals; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist; pawn shop; sexually oriented businesses; self storage facilities; vehicle sales and service; automobile towing and storage service; car washes; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling.

**LOCATION** **5812,5908,5910 Lake Brandt Road, 2000 Trospen Road and a portion of Trospen Road right-of-way**

**PARCEL ID NUMBER(S)** **Multiple**

**PUBLIC NOTIFICATION** The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **64** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~14.68 Acres

**TOPOGRAPHY** Primarily flat

**VEGETATION** Undeveloped

**SITE DATA**

**Existing Use** Former convenience store with fuel pumps, single family dwellings & undeveloped

	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	County AG (Agricultural)	Undeveloped
E	City CD-RM-5 (Conditional District-Residential Multifamily)	Undeveloped and single family dwellings
	County RS-40 (Residential Single-Family)	Single family dwellings

W	City PNR (Parks and Natural Resources)	Undeveloped and Jesse Wharton Elementary School
S	County RS-40 (Residential Single-Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City’s planning jurisdiction.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (County AG)	Existing (County LB)	Existing (County RS-40)	Requested (CD-C-M)
Max. Density:	N/A	N/A	1.0 unit per gross acre.	N/A
Typical Uses	Primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing.	Primarily intended to accommodate moderate intensity shopping and services close to residential areas.	Primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water or wastewater services.	Conditioned uses include all uses permitted within the C-M district <b>except</b> cemeteries; bus and rail terminals; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist; pawn shop; sexually oriented businesses; self storage facilities; vehicle sales and service; automobile towing and storage service; car washes; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

n/a

**Environmental/Soils**

Water Supply Watershed      Site drains to Greensboro WSIII, Watershed Critical Area Tier 3, watersupply watershed, Lake Townsend / Horse Pen Creek basin. See LDO Section 30-12-4 for Watershed Critical Area Provisions

- Floodplains < 2000 ft
- Streams Perennial streams onsite with a 50ft Jordan stream buffer. Refer to LDO Chp. 30-12-3.9 for Allowances and Restrictions within the stream buffer zones
- Other: Maximum BUA for WCA Tier 3 with sewer is 30% for High Density development or <12% for Low Density development. No High Density option without sewer. All BUA for the site must meet current watershed requirements Water Quality and Water Quantity must be addressed. 5908 Lake Brandt Rd previously was a gas station. The gas tanks have been removed therefore the site can no longer be utilized as a gas station. Per LDO 20% of site must be left undisturbed.

**Utilities**

- Potable Water Available
- Waste Water Sewer is currently not available. Contact Kenny Treadway 336-373-2897 for a sewer feasibility.

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

- Street Yard: Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.
- Buffer Yard: Adjacent to single family residential: Type A buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, & 17 shrubs per 100 linear feet.  
Adjacent to vacant parcel: 5'wide Vehicular Use Area buffer yard (see below).
- Parking lot: Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.  
Vehicular Use Area Buffer Yard: When adjacent to a vacant lot or a parcel with the same land use code, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

**Tree Conservation**

<b>Acreage</b>	<b>Requirements</b>
Greater than 5 ac.	10% of lot size.

**Transportation**

- Street Classification: Lake Brandt Road – Major Thoroughfare.  
Trospen Road – Local Street.

Site Access:	All access(s) must be designed and constructed to the City of Greensboro standards.
Traffic Counts:	Lake Brandt Road ADT = 9,810 (GDOT, 2015). Trosper Road ADT = 516 (GDOT, 2015).
Trip Generation:	24 Hour = 7,027, AM Peak Hour = 526, PM Peak Hour = 741.
Sidewalks:	Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.
Transit in Vicinity:	No.
Traffic Impact Study: (TIS)	Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the TIS.
Street Connectivity:	N/A.
Other:	N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-C-M (Conditional District – Commercial - Medium)** zoning, as conditioned, would allow land uses that are compatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Interim Residential (generally at or above 3 dwelling units per acre)**. The requested **CD-C-M (Conditional District – Commercial - Medium)** zoning district, as conditioned, is generally consistent with the **Interim Residential (generally at or above 3 dwelling units per acre)** Future Land Use designation.

**Land Use Goal 4.3 – Growth at the Fringe:** Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

**Policy 4F:** Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and
- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

**Policy 4G:** Improve the quality and patterns of development through incentives and regulatory guidelines.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private

developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Economic Development, Goal 7:** 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.

**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

### **Connections 2025 Map Policies**

**Interim Residential (generally at or above 3 dwelling units per acre):** Areas with a mix of all types of residential densities and uses (single family detached, single family attached and multi-family), with some limited local-serving non-residential uses (schools, churches, convenience services). It is assumed that most of the new housing developed in the Water Sewer Service Area would be connected to water and sewer.

**Growth Tier 1, Current Growth Area (2013 – 2019):** Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next six years.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Sustainability Action Plan***

##### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

##### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

##### **Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

##### **Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### **Other Plans**

n/a

### **STAFF ANALYSIS AND RECOMMENDATION**

#### **Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties.

Based on the proximity of the subject site to the Nat Greene Trail – Wharton Spur directly to the west, long term safety and accessibility for users and employees the proposed development would be greatly enhanced by provision of secure, convenient bicycle parking for use by employees and patrons.

#### **Staff Analysis**

This 14.68-acre subject site is currently a combination of a former convenience store with fuel pumps, single family dwellings and undeveloped property. North of the request is undeveloped property (zoned County AG). East of the request is a combination of single family dwellings and undeveloped property (zoned City CD-RM-5 and County RS-40). South of the request are single family dwellings (zoned County RS-40). West of the request is a combination of Jesse Wharton Elementary school and undeveloped property (zoned PNR) buffering the lake.

The Comprehensive Plan future land use map designates this site as Interim Residential. The Interim Residential designation pertains to areas with a mix of all types of residential densities and uses (single family detached, single family attached and multifamily), with some limited local-serving non-residential uses (schools, churches and convenience services). In conjunction with the zoning application, the applicant filed a Comprehensive Plan amendment to revise the future land use category to Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving non-residential uses may be introduced.

This request allows for the introduction of non-residential service uses in immediate proximity to multiple existing single family developments. In addition to restrictions on uses per the offered zoning condition, the standards of the Land Development Ordinance and Tier 3 watershed regulations will further restrict the amount of land that can be developed and further restrict potential impacts on adjacent existing residential neighborhoods. As noted in the TIS, the introduction of nonresidential uses at this intersection triggers public infrastructure improvements that should also provide benefits to the existing residences in the area.

The request as submitted supports the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy and is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

#### **Staff Recommendation**

Staff recommends **approval** of the requested **CD-C-M** (Conditional District-Commercial-Medium) zoning district.

## Lake Brandt Neighborhood Village – Transportation Impact Analysis Greensboro, NC

Prepared for Sun Capital, Inc.

Original: May 31, 2016

Revised: July 20, 2016

### *Executive Summary*

The proposed Lake Brandt Neighborhood Village is located along the east side of Lake Brandt Road on both sides of Trosper Road in Greensboro, North Carolina. The exact land uses for this mixed development have not been fully determined; for analysis purposes the development was assumed to include 7,000 square feet of office space, 13,500 square feet of shopping center, 15,000 square feet of pharmacy with drive-thru, 13,800 square feet of high-turnover restaurant and 2,200 square feet of coffee shop with drive-thru. The site plan currently shows four (4) full accesses, three (3) on Lake Brandt Road and one (1) on Trosper Road.

DAVENPORT was retained to determine the potential traffic impacts of this development and to identify transportation improvements that may be required to accommodate the impacts of both background traffic and new development traffic. The following intersections were included in the study:

- Lake Brandt Road at Air Harbor Road
- Lake Brandt Road at Trosper Road/ Jesse Wharton Elementary School Entrance
- Lake Brandt Road at Jesse Wharton Elementary School Bus Entrance/ Site Access 2
- Trosper Road at Oak Tree Road
- Lake Brandt Road at Site Access 1
- Lake Brandt Road at Site Access 3
- Trosper Road at Site Access 4

The intersections were analyzed during the AM (7-9 am) and PM (4-6 pm) peaks for the following conditions:

- 2016 Existing Conditions
- 2018 Future No Build Conditions
- 2018 Future Build Conditions
- 2018 Future Build Condition with Mitigation (if necessary)

The Greensboro Department of Transportation (GDOT) and the North Carolina Department of Transportation (NCDOT) were contacted to obtain background information and to ascertain the elements to be covered in this Transportation Impact Analysis (TIA). Information regarding the property was provided by the civil engineer, Stimmel.

### Discussion of Results

The following section discusses level of service for each intersection.

#### **Lake Brandt Road at Air Harbor Road**

This signalized intersection currently operates at LOS E during the AM peak and LOS D in the PM peak. In 2018 future no build conditions, LOS E is expected in the AM peak and LOS D in the PM peak. With the addition of proposed site traffic, LOS E is expected in the AM and PM peaks. It should be noted that

LOS E is expected as a result of background volumes and will be expected if this proposed development is not built in the future. Therefore, no improvements are recommended.

***Lake Brandt Road at Trospen Road/ Jesse Wharton Elementary School Entrance***

This unsignalized intersection currently operates at LOS E during the AM peak and LOS C in the PM peak. In 2018 future no build condition, LOS F is expected in the AM peak and LOS C in the peak. With the addition of proposed site traffic, LOS F is expected in the AM and PM peaks. This intersection was assessed for a signal warrant, discussed in the following section, and it was determined that a signal is warranted. Therefore, to accommodate the site traffic the following is recommended:

- Provide a signal
- Provide a separate northbound through and right lane, with 100 feet of storage and appropriate taper
- Provide separate westbound left and through-right turn lanes with full storage

***Lake Brandt Road at Jesse Wharton Elementary School Bus Entrance/ Site Access 2***

This unsignalized intersection currently operates at LOS C during the AM peak and LOS A in the PM peak. In 2018 future no build condition, LOS C is expected in the AM peak and LOS A in the peak. With the addition of proposed site traffic, LOS C is expected in the AM and PM peaks. This site access was assessed for the need of turn lanes. It was determined based on GDOT Driveway Manual, that an auxiliary would be warranted. Therefore, it is recommended to provide a northbound right turn lane of 100 foot storage with appropriate taper.

***Trospen Road at Oak Tree Road***

This unsignalized intersection currently operates at LOS A during the AM and PM peaks. In 2018 future no build condition, LOS A is expected in the AM and PM peaks. With the addition of proposed site traffic, LOS A is expected in the AM and PM peaks. This site access was assessed for the need of turn lanes. It was determined based on GDOT Driveway Manual, that an auxiliary would not be warranted. Therefore, no improvements are recommended.

**Lake Brandt Road at Site Access 1**

In 2018 future build condition, LOS D is expected in the AM and PM peaks. This site access was assessed for the need of turn lanes. It was determined based on GDOT Driveway Manual, that an auxiliary would not be warranted. Therefore, no improvements are recommended.

**Lake Brandt Road at Site Access 3**

In 2018 future build condition, LOS C is expected in the AM and PM peaks. This site access was assessed for the need of turn lanes. It was determined based on GDOT Driveway Manual, that an auxiliary would not be warranted. Therefore, no improvements are recommended.

**Trosper Road at Site Access 4**

In 2018 future build condition, LOS C is expected in the AM and PM peaks. This site access was assessed for the need of turn lanes. It was determined based on GDOT Driveway Manual, that an auxiliary would not be warranted. Therefore, no improvements are recommended.

The recommended improvements are illustrated in Figure 9 in the report.

Level of Service Summary

Table A summarizes the level of service analysis at the study intersections:

<b>Table A - Level of Service Summary</b>				
AM Peak	2016 Existing	2018 No Build	2018 Build	2018 Build with Improvements
Lake Brandt Road at Air Harbor Road	E (65.8)	E (67.8)	E (73.2)	
Lake Brandt Road at School Entrance/ Trospen Road	E (43.1) WB Approach	F (56.4) WB Approach	F (Err) WB Approach	C (32.7) Signalized
Lake Brandt Road at School Bus Entrance/ Site Access 2	C (17.6) EB Approach	C (18.3) EB Approach	C (20.5) WB Approach	C (20.3) EB Approach
Trospen Road at Oak Tree Road	A (9.1) NB Approach	A (9.1) NB Approach	A (9.3) NB Approach	
Lake Brandt Road at Site Access 1			D (28.2) WB Approach	
Lake Brandt Road at Site Access 3			C (19.6) WB Approach	
Trospen Road at Site Access 4			C (15.9) NB Approach	
PM Peak	2016 Existing	2018 No Build	2018 Build	2018 Build with Improvements
Lake Brandt Road at Air Harbor Road	D (41.6)	D (46.9)	E (70.0)	
Lake Brandt Road at School Entrance/ Trospen Road	C (19.4) WB Approach	C (20.3) WB Approach	F (178.8) WB Approach	B (12.5) Signalized
Lake Brandt Road at School Bus Entrance/ Site Access 2	A (0) EB Approach	A (0) EB Approach	C (21.4) WB Approach	C (22.3) WB Approach
Trospen Road at Oak Tree Road	A (8.7) NB Approach	A (8.7) NB Approach	A (9.1) NB Approach	
Lake Brandt Road at Site Access 1			D (31.7) WB Approach	
Lake Brandt Road at Site Access 3			C (23.5) WB Approach	
Trospen Road at Site Access 4			C (21.6) NB Approach	

LOS (delay in seconds)

Note for unsignalized conditions, LOS and delay indicates only minor street approach with longest delay

Proposed Site Access Throat Distances

The internal throat distances for the site accesses were reviewed using the GDOT Driveway Manual, which states that the distance from the adjacent street right of way to the near side of any internal service drive or parking aisle should be 25 feet, or greater than the expected inbound queue at the location. To determine the inbound queues, internal intersections were modeled for each access and queue reports generated using SimTraffic 9. Based on the number of vehicles entering Site Access 1 during the AM and PM peaks (34 and 26 vehicles, respectively), a minimum throat distance of 50 feet will be required. For Site Access 2, with 52 vehicles entering in the AM peak and 52 vehicles entering in the PM peak, a minimum throat distance of 60 feet will be required. For Site Access 3, with 5 vehicles entering in the AM peak and 13 vehicles entering in the PM peak, a minimum throat distance of 35 feet will be required. For Site Access 4 northside of Trosper Road, with 173 vehicles entering in the AM peak and 185 vehicles entering in the PM peak, a minimum throat distance of 65 feet will be required. For Site Access 4 southside of Trosper Road, with 22 vehicles entering in the AM peak and 61 vehicles entering in the PM peak, a minimum throat distance of 45 feet will be required. Table B lists the 95<sup>th</sup> percentile queues for the AM and PM peaks. The queuing reports can be found in the Appendix. The access points should be designed according to the GDOT Driveway Manual.

<b>Table B – Site Access Throat Queuing</b>			
Intersection Movement	SimTraffic 95th Percentile Queue (feet)		Minimum Recommended Throat Distance (Feet)
	AM Peak	PM Peak	
Site Access 1 EB Left-Through-Right	44	46	50
Site Access 2 EB Left-Through-Right	57	56	60
Site Access 3 EB Left-Through	14	34	35
Site Access 4 SB Through-Right	56	65	65
Site Access 4 NB Left-Through-Right	20	42	45

*Signal Warrant Analysis*

The signal warrant analysis was conducted for the intersection of Lake Brandt Road at Trospen Road/Jesse Wharton Elementary School Entrance. This intersection is currently an unsignalized intersection. The analysis was conducted using PC-Warrants software. The Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD 2009 Edition), has established nine criteria that can be used to justify the installation of a Traffic signal, which are the following:

- Warrant 1, Eight-Hour Vehicular Volume
- Warrant 2, Four-Hour Vehicular Volume
- Warrant 3, Peak Hour
- Warrant 4, Pedestrian Volume
- Warrant 5, School Crossing
- Warrant 6, Coordinated Signal System
- Warrant 7, Crash Experience
- Warrant 8, Roadway Network
- Warrant 9, Intersection Near a Grade Crossing

The applicable warrants were measured for existing conditions, and future build conditions. Warrants 4, 5, 6, 7, 8 and 9 were not applicable for this analysis.

***Existing Conditions***

*Warrants 1-3, Traffic Volumes*

Warrants 1-3 are related to traffic volumes and were considered for existing conditions. The 85<sup>th</sup> percentile speed on Lake Brandt Road was assumed to be greater than 40 mph for this analysis; therefore, the 70% volumes were utilized for the warrants.

Based on the existing traffic volumes at this intersection, Warrants 1-3 are currently not satisfied.

**Future Build Conditions**

*Warrants 1-3, Traffic Volumes*

Warrants 1-3 are related to traffic volumes and were considered for future build conditions. The 85<sup>th</sup> percentile speed on Lake Brandt Road was assumed to be greater than 40 mph for this analysis; therefore, the 70% volumes were utilized for the warrants. The site trips were distributed over the 13-hour time period based on ITE Trip Generation Manual *Hourly Variation in Shopping Center Traffic* table.

Based on the future build traffic volumes at this intersection, Warrants 1-3 are satisfied.

*Signal Warrant Analysis Results*

The results of the signal warrant analysis are summarized in Table C, below. As shown, none of the MUTCD signal warrants are currently met under existing conditions. Additional information and reports from PC-Warrants can be found in the Appendix.

<b>Table C – Signal Warrant Analysis</b>						
<b>Warrant</b>	<b>Existing Conditions</b>			<b>Future Build Conditions</b>		
	Status			Status		
	N/A	Not Met	Met	N/A	Not Met	Met
Warrant 1: Eight-Hour Vehicular Volume		X				X
Warrant 1A – Minimum Vehicular Volume		X				X
Warrant 1B – Interruption of Continuous Traffic		X			X	
Warrant 1C – Combination of Warrants		X				X
Warrant 2: Four-Hour Vehicular Volume		X				X
Warrant 3: Peak Hour		X				X
Warrant 4: Pedestrian Volume	X			X		
Warrant 5: School Crossing	X			X		
Warrant 6: Coordinated Signal System	X			X		
Warrant 7: Crash Experience	X			X		
Warrant 8: Roadway Network	X			X		
Warrant 9: Intersection Near a Grade Crossing	X			X		

*Summary and Conclusion*

The proposed Lake Brandt Neighborhood Village is located along the east side of Lake Brandt Road on both sides of Trosper Road in Greensboro, North Carolina. The exact land uses for this mixed development have not been fully determined; for analysis purposes the development was assumed to include 7,000 square feet of office space, 13,500 square feet of shopping center, 15,000 square feet of pharmacy with drive-thru, 13,800 square feet of high-turnover restaurant and 2,200 square feet of coffee shop with drive-thru. The site plan currently shows four (4) full accesses, three (3) on Lake Brandt Road and one (1) on Trosper Road.

Based on trip generation rates and equations published in Trip Generation (Institute of Transportation Engineers, 9th Edition), this development has a trip generation potential of 526 gross trips in the AM peak and 717 gross trips in the PM peak. After the reductions, 526 net trips in the AM peak and 552 net trips in the PM peak are expected.

Based on the analysis, it is expected that each study intersection is to operate at LOS D or better in the AM and PM peaks with recommended improvements with the exception of Lake Brandt Road at Air Harbor Road. This intersection is expected to operate at LOS E regardless of the proposed development.

A signal warrant analysis was conducted on the intersection of Lake Brandt Road and Trosper Road/ School Entrance for a 13-hour time period. It was determined that Warrants 1, 2 and 3 were met in the future build conditions. These are significant in decision making to install a signal. Since three volume based warrants are met, it is recommended to install a signal at the intersection of Lake Brandt Road and Trosper Road/ School Entrance.

The recommended improvements are summarized in Table D on the following page.

Table D – Recommended Improvement Summary	
Lake Brandt Road at Air Harbor Road	No improvements recommended
Lake Brandt Road at School Entrance/ Trospen Road	<ul style="list-style-type: none"> <li>• Provide a signal</li> <li>• Provide a separate northbound through and right turn lane with 100 feet of storage and appropriate taper</li> <li>• Provide a separate westbound left and through-right turn lane with full storage</li> </ul>
Lake Brandt Road at School Bus Entrance/ Site Access 2	<ul style="list-style-type: none"> <li>• Provide a northbound right turn lane with 100 feet of storage and appropriate taper</li> </ul>
Trospen Road at Oak Tree Road	No improvements recommended
Lake Brandt Road at Site Access 1	No improvements recommended
Lake Brandt Road at Site Access 3	No improvements recommended
Trospen Road at Site Access 4	No improvements recommended

In conclusion, this study has reviewed the impacts of both background traffic and this development traffic, and has determined that with the recommended improvements in place, there will be adequate capacity to accommodate future traffic. The final design of these improvements will need to be coordinated during the site plan approval process. Please note that all accesses to the site are required to be constructed to GDOT standards.

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
AUGUST 15, 2016**

**Z-16-08-002** 5812, 5908 and 5910 Lake Brandt Road, 2000 and 2020 Trospen Road and a portion of Trospen Road right-of-way (north and south of Trospen Road and east of Lake Brandt Road) - An original zoning request from County AG (Agricultural), County LB (Limited Business) and County RS-40 (Residential Single-Family) to City CD-C-M (Conditional District-Commercial-Medium) with the following conditions: (1) All uses permitted within the C-M district **except** cemeteries; bus and rail terminals; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist, pawn shop; sexually oriented businesses; self-storage facilities; vehicle sales and service; automobile towing and storage service; car washes; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling. – For the property located at 5812, 5908 and 5910 Lake Brandt Road, 2000 and 2020 Trospen Road and a portion of Trospen Road right-of-way, generally described as north of Trospen Road and east of Lake Brandt Road (14.68 Acres) – Marc Isaacson on behalf of Sun Capital, Inc. **(FAVORABLE RECOMMENDATION)**

**Z-16-08-003** A portion of Lake Brandt right-of-way (north of Trospen Road and east of Nat Greene Trail) – Original zoning from County LB (Limited Business), County AG (Agricultural) and County RS-40 (Residential Single-Family) to City PNR (Parks and Natural Resources). – For a portion of Lake Brandt right-of-way, generally described as north of Trospen Road and east of Nat Greene Trail (2.1 Acres) – City of Greensboro. **(FAVORABLE RECOMMENDATION)**

Ms. Smith stated that the presentation will combine two requests, Z-16-08-002 and Z-16-08-003. The first request contains approximately 14.68 acres and is located north and south of Trospen Road and east of Lake Brandt Road. The second request is for a portion of the Lake Brandt right-of-way only that contains 2.1 acres. She described the subject properties, as well as surrounding properties, and noted issues in the staff report.

Chair Pinto explained that the annexation process and said that the Commission will hear the case and then recommend a zoning designation to City Council. If the City Council decides to annex the property, there will be a recommended zoning designation in place. The Commission's role at this meeting has nothing to do with annexation. The Commission is tasked to determine a zoning designation because the County's zoning designation is different from the City's designation. Commissioners will hear from each side as to what appropriate zoning designations should be.

Marc Isaacson, 804 Green Valley Road, is an Attorney representing the applicant, Sun Capital, Inc. Ken Miller, Principal of Sun Capital, Inc., raised his hand to be recognized. Packets of information were distributed to members.

The applicant is filing this application to bring the property into the City of Greensboro and to have it zoned Commercial Medium with conditions as referenced in the application. The purpose of the application is to develop the property for a neighborhood retail and service oriented center.

**Revised Conditions:**

Mr. Isaacson read the conditions submitted with the application into the record as follows:

- (1) All uses permitted within the C-M district **except** cemeteries; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist, pawn shop; sexually oriented businesses; self-

storage facilities; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling.

He added the following additional excluded items: Any residential use; auditoriums, coliseums, stadiums, governmental facilities, not to include general office space; specialty hospitals, temporary and emergency shelters; TV, HDTV, AM/FM broadcast, wireless telecom facilities; clubs and lodges; movie and other theaters; shooting ranges; amusement and water parks; fairgrounds, campgrounds and RV parks; park and ride facilities; all other commercial parking; bars; nightclubs, brewpubs; kennels with outdoor accommodations; ABC stores; and tattoo parlors.

The second additional condition would read:

(2) A minimum of 50% of the exterior building materials will consist of wood, brick, glass, or stone.

The following condition shall apply to any commercial development on the parcel located at the southeast corner of Lake Brandt Road and Trosper Road, known as Tax Parcel 0137457:

(3) Within any required landscape buffer abutting a single-family residence, a continuous visual screen shall be required. This may be achieved by installation of evergreen materials to augment existing vegetation or by installing plantings of an evergreen variety at a rate and layout designed to achieve a continuous screening.

- a. An opaque fence a minimum of six feet high, where allowed, shall also be installed between the required buffer and the development.
- b. No illuminated signage may be placed on the building wall facing an abutting residential use.

Mr. Isaacson asked that the above conditions, as revised, be included in the application.

In the matter of **Z-16-08-002**, Chair Pinto moved that the revisions as read be approved and included as part of the application, seconded by Mr. Parmele. The Commission voted 8-0 in favor of the motion. (Ayes: Pinto, Bachmann, Blackstock, Griffin, Parmele, Marshall, Lester, Duggins. Nays: None.)

Mr. Isaacson reviewed the packet of information distributed to members. He described an illustrative sketch plan and aerial photographs. The development may contain a pharmacy, coffee shop, retail, restaurant, and office spaces. Aerial photographs showed that there is already scattered retail in the area. The property to the east of Trosper Road is in a water shed critical area that limits the amount of built-upon area. Therefore, about two-thirds of the property would remain undisturbed.

There were concerns about the intersection at Lake Brandt and Trosper Roads, specifically at peak hours getting into and out of that area. At the request of the City, a Traffic Impact Study was done by Davenport and Associates. A new traffic signal at that location was justified along with several improvements on both Lake Brandt and Trosper Roads. The report indicates that if left alone, the level of service at this intersection would be reduced in two years to Level F which is the worst level that can be determined. With the improvements, it would be improved to Level C which would significantly improve the traffic flow in the area.

A letter was mailed to all property owners on the City's mailing list on July 25, 2016. A number of calls were received and a meeting was held last week with property owners in the area. Revisions to the conditions were made as a result of concerns expressed at the meeting. Total agreement on some of the concerns was not reached at the meeting and there are still discussions to be had in that regard before the matter goes to City Council.

John Davenport, 305 West 4<sup>th</sup> Street, Winston Salem, North Carolina, provided clarity on the location and impact of the Outer Loop in relation to the proposed development. The Traffic Impact Study was conducted

according to City and GDOT standards. The Outer Loop is not open but when they projected growth of surrounding facilities and traffic in the area, it was taken into consideration. The current traffic count at the intersection of Lake Brandt and Trooper Road is approximately between 8 and 9 thousand trips per day. Ms. Bachmann referenced the stoplight at the intersection approaching Jesse Wharton Middle School at Lake Brandt and Air Harbor Roads. She asked for clarity on the distance between that stoplight and the proposed stoplight. Mr. Davenport said that the distance is about 1,500 feet and that is a reasonable distance for signal space.

### **In Opposition:**

Craig Lawrence, 5726 Oak Tree Road, provided a PowerPoint presentation reflecting concerns of the neighborhood to the rezoning request. Several neighborhood meetings were held and 120 signatures in opposition to the rezoning were gathered in a petition. He noted overwhelming opposition in the neighborhood to the request. At his request, everyone in the audience who was in opposition to the request stood to be recognized. Approximately 50 individuals responded. He reviewed land use history in the area and said the area has always been lower density single-family in use. The neighborhood feels that the request of the amendment to change the Land Use Plan is an admission of the significant incompatibility between the proposed commercial development and the adjacent historically low-density, single-family neighborhood. In addition, he pointed out that to his knowledge there will be no other public school in the

City except Jesse Wharton with a commercial development located across the street from it. He noted additional incompatibilities of the development with the neighborhood in terms of traffic and the watershed.

Peter Murphy, 2514 North Beech Lane, stated that the Outer Loop will come in 1.5 miles to the south of the proposed development at Cotswold where there is currently a Food Lion and more commercial use will probably be developed there. The Lake Brandt Road and Highway 150 intersection in Summerfield is 2.7 miles from the proposed development where there is a large shopping center. There are already neighborhood amenities in the area that are enjoyed by the residents. The residents are not asking for any additional amenities. In addition, he noted the large increase in traffic that will be generated by non-neighborhood cars coming to the development. The idea of putting another stoplight at the intersection to justify the development is circular logic at best because a traffic problem is not solved by generating 100% more traffic.

Peter Thompson, 5302 North Oaks Drive, pointed out that the shopping center located at Pisgah Church and Elm Street and the Highwoods Shopping Center off of Bryan Boulevard have numerous vacancies. He did not see the point of putting up more buildings when current ones are not being used.

### **REBUTTAL IN SUPPORT:**

Marc Isaacson, 804 Green Valley Road, said that they do not consider this development to be haphazard growth and it fits very well at the busy intersection. The property to the east was rezoned for residential subdivision and the main concern was traffic and now a traffic signal will be placed at the intersection. The concept of a compatible neighborhood center is embraced all over the City. There are many moderate sized retail centers located at intersections with thoroughfares that are near residentially developed areas. This area is in transition and the proposed neighborhood center is designed to serve this growth. Mr. Isaacson does not feel that this is spot zoning; rather, the request makes sense and fits at this busy intersection.

John Davenport, 305 West 4<sup>th</sup> Street, Winston Salem, North Carolina, explained that the new development will generate a few new trips; however, most of those trips will already be on the roadway.

### **REBUTTAL IN OPPOSITION:**

Darlene Garrett, 8003 Willow Glen Trail, is a member of the Board of Education. The Board has not been able to hear this matter yet and therefore, they have not taken a formal position. In previous situations, the Board has opposed rezoning where an ABC store is going to be built next to a school. A big box pharmacy

sells wine and it would be consistent for the Board to be opposed. She noted the General Statute that limits the sale of alcohol within 50 feet of a school building.

Alex Elkin, 230 North Elm Street, Attorney, was present on behalf of the Board of Education. The Chair of the Board of Education asked him to relay that although they have not had an opportunity to review this case, there is a history of opposing the sale of alcohol at establishments that are in close proximity to schools as related by Ms. Garrett.

Andrea Zimmerman, 1528 Trosper Road, said there are 11 pharmacies within 10 minutes of the area and there are numerous strip malls that can't rent out spaces they have. She pointed out that the effect of Bryan Boulevard traffic going north to Summerfield was not accounted for in the Traffic Impact Study.

Elizabeth Murray, 5723 Oak Tree Road, expressed concern that the historic Trosper House will be torn down if the development is approved.

John Stec, 5722 Oak Tree Road, talked about the nature of the property. The historic Trosper House has many old Oak trees with one of them being only a few inches smaller than the largest documented Oak tree in the City of Greensboro. There is also a unique Dawn Redwood tree that was extinct until 1941 when it was cultivated from seeds obtained from China. He felt it was a shame to lose this type of environment in their neighborhood for a parking lot.

There being no other speakers, Chair Pinto closed the public hearing.

#### **Staff Recommendation:**

Mr. Kirkman stated that this is designated as **Interim Residential** on the Generalized Future Land Use Map (GFLUM). In conjunction with the zoning application, the applicant filed a Comprehensive Plan amendment to revise the future land use category to Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving non-residential uses may be introduced. The proposal supports the Economic Development goal to promote a healthy and diversified economy and the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The CD-C-M district will accommodate a wide range of retail, service and office uses. Staff is recommending approval of this request.

#### **Comments:**

Mr. Kirkman explained the notification process involved when there is a nearby school. The notification process notifies owners of property 600 feet from the request; and therefore the notice would have been sent to the owner of the school property.

Mr. Parmele stated that putting emotion aside, the Commission's challenge is to determine the highest and best use of the property and make that recommendation to City Council. He made the following points: (1) that the traffic will only continue to grow on the road if nothing is done; (2) that if the property is zoned R-5, 70 homes can be built while 42 homes can be built at R-3 zoning and all these homes would add to the traffic and access issues; and (3) that groups can get together to work toward saving the historic house although it may not be a successful venture. He felt the highest and best use of the land with its growth and the way it is laid out is a mixed use facility like a neighborhood center. It would not be a destination shopping center but would serve local residents in the area. Based on these comments, he plans to support the request.

Chair Pinto commented that the Comprehensive Plan is a movable object in that the City's growth, roads, and neighborhoods are changing and amendments to the plan are anticipated. Many good reasons were given why the plan proposed by the applicant should not be; however, no suggestions were heard as to what it should be. Parts of this land are zoned residential, Limited Business, and Agricultural and one of

these classifications would allow businesses to operate. He agreed with Mr. Parmele that the highest and best use of the property on Lake Brandt Road across from the school is not residential. The Commission's job is to give some guidance to City Council. The request has several conditions attached to it that eliminate a lot of potential uses of the property. Chair Pinto also plans to support the request.

Mr. Lester commented that he was not persuaded by the fact the historic house and trees may be torn down. In addition, the tract of land is large enough that conflict with the statute preventing the sale of alcohol within 50 feet could be accommodated by the developer. However, he expressed concern about traffic and the impact of the Outer Loop. He noted the proximity of other shopping centers and the possibility of bringing driving traffic to the subdivision. This is a neighborhood development but the neighborhood appears to be overwhelmingly against it. He felt the area was residential and he did not see commercial uses in it. Mr. Lester stated his opposition to the request as it is presented now.

Ms. Bachmann said that she drives in this area frequently and the storefront that remains on the property is an eyesore and something needs to be done because it is a beautiful area. She researched and determined the average distance between the stoplights in this kind of area is actually 900 feet and therefore, she no longer has concerns. The statute prohibiting alcohol within 50 feet of the school will have to be addressed. This is a residential area and she felt the area could benefit from some type of commercial but she is concerned about rezoning to Commercial Medium. She does not plan to support the request.

In the matter of **Z-16-08-002**, Mr. Parmele moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 5812, 5908, 5910 Lake Brandt Road; 2000 and 2020 Trosper Road and a portion of Trosper Road right-of-way from County AG (Agricultural), County LB (Limited Business) and County S-40 (Residential Single-Family) to City CD-C-M (Conditional District-Commercial-Medium) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest because it is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use; it is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; and the request does implement measures to protect neighborhoods from potential negative impacts. The motion was seconded by Mr. Griffin. The Commission voted 5-3 in favor of the motion. (Ayes: Pinto, Parmele, Griffin, Duggins, Marshall. Nays: Lester, Bachmann, Blackstock.)

In the matter of **Z-16-08-003**, Mr. Parmele moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at a portion of Lake Brandt right-of-way from County LB (Limited Business), County AG (Agricultural) and County RS-40 (Residential Single-Family) to City PNR (Parks and Natural Resources) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest because it is consistent with the Community Facilities goal to provide services and infrastructure in a cost effective manner to meet citizen's needs, contribute to quality of life and support desired land use patterns. Additionally, the request is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The motion was seconded by Mr. Marshall. The Commission voted 5-3 in favor of the motion. (Ayes: Pinto, Parmele, Griffin, Duggins, Marshall. Nays: Lester, Bachmann, Blackstock.)

**Zoning Statement for Original Zoning  
5812,5908 & 5910 Lake Brandt Road, 2000 & 2020 Trospen Road and  
a portion of Trospen Road right-of-way**

Date: September 20, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for the property located at **5812, 5908, & 5910 Lake Brandt Road, 2000 & 2020 Trospen Road and a portion of Trospen Road right-of-way** from **County AG (Agricultural), County LB (Limited Business) and County RS-40 (Residential Single-Family)** to **CD-C-M (Conditional District-Commercial-Medium)** to be **consistent** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It is consistent with the Growth at the fringe goal to promote sound investment and sustainable patterns of land use.</li> <li>2. The request is consistent with the Economic Development goal to promote a healthy, diversified economy.</li> <li>3. The request does implement measures to protect neighborhoods from potential negative impacts.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent with the Growth at the Fringe Goal to promote sound and sustainable patterns of land use.</li> <li>2. The request is inconsistent with the Economic Development goal to promote a healthy, diversified economy.</li> <li>3. Even with proposed conditions, the project is not compatible with surrounding properties.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

## AMENDING OFFICIAL ZONING MAP

### 5812, 5908 & 5910 LAKE BRANDT ROAD, 2000 & 2020 TROSPER ROAD and PORTION of TROSPER ROAD RIGHT-OF-WAY

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

**Section 1.** The Official Zoning Map is hereby amended by original zoning from **County AG (Agricultural)**, **County LB (Limited Business)** and **County RS-40** to **City CD-C-M (Conditional District Commercial-Medium)**.

The area is described as follows:

“BEGINNING at the northwest corner of Lot 2 of Michael J. Andrews, as recorded at Plat Book 83, Page 64; thence with the north line of said Lot 2 N 71° 08' 49" E 557.14 feet to the northeast corner of said Lot 2, also being the southeast corner of Lot 30 of Brandt Park, as recorded at Plat Book 9, Page 39; thence with the west line of Richard and Beverly Roberts, as recorded at Deed Book 3896, Page 1533, also being the east lines of Lots 30-32 of Brandt Park, N 07° 48' 10" W approximately 270 feet to the northernmost corner of Roberts, also being a point in the west line of the Common Elements of Griffin Village, Sheet 2, as recorded at Plat Book 188, Page 64, said point being in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with said west line S 41° 44' 52" E 627.23 feet to its intersection with the northeastward projection of the northwest line of Lot 6 in Block C of Section 3 of Great Oaks, as recorded at Plat Book 46, Page 75; THENCE DEPARTING FROM THE EXISTING CITY LIMITS along said projection S 41° 42' 02" W 60.85 feet to the northernmost corner of said Lot 6; thence with the northwest lines of Lots 6, 5, and 4 of said Section 3 S 41° 42' 02" W 343.34 feet to a stake in a west line of said Lot 4; thence with said line S 07° 48' 10" E 60.00 feet to a corner of said Lot 4; thence with the north lines of Lots 4 and 3 of said Section 3 and of Lot 2 of Section 2 of Great Oaks, as recorded at Plat Book 45, Page 22, S 74° 04' 17" W 583.53 feet to the northeast corner of Lot 1 of said Section 2; thence with the east line of said Lot 1 S 15° 50' 30" E 230.87 feet to the southeast corner of said Lot 1; thence crossing Trospers Road S 15° 50' 30" E 60.00 feet to a point in the south right-of-way line of said road; thence with said right-of-way line N 74° 09' 30" E approximately 170 feet to the northwest corner of Lot 18 of said Section 3; thence with the west line of Lots 18-20 of said Section 3 S 06° 37' 57" W 437.05 feet to the northeast corner of Lot 9 of Section 1 of Great Oaks, as recorded at Plat Book 30, Page 88; thence with the north line of said Lot 9 S 82° 22' 00" W approximately 273.38 feet to a point in the east right-of-way line of Lake Brandt Road; thence in a northerly direction with said right-of-way line approximately 1,200 feet to the point and place of BEGINNING, and containing approximately 14.69 acres. The plats and deeds referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.”

**Section 2.** That the zoning amendment from **County AG (Agricultural), County LB (Limited Business) and County RS-40** to **City CD-C-M (Conditional District Commercial Medium)** is hereby authorized subject to the following use limitations and conditions:

1. All uses permitted within the C-M district except: cemeteries,; hotels and motels; funeral homes and crematoriums,; taxi dispatch terminal; taxidermist; pawn shop; sexually oriented businesses; self storage facilities; any Light Industrial uses; wholesale trade and any warehousing storage and freight handling; **any Residential Use**; Auditoriums, Coliseums, Stadiums; Governmental Facilities (not to include general office space); Specialty Hospitals; Temporary and Emergency Shelters; TV/HDTV/AM/FM Broadcast; Wireless Telecom Facilities; Clubs and Lodges; Movie and Other Theaters; Shooting Ranges; Amusement and Water Parks, Fairgrounds; Campgrounds and RV Parks; Park & Ride Facilities; All other commercial parking; Bars, Nightclubs, Brewpubs; Kennels with outdoor accommodations; ABC Stores; Tattoo Parlors.
2. A minimum of 50% of the exterior building materials will consist of wood, brick, glass or stone.
3. The following conditions shall apply to any commercial development on the parcel located at the southeast corner of Lake Brandt Road and Trospen Road, known as Tax Parcel 0137457:
  - a. Within any required landscaped buffer abutting a single family residence, a continuous visual screen shall be required. This may be achieved by installation of evergreen materials to augment existing vegetation or by installing plantings of an evergreen variety at a rate and layout designed to achieve the continuous visual screen. Additionally an opaque fence a minimum of six (6) feet high, where allowed, shall also be installed between the required buffer and any development.
  - b. No illuminated signage may be placed on a building wall facing an abutting residential use.

**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 September 20, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0735

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 21.

Ordinance Establishing Original Zoning for a Portion of Lake Brandt Road Right of Way

Department: Planning

Council District: Proximate to District 3

Public Hearing: September 20, 2016

Advertising Date/By: September 8 and 15, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

The City of Greensboro is requesting original zoning from **County AG** (Agricultural), **County LB** (Limited Business) and **County RS-40** (Residential Single-Family) to **City PNR** (Parks and Natural Resources) for a portion of Lake Brandt Road right of way, generally described as north of Trooper Road and east of Nat Greene Trail.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **September 20, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on August 15, 2016, the Zoning Commission voted 5-3 to recommend approval of this request. One person spoke in favor of the request and none in opposition. (See attachment B: Minutes of the August 15, 2016 Zoning Commission meeting). This request is associated with a voluntary annexation petition to bring this right of way into the City's jurisdiction for public maintenance. The PNR zoning district is assigned to the property immediately west of this portion of Lake Brandt Road.

This request addresses the following MAP Goals:

### **MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

### **BUDGET IMPACT:**

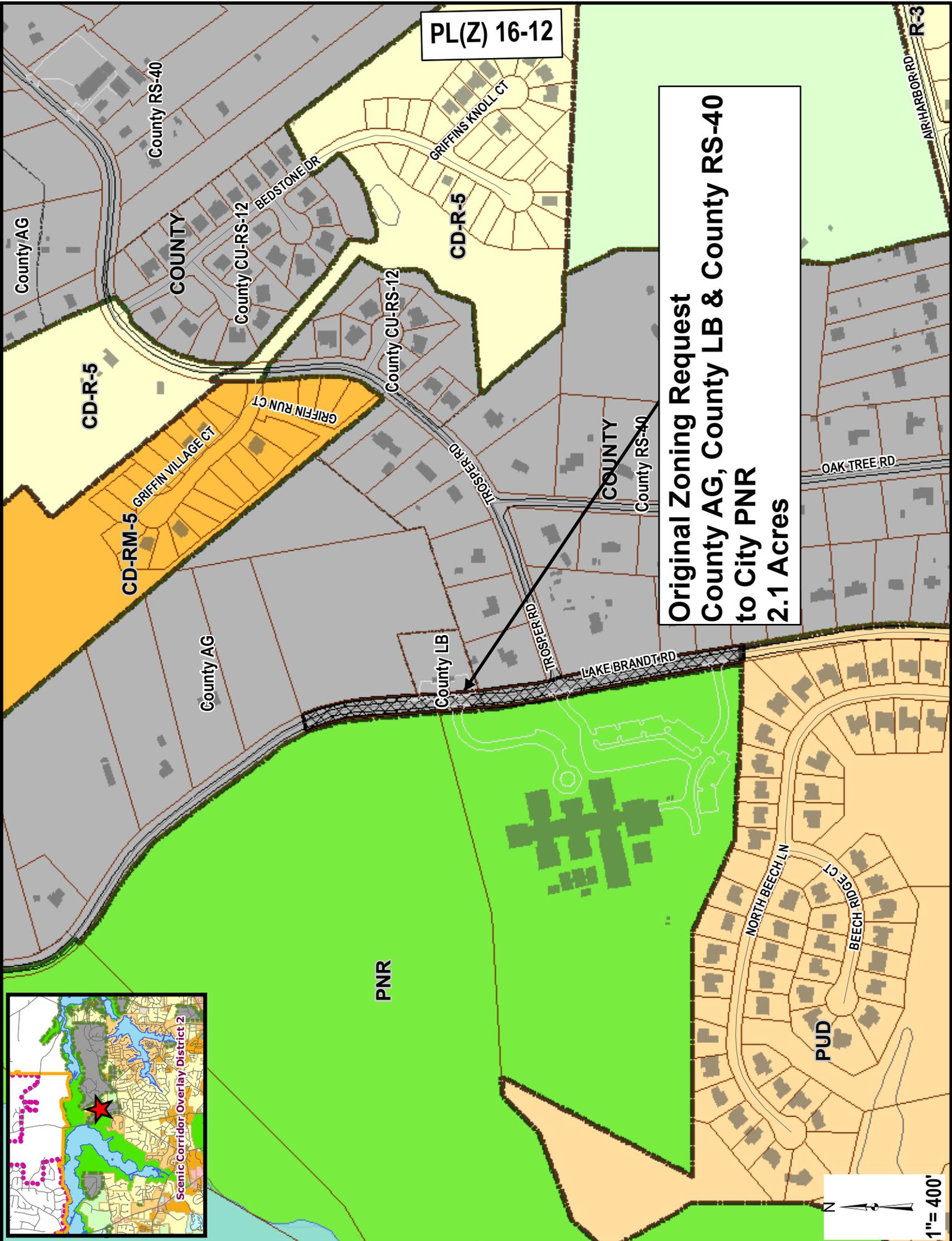
This item will have no budget impact.

### **RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 5-3 to **approve** this request.

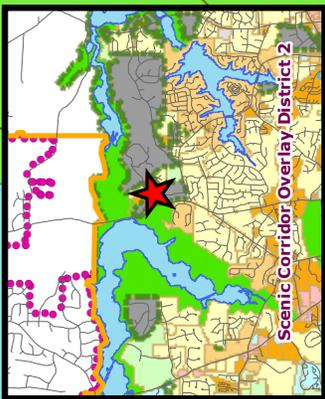
Planning recommends **approval** of the request based on:

- Request is consistent with the **Growth at the Fringe** goal to promote sound, sustainable land use patterns that provide for the efficient provision of public services and facilities.
  
- Request is consistent with the **Community Facilities** goal to provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life, and support desired land use patterns.



PL(Z) 16-12

Original Zoning Request  
County AG, County LB & County RS-40  
to City PNR  
2.1 Acres



1" = 400'

PLZ 16-12

**Original Zoning Request  
County AG, County LB & County RS-40  
to City PNR  
2.1 Acres**



N  
1" = 400'



Z-16-08-003

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**City Council Hearing Date: September 20, 2016**

**GENERAL INFORMATION**

<b>APPLICANT</b>	City of Greensboro
<b>HEARING TYPE</b>	Original Zoning Request
<b>REQUEST</b>	<b>County AG</b> (Agricultural), <b>County RS-40</b> (Residential Single-Family) and <b>County LB</b> (Limited Business) to <b>City PNR</b> (Parks and Natural Resources)
<b>CONDITIONS</b>	N/A
<b>LOCATION</b>	<b>A portion of Lake Brandt right-of-way</b>
<b>PARCEL ID NUMBER(S)</b>	<b>N/A</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>46</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~2.1 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	N/A

**SITE DATA**

<b>Existing Use</b>	Right-of-way	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	City PNR (Parks and Natural Resources)	Undeveloped
	County AG (Agricultural)	Undeveloped and single family dwellings
E	County AG (Agricultural)	Undeveloped and single family dwellings
	County LB (Limited Business)	Former convenience store with fuel pumps
W	City PNR (Parks and Natural Resources)	Undeveloped and Jesse Wharton Elementary
S	City PUD (Planned Unit Development)	Single family dwellings
	County RS-40 (Residential Single-Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City's planning jurisdiction.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (County AG)	Existing (County RS-40)	Existing (County LB)	Requested (PNR)
Max. Density:	N/A	1.0 unit per gross acre.	N/A	N/A
Typical Uses	Primarily intended to accommodate uses of an agricultural nature, including farm residences and farm tenant housing.	Primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water or wastewater services.	Primarily intended to accommodate moderate intensity shopping and services close to residential areas.	Primarily intended to accommodate large size (over 10 acres) public and quasi-public lands such as major regional parks and recreation areas, conservation or natural areas, shore land, urban wilderness areas and waterfront access areas, open space owned by a governmental or nonprofit (or similar) entity for land conservation and associated ancillary uses.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

n/a

**Environmental/Soils**

Water Supply Watershed	Site drains to Greensboro WSIII, Watershed Critical Area Tier 1 & 3, watersupply watershed, Lake Townsend / Horsepen Creek basin. See LDO Chp.30 and 30-12-4 for Watershed Critical Area Provisions
Floodplains	< 2000 ft
Streams	N/A
Other:	Maximum BUA for WCA Tier 3 with sewer is 30% for High Density development or <12% for Low Density development. No High Density option without sewer. WCA Tier 1 no High Density option. All BUA for the site must meet current watershed requirements Water Quality and Water Quantity must be addressed. Per LDO Tier 3, 20% of site must be left undisturbed and Tier 1, 90% must be left undisturbed.

**Utilities**

Potable Water N/A

Waste Water            N/A

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Landscaping and Tree Conservation not applicable to City street right-of-way.

**Transportation**

Street Classification:        Lake Brandt Road – Major Thoroughfare.  
   Trosper Road – Local Street.

Site Access:                    All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts:                Lake Brandt Road ADT = 9,810 (GDOT, 2015).

Trip Generation:                No.

Sidewalks:                      Sidewalks are a requirement of the Development Ordinance. 5’ sidewalk with a 5’ grass strip is required along both sides of thoroughfares. 5’ sidewalk with a 3’ grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.

Transit in Vicinity:            No.

Traffic Impact Study: (TIS) No TIS required per TIS Ordinance.

Street Connectivity:            N/A.

Other:                              N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **PNR (Parks and Natural Resources)** zoning would allow land uses that are compatible with the general character of the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Interim Residential (generally at or above 3 dwelling units per acre)**. The requested **PNR (Parks and Natural Resources)** zoning is generally consistent with the **Interim Residential (generally at or above 3 dwelling units per acre)** Future Land Use designation. The Growth Strategy Map also designates this location as being within **Growth Tier 1, Current Growth Area (2013 – 2019)**.

**Connections 2025 Written Policies**

**Land Use Goal 4.3 – Growth at the Fringe:** Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a

pedestrian scale with sidewalks, bikeways, and where possible, public transit.

**Policy 4F:** Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and
- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

**Policy 4G:** Improve the quality and patterns of development through incentives and regulatory guidelines.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Economic Development, Goal 7:** 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.

**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

### **Connections 2025 Map Policies**

**Interim Residential (generally at or above 3 dwelling units per acre):** Areas with a mix of all types of residential densities and uses (single family detached, single family attached and multi-family), with some limited local-serving non-residential uses (schools, churches, convenience services). It is assumed that most of the new housing developed in the Water Sewer Service Area would be connected to water and sewer.

**Growth Tier 1, Current Growth Area (2013 – 2019):** Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next six years.

### **CONFORMITY WITH OTHER PLANS**

#### **City Plans**

##### ***Sustainability Action Plan***

**Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

**Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and  
City Council Public Hearing

education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

**Element 3)** Waste Reduction and Recycling:

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

**Element 6)** Education and Outreach:

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

**Other Plans**

n/a

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed original zoning with owners of surrounding properties.

**Staff Analysis**

This 2.1-acre subject site is right-of-way only. North of the request is undeveloped (zoned County AG and City PNR). East of the request is undeveloped property and a former convenience store with fuel pumps (zoned County AG and County LB). South of the request is single family dwellings (zoned County RS-40 and City PUD). West of the request is a combination of undeveloped property and Jesse Wharton Elementary (zoned City PNR).

The Comprehensive Plan future land use map designates this site as an Interim Residential. The Interim Residential designation pertains to areas with a mix of all types of residential densities and uses (single family detached, single family attached and multifamily), with some limited local-serving non-residential uses (schools, churches and convenience services). In conjunction with the adjacent original zoning request, a Comprehensive Plan amendment is requested to revise the future land use category to Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving non-residential uses may be introduced.

The request as submitted supports the Comprehensive Plan's Community Facilities goal to provide community facilities, services, and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life, and support desired land use patterns and is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **PNR** (Parks and Natural Resources) zoning district.

**PARTIAL MINUTES OF THE  
ZONING COMMISSION  
AUGUST 15, 2016**

**Z-16-08-002** 5812, 5908 and 5910 Lake Brandt Road, 2000 and 2020 Trospen Road and a portion of Trospen Road right-of-way (north and south of Trospen Road and east of Lake Brandt Road) - An original zoning request from County AG (Agricultural), County LB (Limited Business) and County RS-40 (Residential Single-Family) to City CD-C-M (Conditional District-Commercial-Medium) with the following conditions: (1) All uses permitted within the C-M district **except** cemeteries; bus and rail terminals; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist, pawn shop; sexually oriented businesses; self-storage facilities; vehicle sales and service; automobile towing and storage service; car washes; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling. – For the property located at 5812, 5908 and 5910 Lake Brandt Road, 2000 and 2020 Trospen Road and a portion of Trospen Road right-of-way, generally described as north of Trospen Road and east of Lake Brandt Road (14.68 Acres) – Marc Isaacson on behalf of Sun Capital, Inc. **(FAVORABLE RECOMMENDATION)**

**Z-16-08-003** A portion of Lake Brandt right-of-way (north of Trospen Road and east of Nat Greene Trail) – Original zoning from County LB (Limited Business), County AG (Agricultural) and County RS-40 (Residential Single-Family) to City PNR (Parks and Natural Resources). – For a portion of Lake Brandt right-of-way, generally described as north of Trospen Road and east of Nat Greene Trail (2.1 Acres) – City of Greensboro. **(FAVORABLE RECOMMENDATION)**

Ms. Smith stated that the presentation will combine two requests, Z-16-08-002 and Z-16-08-003. The first request contains approximately 14.68 acres and is located north and south of Trospen Road and east of Lake Brandt Road. The second request is for a portion of the Lake Brandt right-of-way only that contains 2.1 acres. She described the subject properties, as well as surrounding properties, and noted issues in the staff report.

Chair Pinto explained that the annexation process and said that the Commission will hear the case and then recommend a zoning designation to City Council. If the City Council decides to annex the property, there will be a recommended zoning designation in place. The Commission's role at this meeting has nothing to do with annexation. The Commission is tasked to determine a zoning designation because the County's zoning designation is different from the City's designation. Commissioners will hear from each side as to what appropriate zoning designations should be.

Marc Isaacson, 804 Green Valley Road, is an Attorney representing the applicant, Sun Capital, Inc. Ken Miller, Principal of Sun Capital, Inc., raised his hand to be recognized. Packets of information were distributed to members.

The applicant is filing this application to bring the property into the City of Greensboro and to have it zoned Commercial Medium with conditions as referenced in the application. The purpose of the application is to develop the property for a neighborhood retail and service oriented center.

**Revised Conditions:**

Mr. Isaacson read the conditions submitted with the application into the record as follows:

- (1) All uses permitted within the C-M district **except** cemeteries; hotels and motels; funeral homes and crematoriums; taxi dispatch terminal; taxidermist, pawn shop; sexually oriented businesses; self-

storage facilities; any Light Industrial uses; wholesale trade and any warehousing, storage and freight handling.

He added the following additional excluded items: Any residential use; auditoriums, coliseums, stadiums, governmental facilities, not to include general office space; specialty hospitals, temporary and emergency shelters; TV, HDTV, AM/FM broadcast, wireless telecom facilities; clubs and lodges; movie and other theaters; shooting ranges; amusement and water parks; fairgrounds, campgrounds and RV parks; park and ride facilities; all other commercial parking; bars; nightclubs, brewpubs; kennels with outdoor accommodations; ABC stores; and tattoo parlors.

The second additional condition would read:

(2) A minimum of 50% of the exterior building materials will consist of wood, brick, glass, or stone.

The following condition shall apply to any commercial development on the parcel located at the southeast corner of Lake Brandt Road and Trosper Road, known as Tax Parcel 0137457:

(3) Within any required landscape buffer abutting a single-family residence, a continuous visual screen shall be required. This may be achieved by installation of evergreen materials to augment existing vegetation or by installing plantings of an evergreen variety at a rate and layout designed to achieve a continuous screening.

- a. An opaque fence a minimum of six feet high, where allowed, shall also be installed between the required buffer and the development.
- b. No illuminated signage may be placed on the building wall facing an abutting residential use.

Mr. Isaacson asked that the above conditions, as revised, be included in the application.

In the matter of **Z-16-08-002**, Chair Pinto moved that the revisions as read be approved and included as part of the application, seconded by Mr. Parmele. The Commission voted 8-0 in favor of the motion. (Ayes: Pinto, Bachmann, Blackstock, Griffin, Parmele, Marshall, Lester, Duggins. Nays: None.)

Mr. Isaacson reviewed the packet of information distributed to members. He described an illustrative sketch plan and aerial photographs. The development may contain a pharmacy, coffee shop, retail, restaurant, and office spaces. Aerial photographs showed that there is already scattered retail in the area. The property to the east of Trosper Road is in a water shed critical area that limits the amount of built-upon area. Therefore, about two-thirds of the property would remain undisturbed.

There were concerns about the intersection at Lake Brandt and Trosper Roads, specifically at peak hours getting into and out of that area. At the request of the City, a Traffic Impact Study was done by Davenport and Associates. A new traffic signal at that location was justified along with several improvements on both Lake Brandt and Trosper Roads. The report indicates that if left alone, the level of service at this intersection would be reduced in two years to Level F which is the worst level that can be determined. With the improvements, it would be improved to Level C which would significantly improve the traffic flow in the area.

A letter was mailed to all property owners on the City's mailing list on July 25, 2016. A number of calls were received and a meeting was held last week with property owners in the area. Revisions to the conditions were made as a result of concerns expressed at the meeting. Total agreement on some of the concerns was not reached at the meeting and there are still discussions to be had in that regard before the matter goes to City Council.

John Davenport, 305 West 4<sup>th</sup> Street, Winston Salem, North Carolina, provided clarity on the location and impact of the Outer Loop in relation to the proposed development. The Traffic Impact Study was conducted

according to City and GDOT standards. The Outer Loop is not open but when they projected growth of surrounding facilities and traffic in the area, it was taken into consideration. The current traffic count at the intersection of Lake Brandt and Trooper Road is approximately between 8 and 9 thousand trips per day. Ms. Bachmann referenced the stoplight at the intersection approaching Jesse Wharton Middle School at Lake Brandt and Air Harbor Roads. She asked for clarity on the distance between that stoplight and the proposed stoplight. Mr. Davenport said that the distance is about 1,500 feet and that is a reasonable distance for signal space.

### **In Opposition:**

Craig Lawrence, 5726 Oak Tree Road, provided a PowerPoint presentation reflecting concerns of the neighborhood to the rezoning request. Several neighborhood meetings were held and 120 signatures in opposition to the rezoning were gathered in a petition. He noted overwhelming opposition in the neighborhood to the request. At his request, everyone in the audience who was in opposition to the request stood to be recognized. Approximately 50 individuals responded. He reviewed land use history in the area and said the area has always been lower density single-family in use. The neighborhood feels that the request of the amendment to change the Land Use Plan is an admission of the significant incompatibility between the proposed commercial development and the adjacent historically low-density, single-family neighborhood. In addition, he pointed out that to his knowledge there will be no other public school in the

City except Jesse Wharton with a commercial development located across the street from it. He noted additional incompatibilities of the development with the neighborhood in terms of traffic and the watershed.

Peter Murphy, 2514 North Beech Lane, stated that the Outer Loop will come in 1.5 miles to the south of the proposed development at Cotswold where there is currently a Food Lion and more commercial use will probably be developed there. The Lake Brandt Road and Highway 150 intersection in Summerfield is 2.7 miles from the proposed development where there is a large shopping center. There are already neighborhood amenities in the area that are enjoyed by the residents. The residents are not asking for any additional amenities. In addition, he noted the large increase in traffic that will be generated by non-neighborhood cars coming to the development. The idea of putting another stoplight at the intersection to justify the development is circular logic at best because a traffic problem is not solved by generating 100% more traffic.

Peter Thompson, 5302 North Oaks Drive, pointed out that the shopping center located at Pisgah Church and Elm Street and the Highwoods Shopping Center off of Bryan Boulevard have numerous vacancies. He did not see the point of putting up more buildings when current ones are not being used.

### **REBUTTAL IN SUPPORT:**

Marc Isaacson, 804 Green Valley Road, said that they do not consider this development to be haphazard growth and it fits very well at the busy intersection. The property to the east was rezoned for residential subdivision and the main concern was traffic and now a traffic signal will be placed at the intersection. The concept of a compatible neighborhood center is embraced all over the City. There are many moderate sized retail centers located at intersections with thoroughfares that are near residentially developed areas. This area is in transition and the proposed neighborhood center is designed to serve this growth. Mr. Isaacson does not feel that this is spot zoning; rather, the request makes sense and fits at this busy intersection.

John Davenport, 305 West 4<sup>th</sup> Street, Winston Salem, North Carolina, explained that the new development will generate a few new trips; however, most of those trips will already be on the roadway.

### **REBUTTAL IN OPPOSITION:**

Darlene Garrett, 8003 Willow Glen Trail, is a member of the Board of Education. The Board has not been able to hear this matter yet and therefore, they have not taken a formal position. In previous situations, the Board has opposed rezoning where an ABC store is going to be built next to a school. A big box pharmacy

sells wine and it would be consistent for the Board to be opposed. She noted the General Statute that limits the sale of alcohol within 50 feet of a school building.

Alex Elkin, 230 North Elm Street, Attorney, was present on behalf of the Board of Education. The Chair of the Board of Education asked him to relay that although they have not had an opportunity to review this case, there is a history of opposing the sale of alcohol at establishments that are in close proximity to schools as related by Ms. Garrett.

Andrea Zimmerman, 1528 Trosper Road, said there are 11 pharmacies within 10 minutes of the area and there are numerous strip malls that can't rent out spaces they have. She pointed out that the effect of Bryan Boulevard traffic going north to Summerfield was not accounted for in the Traffic Impact Study.

Elizabeth Murray, 5723 Oak Tree Road, expressed concern that the historic Trosper House will be torn down if the development is approved.

John Stec, 5722 Oak Tree Road, talked about the nature of the property. The historic Trosper House has many old Oak trees with one of them being only a few inches smaller than the largest documented Oak tree in the City of Greensboro. There is also a unique Dawn Redwood tree that was extinct until 1941 when it was cultivated from seeds obtained from China. He felt it was a shame to lose this type of environment in their neighborhood for a parking lot.

There being no other speakers, Chair Pinto closed the public hearing.

#### **Staff Recommendation:**

Mr. Kirkman stated that this is designated as **Interim Residential** on the Generalized Future Land Use Map (GFLUM). In conjunction with the zoning application, the applicant filed a Comprehensive Plan amendment to revise the future land use category to Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving non-residential uses may be introduced. The proposal supports the Economic Development goal to promote a healthy and diversified economy and the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The CD-C-M district will accommodate a wide range of retail, service and office uses. Staff is recommending approval of this request.

#### **Comments:**

Mr. Kirkman explained the notification process involved when there is a nearby school. The notification process notifies owners of property 600 feet from the request; and therefore the notice would have been sent to the owner of the school property.

Mr. Parmele stated that putting emotion aside, the Commission's challenge is to determine the highest and best use of the property and make that recommendation to City Council. He made the following points: (1) that the traffic will only continue to grow on the road if nothing is done; (2) that if the property is zoned R-5, 70 homes can be built while 42 homes can be built at R-3 zoning and all these homes would add to the traffic and access issues; and (3) that groups can get together to work toward saving the historic house although it may not be a successful venture. He felt the highest and best use of the land with its growth and the way it is laid out is a mixed use facility like a neighborhood center. It would not be a destination shopping center but would serve local residents in the area. Based on these comments, he plans to support the request.

Chair Pinto commented that the Comprehensive Plan is a movable object in that the City's growth, roads, and neighborhoods are changing and amendments to the plan are anticipated. Many good reasons were given why the plan proposed by the applicant should not be; however, no suggestions were heard as to what it should be. Parts of this land are zoned residential, Limited Business, and Agricultural and one of

these classifications would allow businesses to operate. He agreed with Mr. Parmele that the highest and best use of the property on Lake Brandt Road across from the school is not residential. The Commission's job is to give some guidance to City Council. The request has several conditions attached to it that eliminate a lot of potential uses of the property. Chair Pinto also plans to support the request.

Mr. Lester commented that he was not persuaded by the fact the historic house and trees may be torn down. In addition, the tract of land is large enough that conflict with the statute preventing the sale of alcohol within 50 feet could be accommodated by the developer. However, he expressed concern about traffic and the impact of the Outer Loop. He noted the proximity of other shopping centers and the possibility of bringing driving traffic to the subdivision. This is a neighborhood development but the neighborhood appears to be overwhelmingly against it. He felt the area was residential and he did not see commercial uses in it. Mr. Lester stated his opposition to the request as it is presented now.

Ms. Bachmann said that she drives in this area frequently and the storefront that remains on the property is an eyesore and something needs to be done because it is a beautiful area. She researched and determined the average distance between the stoplights in this kind of area is actually 900 feet and therefore, she no longer has concerns. The statute prohibiting alcohol within 50 feet of the school will have to be addressed. This is a residential area and she felt the area could benefit from some type of commercial but she is concerned about rezoning to Commercial Medium. She does not plan to support the request.

In the matter of **Z-16-08-002**, Mr. Parmele moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at 5812, 5908, 5910 Lake Brandt Road; 2000 and 2020 Trosper Road and a portion of Trosper Road right-of-way from County AG (Agricultural), County LB (Limited Business) and County S-40 (Residential Single-Family) to City CD-C-M (Conditional District-Commercial-Medium) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest because it is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use; it is consistent with the Reinvestment/Infill goal to promote sound investment in Greensboro's urban areas; and the request does implement measures to protect neighborhoods from potential negative impacts. The motion was seconded by Mr. Griffin. The Commission voted 5-3 in favor of the motion. (Ayes: Pinto, Parmele, Griffin, Duggins, Marshall. Nays: Lester, Bachmann, Blackstock.)

In the matter of **Z-16-08-003**, Mr. Parmele moved that the Greensboro Zoning Commission believes that its action to approve the zoning amendment located at a portion of Lake Brandt right-of-way from County LB (Limited Business), County AG (Agricultural) and County RS-40 (Residential Single-Family) to City PNR (Parks and Natural Resources) to be consistent with the adopted Connections 2025 Comprehensive Plan and considers the actions taken to be reasonable and in the public interest because it is consistent with the Community Facilities goal to provide services and infrastructure in a cost effective manner to meet citizen's needs, contribute to quality of life and support desired land use patterns. Additionally, the request is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The motion was seconded by Mr. Marshall. The Commission voted 5-3 in favor of the motion. (Ayes: Pinto, Parmele, Griffin, Duggins, Marshall. Nays: Lester, Bachmann, Blackstock.)

**Zoning Statement for Original Zoning  
Portion of Lake Brandt Road**

Date: September 20, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for **a portion of Lake Brandt Road right-of-way** from **County AG (Agricultural), County LB (Limited Business) and County RS-40 (Residential Single-Family)** to **PNR (Parks and Natural Resources)** to be **consistent** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It is consistent with the Community Facilities goal to provide services and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life and support desired land use patterns.</li> <li>2. The request is consistent with the Growth at the Fringe goal to promote sound, sustainable patterns of land use.</li> <li>3. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent with the Community Facilities goal to provide services and infrastructure in a cost-effective manner to meet citizens' needs, contribute to quality of life and support desired land use patterns.</li> <li>2. The request is inconsistent with the Growth at the Fringe goal to promote sound, sustainable patterns of land use.</li> <li>3. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

## AMENDING OFFICIAL ZONING MAP

### PORTION OF LAKE BRANDT ROAD RIGHT OF WAY.

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

**Section 1.** The Official Zoning Map is hereby amended by original zoning from **County AG (Agricultural)**, **County LB (Limited Business)** and **RS-40 (Residential Single-Family)** to **City PNR (Parks and Natural Resources)**.

The area is described as follows:

“BEGINNING at a point in the existing Greensboro city limit line (as of June 30, 2016), said point being the intersection of said city limit line and the westwardly projection of the north line of Lot 2 of Michael J. Andrews, as recorded at Plat Book 83, Page 64; THENCE DEPARTING FROM THE EXISTING CITY LIMITS, crossing Lake Brandt Road with said projection, N 71° 08' 49" E approximately 60 feet to the northwest corner of said Lot 2; thence in a southerly direction with the east right-of-way line of Lake Brandt Road approximately 1,500 feet to a point in the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS, crossing Lake Brandt Road, approximately 60 feet to a corner in the existing city limit line; thence continuing with the existing city limit line in a northerly direction along the west side of said road approximately 1,500 feet to the point and place of BEGINNING, and containing approximately 2.07 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.”

**Section 2.** This property will be perpetually bound to the uses authorized and subject to the development standards of the **PNR (Parks and Natural Resources)** 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 September 20, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0801

**Agenda Date:** 10/18/2016

**Status:** Draft

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 22.

Ordinance Appealing the Rezoning Decision - 5100 Hilltop Road

Department: Planning

Council District: District 5

Public Hearing: October 18, 2016

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

Amer Baker is requesting rezoning from **R-3** (Residential Single Family) to **CD-RM-12** (Conditional District Residential Multifamily) for property located at 5100 Hilltop Road, generally described as west of Lakeshore Drive and north of Hilltop Road.

Because this request was appealed, the City Council will conduct a public hearing to consider and take action on this request at its **October 18, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on September 19, 2016, the Zoning Commission voted 5-3 to deny this request. One person spoke in favor of the request and three in opposition to the request. (See minutes of the September 19, 2016 Zoning Commission meeting). The Zoning Commission's decision was subsequently appealed within the required ten day appeal window. As such this request must go to City Council for their review and action following a public hearing.

This rezoning request includes the following condition:

1. Use is limited to residential uses only.

This request addresses the following MAP Goals:

### **MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

### **BUDGET IMPACT:**

This item will have no budget impact.

### **RECOMMENDATION / ACTION REQUESTED:**

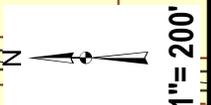
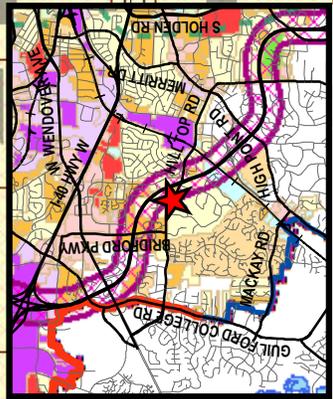
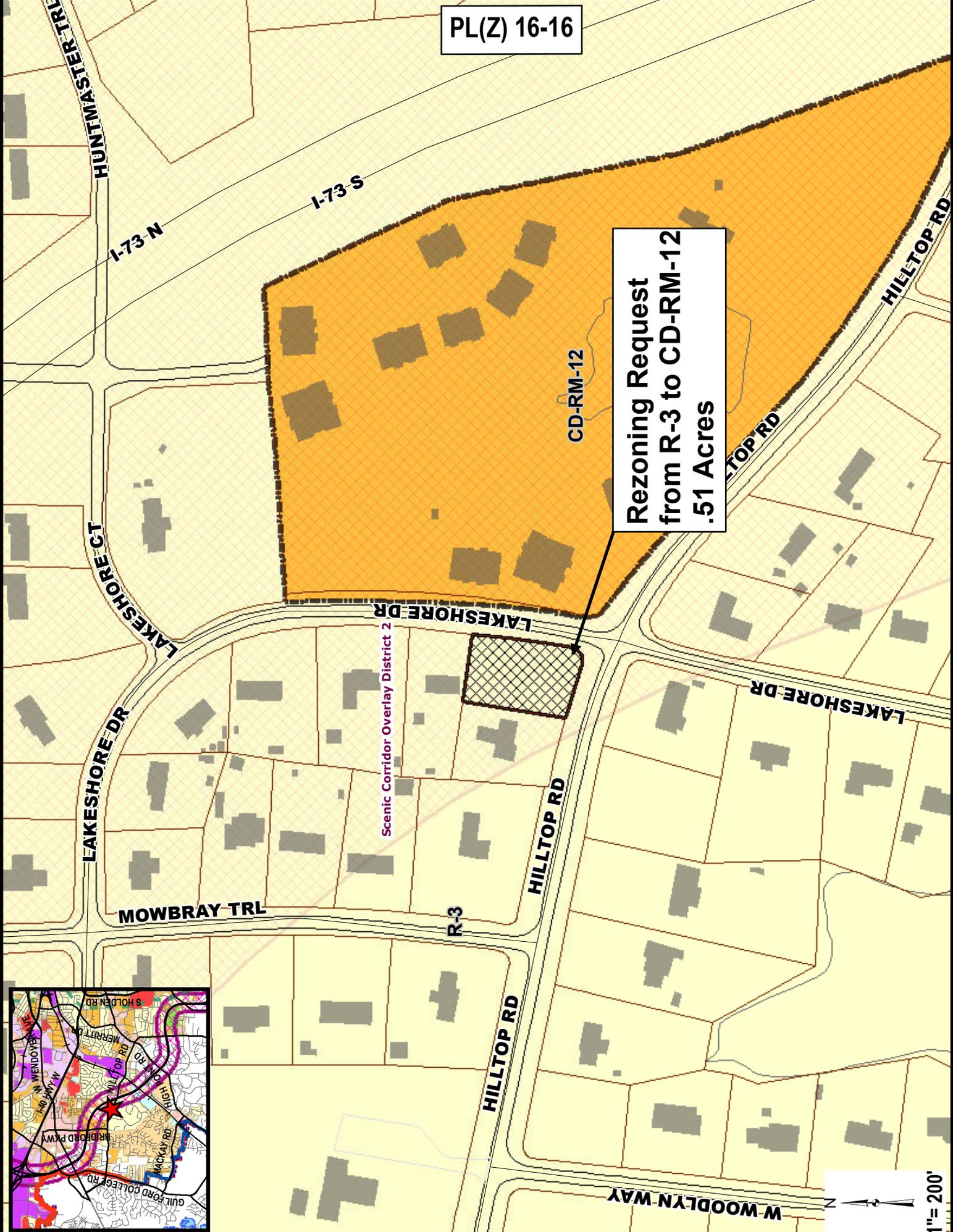
The Zoning Commission voted 5-3 to **deny** this request.

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.

PL(Z) 16-16

Rezoning Request  
from R-3 to CD-RM-12  
.51 Acres



PL(Z) 16-16

Rezoning Request  
from R-3 to CD-RM-12  
.51 Acres



1" = 200'  
N



Z-16-09-002

City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation

City Council Hearing Date: October 18, 2016

**GENERAL INFORMATION**

**APPLICANT** Amer Baker

**HEARING TYPE** Rezoning Request

**REQUEST** R-3 (Residential Single-Family) to **CD-RM-12** (Conditional District-Residential Multifamily)

**CONDITIONS** 1. Use is limited to residential uses only.

**LOCATION** **5100 Hilltop Road**

**PARCEL ID NUMBER(S)** **7833544263**

**PUBLIC NOTIFICATION** The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **34** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~0.51 Acres

**TOPOGRAPHY** Primarily flat

**VEGETATION** Undeveloped with vegetation

**SITE DATA**

<b>Existing Use</b>	Undeveloped	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	R-3 (Residential Single-Family)	Single family dwellings
E	CD-RM-12 (Conditional District-Residential Multifamily)	Multifamily dwellings
W	R-3 (Residential Single-Family)	Single family dwellings
S	R-3 (Residential Single-Family)	Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is currently zoned R-3 (Residential Single Family). Prior to the adoption of the Land Development Ordinance in July 2010, the property was zoned RS-40 (Residential Single-Family).

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (R-3)	Requested (CD-RM-12)
Max. Density:	3.0 units per gross acre	12.0 units per gross acre
Typical Uses	Primarily intended to accommodate low-density single-family detached residential development.	Condition limits use to residential uses only.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The subject site (excluding the southwest corner) is located within the SCOD-2 (Scenic Corridor Overlay District 2) of the Greensboro Urban Loop. Consult the Scenic Corridor Overlay Districts Design Manual, for detailed applicable requirements and design guidelines.

**Environmental/Soils**

Water Supply Watershed: Site drains to Lower Randleman watersupply watershed, Bull Run Watershed

Floodplains: N/A

Streams: N/A

Other: Maximum High Density commercial development with sewer is 50% BUA. One dwelling unit per acre or area minus street r/w divided by number of house lots equals 40,000sf or more is considered Low Density. Water quality and water quantity must be addressed. BUA must be treated by a State approved water quality BMP. Site is also located within the 5 statue mile radius of the PTI Airport. A BMP that holds a normal pool elevation is deterred.

**Utilities**

Potable Water: Available

Waste Water Available

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Street Yard: Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

Buffer Yard: Adjacent to single family residential: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, & 17 shrubs per 100 linear feet.

Parking lot: Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

Tree Conservation: 1% of lot size in critical root zone area preserved

**Transportation**

Street Classification: Hilltop Road – Major Thoroughfare.  
Lakeshore Drive – Local Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: Hilltop Road ADT = 16,018 (GDOT, 2015)

Trip Generation: No.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along the Hilltop Road frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **CD-RM-12 (Conditional District - Residential, Multi-Family – 12 du/ac)** zoning, as conditioned, would allow land uses that are compatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Moderate Residential (5-12 d.u./acre)**. The requested **CD-RM-12 (Conditional District - Residential, Multi-Family – 12 du/ac)** zoning, as conditioned, is generally consistent with the **Moderate Residential (5-12 d.u./acre)** Future Land Use designation.

### **Connections 2025 Written Policies**

**Land Use Goal 4.1 – Growth Strategy:** Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

**Policy 4A:** Remove present impediments to infill and investment in urban areas.

**Policy 4B:** Target capital investments to leverage private investment in urban areas.

**Policy 4C:** Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

**Policy 4D:** Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Housing and Neighborhoods, Goal 6:** 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.

**Policy 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**Economic Development, Goal 7:** 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.

**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit,

pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

### **Connections 2025 Map Policies**

**Moderate Residential (5-12 d.u./acre):** This category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Sustainability Action Plan***

**Element 1)** Transportation and Land Use:

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

**Element 2)** Green Jobs and Buildings:

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

**Element 3)** Waste Reduction and Recycling:

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

**Element 6)** Education and Outreach:

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### **Other Plans**

n/a

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties, and with representatives of the adjacent Sedgefield Lakes neighborhood, located directly to the south of the subject site.

### **Staff Analysis**

The 0.51-acre subject site is currently undeveloped. North, west and south of the request are single family dwellings (zoned R-3). East of the request are multifamily dwellings (zoned CD-RM-12).

The Comprehensive Plan's future land use map designates this area as Moderate Residential. The Moderate Residential category accommodates housing types ranging from small-lot, single-family detached and attached single-family dwellings such as townhomes to moderate density, low-rise apartment dwellings, generally at a density of 5-12 dwelling units per acre.

This request is compatible with adjacent multifamily residential development to the east. It can also fit with nearby single family residential uses based on the limited scale of potential development due to the limited size of the site and the condition limiting uses to residential uses only. The request also supports the Comprehensive Plan's 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.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **CD-RM-12** (Conditional District-Residential Multifamily) zoning district.

**Zoning Statement for Rezoning  
5100 Hilltop Road**

Date: October 18, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for the property located at **5100 Hilltop Road** from **R-3 (Residential Single-Family)** to **CD-RM-12 (Conditional District-Residential Multifamily)** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It 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.</li> <li>2. The request is consistent with the Reinvestment Infill goal to promote sound investment in Greensboro's urban areas.</li> <li>3. The request does implement measures to protect neighborhoods from potential negative impacts.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent 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.</li> <li>2. The request is inconsistent with the Reinvestment Infill goal to promote sound investment in Greensboro's urban areas.</li> <li>3. Even with proposed conditions, the project is not compatible with surrounding properties.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

The minutes from the  
September 19, 2016  
Zoning Commission meeting  
are not yet available



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0797

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 23.

Ordinance Amending the Future Land Use Map of the Lindley Park Neighborhood Plan and Corresponding Portion of the Greensboro Connections 2025 Comprehensive Plan

Department: Planning

Council District: 3

Public Hearing: October 18, 2016

Advertising Date/By: October 6, 13 2016/City Clerk

Contact 1 and Phone: Hanna Cockburn, AICP 336-574-3576

Contact 2 and Phone: Sue Schwartz, FAICP 336-373-2149

### **PURPOSE:**

To conduct a public hearing and consider an amendment to the Generalized Future Land Use Map of the Lindley Park Neighborhood Plan and the corresponding portion of the Connections 2025 Comprehensive Plan.

### **BACKGROUND:**

A request has been made to rezone property at 2201 Spring Garden Street and 911 Scott Avenue that is not consistent with the current Multi-Family Residential future land use category. Because of this discrepancy, the requested rezoning requires an amendment to the Lindley Park Neighborhood Plan Future Land Use Map to be approved.

The current and proposed land uses are:

From:

Multi-Family Residential (MF): This category provides for multi-family housing at a density of 6 to 12 dwelling units per acre. The Multi-Family Residential classification accommodates housing types ranging from small-lot, single family detached and attached dwellings such as townhouses to moderate density, low-rise apartment dwellings.

To:

Mixed Use Residential: This designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

The Planning Board provided comment on the proposed Comprehensive Plan amendment at their August 17, 2016 meeting. Minutes of the August 2016 Planning Board meeting are attached.

**BUDGET IMPACT:**

N/A.

**RECOMMENDATION / ACTION REQUESTED:**

Staff recommends approval of the requested Plan Amendment.



**MEETING OF THE  
GREENSBORO PLANNING BOARD  
AUGUST 17, 2016**

The Greensboro Planning Board meeting was held on Wednesday, August 17, 2016 at 4:05 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair, Steve Allen, Richard Mossman, Day Atkins, Homer Wade, John Martin and Celia Parker. City staff present included Steve Galanti, Hanna Cockburn, Sheila Stains-Ramp, Shayna Thiel, Lucas Carter and Jeff Sovich. Also present was Jennifer Schneier, City Attorney's Office.

Chair Isaacson welcomed everyone to the meeting and explained the procedures of the Planning Board.

**1. MEETING MINUTES:**

**a. Approval of Minutes of July 20, 2016 Planning Board Meeting (APPROVED)**

Mr. Allen moved to approve minutes of the July 2016 meeting, as submitted, seconded by Ms. Parker. The Board voted unanimously (7-0) in favor of the motion. (Ayes: Isaacson, Martin, Mossman, Atkins, Wade, Martin, Parker. Nays: None.)

**2. ELECTION OF CHAIR/VICE CHAIR:**

Mr. Mossman nominated Mr. Isaacson to remain in place as Chair and Mr. Allen to remain in place as Vice Chair, seconded by Mr. Wade. The Board voted unanimously in favor of the nomination. (Ayes: Isaacson, Martin, Mossman, Atkins, Wade, Martin, Parker. Nays: None.)

**3. PUBLIC HEARING:**

**a. AMENDMENT TO FUTURE LAND USE MAP OF THE LINDLEY PARK NEIGHBORHOOD PLAN:**

**CP-16-04 : Proposed GFLUM Amendment from Multi-Family to Mixed Use Residential for 2201 Spring Garden Street and 911 Scott Avenue (FAVORABLE RECOMMENDATION)**

Mr. Wade was recused from this matter by unanimous vote of the Board members.

Hanna Cockburn presented the request, which is associated with a rezoning request for 2201 Spring Garden and 911 Scott Avenue. The Lindley Park Neighborhood Plan presently supports use of the properties for Multi-Family Residential in the 6 to 12 dwelling units per acre range. The proposed Mixed Use Residential zoning applies to areas where the predominant use is residential and where compatible local-serving nonresidential uses may be introduced. The Mixed Use Residential classification accommodates a diverse mix of housing types and densities, while ensuring that buildings are of appropriate scale and intensity, with a higher residential density range.

Amanda Williams, 3929 Tinsley Drive, High Point, NC, representing the property owners, came forward and stated that they are reprogramming their housing offerings, from rental-by-bedroom of 4-bedroom units, primarily for student housing, to 1-, 2- and possibly 3-bedroom units that may operate as more typical market multifamily. She stated that this will not impact the parking required so there will be very little additional impact to the neighborhood as a whole.

There being no other speakers on this matter, the public hearing was closed.

#### **Board Comments**

Mr. Allen and Mr. Mossman stated that they support the request as there will be very little impact to the surrounding areas.

Mr. Allen moved to recommend the proposed zoning change request to the Lindley Park Neighborhood Plan as submitted by staff, seconded by Mr. Mossman. The Board voted 6-0-1 in favor of the motion. (Ayes: Isaacson, Martin, Mossman, Atkins, Martin, Parker. Nays: None. Abstained: Wade.)

Mr. Wade returned to the podium for other matters coming before the Board.

#### **4. SOLAR ROAD MAP PRESENTATION:**

Jeff Sovich, Planner, described the Solar RoadMap Initiative, stating that it is an online information hub providing a comprehensive set of online tools and expert resources to help make utilizing solar energy easier, faster, and more cost effective at the local level. Greensboro is one of more than 240 local governments nationwide, and one of only 12 in North Carolina, that participated in the program. Planning Department staff collaborated with representatives of the Solar RoadMap program to identify information about solar energy in Greensboro, which formed the basis of the custom-tailored Greensboro Solar RoadMap. The Solar RoadMap program is funded by the US Department of Energy's SunShot Initiative, a national collaborative effort to make solar energy cost-competitive with other forms of electricity by the end of the decade.

No action by the Board was required on this matter.

#### **5. ANNEXATIONS:**

- a. PL(P) 16-16: Proposed satellite annexation of 3436 Randleman Road, approximately 0.97 acres. (APPROVAL RECOMMENDED)**

Lucas Carter stated that the non-contiguous property is located within Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan. The request was sent to the City's services providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of the annexation.

No Board member had any questions.

Mr. Allen moved to recommend approval of the annexation to City Council, seconded by Mr. Mossman. The Board voted 6-0-1 in favor of the motion. (Ayes: Isaacson, Martin, Mossman, Atkins, Martin, Parker and Allen. Nays: None. Abstained: Wade.)

- b. PL(P) 16-17 Proposed satellite annexation of 5405 Marley Drive, approximately 0.60 acres. (APPROVAL RECOMMENDED)**

Lucas Carter stated that the property is located within Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan, and that it is not contiguous to the City's primary corporate limits. This request was sent to the City's service providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of the annexation.

Chair Isaacson asked if there were any questions by the Board members.

Mr. Allen moved to recommend approval of the annexation to City Council, seconded by Ms. Parker. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Atkins, Wade, Mossman, Martin, Parker and Allen. Nays: None.)

## 6. EASEMENT RELEASES:

- a. **Proposed release of a portion of a 15' sanitary sewer easement and all of a 60' DMUE located at 3262 Randleman Road, as recorded in Plat Book 130, Page 116. (APPROVED)**

Shayna Thiel stated that the applicant wished to relocate the sewer easement and record it on a new plat. All utility providers have reviewed the request and given their approval; a condition of approval is recommended, .....

Mr. Martin moved to approve the easement release with the recommended condition, seconded by Mr. Allen. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Mossman, Atkins, Wade, Martin, Allen, Parker. Nays: None.)

- b. **Proposed release of a 15' wide and 25' wide drainage easement located at 201, 301 and 401 East Bragg Street, and 408 Martin Luther King Jr. Drive, as recorded in Plat Book 184, Page 101. (APPROVED)**

Shayna Thiel stated that the applicant wished to relocate a drainage easement on this site. All utility providers have reviewed the request and given their approval.

Mr. Allen moved to approve the easement release, seconded by Mr. Martin. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Mossman, Atkins, Wade, Martin, Allen, Parker. Nays: None.)

## 7. ITEMS FROM THE PLANNING STAFF

- a. **Informational update on "Lots of Opportunity" program**

Hanna Cockburn gave an update on the "Lots of Opportunity" program, explaining that this effort was to help people in the development and real estate communities to learn more about properties that are available for sale from the City, the Redevelopment Commission and Greensboro Housing Development Partnership. A website has been created to be a one-stop shop to provide information about properties that are available. This includes properties available to purchase from Engineering and Inspections, the Redevelopment Commission Neighborhood Development and the Greensboro Housing Development Partnership. She provided copies of the handout and encouraged Board members to share the information.

- b. **Request to set a Public Hearing for the September 21<sup>st</sup> Board meeting on changing the name of West Lee Street between Binford Street and West Gate City Boulevard**

Steve Galanti stated that Council has requested consideration of a street name change for the section of West Lee Street between Binford Street and West Gate City Boulevard, to Binford Street. To change a street name, the process requires that the Board set a public hearing to consider the proposed change. As such, the Board is asked to schedule a public hearing for the September meeting. Mailed notices will be sent to the people that would be

affected by the street name change. At that public hearing, the Board will be asked to make a recommendation for final City Council action on October 18<sup>th</sup>, 2016.

Ms. Parker moved that a public hearing be scheduled for the September 21, 2016 Planning Board meeting, seconded by Mr. Martin. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Mossman, Atkins, Wade, Martin, Allen, Parker. Nays: None.)

**8. ITEMS FROM THE CHAIR:**

Chair Isaacson had no items to report.

**9. ITEMS FROM BOARD MEMBERS:**

None.

**10. SPEAKERS FROM THE FLOOR:**

None.

**11. APPROVAL OF ABSENCES:**

The absence of Mr. Bryson and Ms. Brame were acknowledged as excused.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 4:45 pm.

Respectfully submitted,

Sue Schwartz  
Planning Department, Director

SS:/jd

AMENDING THE LINDLEY PARK NEIGHBORHOOD PLAN and CORRESPONDING PORTIONS OF  
THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN  
AND  
AN ORDINANCE AMENDING THE GROWTH STRATEGY MAP WITHIN THE GREENSBORO  
CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE  
GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND  
DEVELOPMENT CHAPTER 30

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and labeled Figure 4-2; and

WHEREAS, the City Council adopted the Lindley Park Neighborhood Plan on August 17, 2004, which made amendments to Generalized Future Land Use Map within the boundary of the Plan; and

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 2201 Spring Garden Street and 911 Scott Avenue.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map, Figure 4-2 is amended as follows:

- Section 1. The Generalized Future Land Use Map, Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective upon adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0805

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 24.

Ordinance Rezoning Property Located at 2201 Spring Garden Street

Department: Planning

Council District: District

Public Hearing: October 18, 2016

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

The School Associates, LLC is requesting rezoning from **CD-O** (Conditional District Office) to **PUD** (Planned Unit Development) for property located at 2201 Spring Garden Street, generally described as south of Spring Garden Street and west of Bitting Street.

Because this request is associated with an amendment to the adopted Lindley Park Neighborhood Plan, the City Council will conduct a public hearing to consider and take action on this request at its **October 18, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on September 19, 2016, the Zoning Commission voted 9-0 to approve this request. Two persons spoke in favor of the request and none in opposition to the request. (See minutes of the September 19, 2016 Zoning Commission meeting). Because this rezoning is associated with an amendment to the Lindley Park Neighborhood Plan, this request must go to City Council for their review and action following a public hearing.

This rezoning request includes the following conditions:

1. Uses are limited to a maximum of 80 residential multifamily dwelling units and accessory uses.
2. Maintain the existing principal structures without expansion.

This request addresses the following MAP Goals:

**MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

### **BUDGET IMPACT:**

This item will have no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 9-0 to **recommend approval** this request.

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

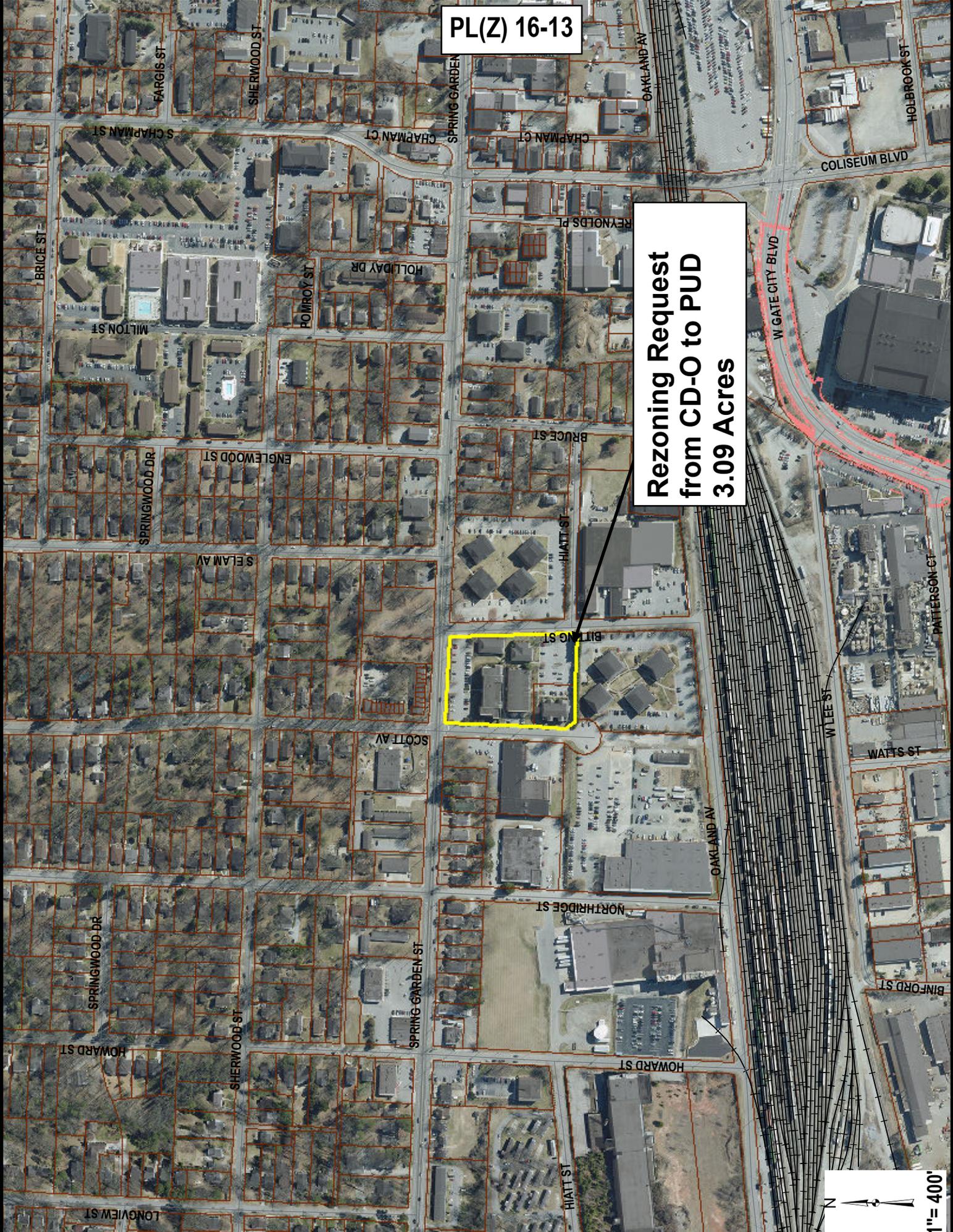
- Request is consistent with the **Reinvestment/Infill** goal to promote sound investment in Greensboro's urban areas.

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.



PL(Z) 16-13

Rezoning Request  
from CD-O to PUD  
3.09 Acres





Z-16-04-004

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**City Council Hearing Date: October 18, 2016**

**GENERAL INFORMATION**

<b>APPLICANT</b>	The School Associates LLC
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	<b>CD-O</b> (Conditional District-Office) to <b>PUD</b> (Planned Unit Development)
<b>CONDITIONS</b>	1. Uses are limited to a maximum of 80 residential multifamily dwelling units and accessory uses. 2. Maintain the existing principal structures without expansion.
<b>LOCATION</b>	<b>2201 Spring Garden Street &amp; 911 Scott Avenue</b>
<b>PARCEL ID NUMBER(S)</b>	<b>Multiple</b>
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>80</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	~3.09 Acres
<b>TOPOGRAPHY</b>	Primarily flat
<b>VEGETATION</b>	Multifamily

**SITE DATA**

<b>Existing Use</b>	Multifamily dwellings and accessory uses	
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>	
N	RM-18 (Residential Multifamily) CD-RM-26 (Conditional District-Residential Multifamily)	Multifamily dwellings Undeveloped
E	RM-18 (Residential Multifamily)	Multifamily dwellings

W	RM-18 (Residential Multifamily) LI (Light Industrial)	Undeveloped Industrial use
S	CD-RM-18 (Conditional District-Residential Multifamily)	Multifamily dwellings

**Zoning History**

Case #	Date	Request Summary
2539	12/9/1996	Rezoning from CU-GO-H (Conditional Use-General Office-High) to CU-GO-H (Conditional Use-General Office-High) with the following conditions: 1. Uses limited to residential multifamily with a maximum of 59 dwelling units and accessory. 2. The existing building currently located on the 0.46 acre tract fronting Scott Avenue (Section "B" of Cu #2400) to be removed and replaced with a new 12 unit building. 3. The remaining four (4) buildings currently located on the site, 2201, 2203, 2205 and 2207 Spring Garden Street, are to remain.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (CD-O)	Requested (PUD)
Max. Density:	N/A	N/A
Typical Uses	Condition limits use to residential multifamily with a maximum of 59 dwelling units and accessory.	Condition limits use to a maximum of 80 residential multifamily dwelling units and accessory uses.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The entirety of the subject site is designated as the Pomona High School National Register Historic Property. In addition, the portion of the subject site consisting of the parcel identified as 2201 Spring Garden Street is designated as a Guilford County Landmark Property.

The subject site is located within the Spring Garden Street Pedestrian Scale Overlay District. Consult the Spring Garden Street Pedestrian Scale Overlay Manual for detailed applicable requirements and design guidelines.

**Environmental/Soils**

Water Supply Watershed     Site drains to North Buffalo Creek non-watersupply watershed

Floodplains N/A

Streams N/A

Other: If >1 acre is disturbed and an increase in BUA is to take place, site must meet Phase 2 requirements. Water quality and water quantity must be addressed. BUA must be treated by a State approved water quality BMP.

**Utilities**

Potable Water Available

Waste Water Available

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Landscaping and Tree Conservation not required as there is no expansion of the use or new land disturbance.

**Transportation**

Street Classification: Spring Garden Street – Minor Thoroughfare.  
Scott Avenue – Local Street.  
Bitting Street – Collector Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: Spring Garden Street ADT = 15,321 (GDOT, 2015)

Trip Generation: No.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does exist along portions of the frontage of this property.

Transit in Vicinity: Yes, GTA Route 1 (West Wendover Avenue) is adjacent to subject site, along Spring Garden Street.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The proposed **PUD (Planned Unit Development)** zoning would allow land uses that are compatible with the general character of the area.

### **Connections 2025 Comprehensive Plan Policies**

The **Future Land Use Map of the Lindley Park Neighborhood Plan** designates this location as **Multi-Family Residential**. The requested **PUD (Planned Unit Development)** zoning is generally inconsistent with the **Multi-Family Residential** Future Land Use designation. However the applicant has concurrently submitted a request to amend the Future Land Use designation on the subject site to Mixed Use Residential which, if approved, would resolve this inconsistency. The Growth Strategy Map designates the subject site as being within the Patterson Street Reinvestment Corridor.

### **Connections 2025 Written Policies**

**Land Use Goal 4.1 – Growth Strategy:** Promote sound investment in Greensboro's urban areas, including Center City, commercial and industrial areas, and neighborhoods.

**Policy 4A:** Remove present impediments to infill and investment in urban areas.

**Policy 4B:** Target capital investments to leverage private investment in urban areas.

**Policy 4C:** Promote new patterns and intensities of use to increase economic competitiveness and enhance quality of life in urban areas.

**Policy 4D:** Identify potential opportunities and selectively target, plan and promote development/reuse initiatives.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

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**Policy 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

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**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound

transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

### **Connections 2025 Map Policies**

**Multi-Family Residential (MF):** This category provides for multi-family housing at a density of 6 to 12 dwelling units per acre. The Multi-Family Residential classification accommodates housing types ranging from small-lot, single family detached and attached dwellings such as townhouses to moderate density, low-rise apartment dwellings.

**Mixed Use Residential (MUR):** This category applies to areas where the predominant use is residential and where compatible local-serving nonresidential uses may be introduced. The Mixed Use Residential classification accommodates a diverse mix of housing types and densities, while ensuring that buildings are of appropriate scale and intensity.

**Reinvestment Corridor:** Reinvestment Areas and Corridors represent priority opportunities for combined public and private sector reinvestment and the application of policies described in Section 4.5.1 (Reinvestment/Infill). More specifically, Reinvestment Corridors are older commercial corridors that would benefit from significant public and private investment to enhance their economic viability and strengthen adjacent neighborhoods.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Sustainability Action Plan***

#### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

#### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

#### **Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

#### **Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### ***Lindley Park Neighborhood Plan***

#### **Element 1) LAND USE:**

**Policy 1)** Define Boundaries Among Industrial and Other Nonresidential Land Uses.

**Policy 2)** Use Green Space to Define Land Use Boundaries.

**Policy 4)** Development of Neighborhood Commercial Nodes.

**Element 2) HOUSING:**

**Policy 1)** Maintain and Preserve the Quality of Existing Housing Stock.

**Policy 2)** Maintain and increase Owner-Occupied Residences.

**Element 3) CONSERVATION AND BEAUTIFICATION:**

**Policy 1)** Streetscaping and Appearance.

**Element 5) TRAFFIC & TRANSPORTATION:**

Policy 1) Speed, Volume and Accidents.

Policy 3) Pedestrian Accessibility Throughout the Neighborhood.

**Element 6) BUILDING THE COMMUNITY:**

**Policy 1)** Connections Among Diverse Stakeholders.

**Other Plans**

n/a

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of the Lindley Park Neighborhood, within which the subject site is located.

Based on the proximity of the subject site to marked bicycle lanes and signed Bicycle Routes 3 and 6, along Spring Garden Street, long term safety and accessibility for future residents, employees, and visitors of this proposed apartment complex would be greatly enhanced by provision of secure, convenient bicycle parking.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- New Markets Tax Credits (federal),
- Historically Under-utilized Business Zone tax credits (federal),
- Urban Development Investment Incentives (local), and
- Economic Development Impact Zone 1 (local).

**Staff Analysis**

This 3.09-acre subject site is currently developed with multifamily dwellings. North of the request is a combination of multifamily dwellings (RM-18) and undeveloped property (CD-RM-26). East and south of the request is multifamily dwellings (zoned RM-18 and CD-RM-18). West of the request is a combination of undeveloped property (RM-18) and an industrial use (LI).

The Lindley Park Neighborhood Plan's future land use map designates this area as Multifamily. The Multifamily category provides for multifamily housing at a density of 6 to 12 dwelling units per acre. The classification accommodates housing types ranging from small-lot, single-family detached and attached dwellings such as townhouses to moderate density,

low-rise apartment dwellings. In conjunction with the zoning application to allow increased dwelling units, the applicant filed a Comprehensive Plan amendment to revise the future land use category to Mixed Use Residential. The Mixed Use Residential category applies to areas where the predominant use is residential (at varying densities) and where compatible local-serving nonresidential uses may be introduced.

The property has been zoned for residential multifamily dwellings since December 9, 1996. The request to rezone is being made to transition existing four bedroom units into more desirable one and two bedroom units. The project as conditioned will be limited to a maximum of 80 residential dwelling units and will not result in either the expansion of existing principal structures or the addition of new principal structures. This will significantly limit any potential impacts on the surrounding area relative to what exists on the site currently.

As such, the request is compatible with adjacent residential development and supports the Comprehensive Plan's 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.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **PUD** (Planned Unit Development) zoning district.

**Zoning Statement for Rezoning  
2201 Spring Garden Street**

Date: October 18, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for the property located at **2201 Spring Garden Street** from **CD-O (Conditional District-Office)** to **PUD (Planned Unit Development)** to be **consistent** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It 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.</li> <li>2. The request is consistent with the Reinvestment Infill goal to promote sound investment in Greensboro's urban areas.</li> <li>3. The request does implement measures to protect neighborhoods from potential negative impacts.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent 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.</li> <li>2. The request is inconsistent with the Reinvestment Infill goal to promote sound investment in Greensboro's urban areas.</li> <li>3. Even with proposed conditions, the project is not compatible with surrounding properties.</li> <li>4. <b>Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

The minutes from the  
September 19, 2016  
Zoning Commission meeting  
are not yet available

## AMENDING OFFICIAL ZONING MAP

### 2201 SPRING GARDEN STREET, SOUTH OF SPRING GARDEN STREET AND WEST OF BITTING STREET

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

**Section 1.** The Official Zoning Map is hereby amended by original zoning from **CD-O** (Conditional District Office) to **PUD** (Planned Unit Development).

The area is described as follows:

BEING all of Lots 1 & 2 as shown on the Final Plat of the School At Spring Garden dated September 6, 1997 and recorded in Plat Book 126 at Page 137 in the Office of the Register of Deeds of Guilford County< North Carolina; TOGETHER WITH AND SUBJECT TO (1) that parking easement that is 25 feet in width for the benefit of Lot 2 over Lot 1, all shown on the Final Plat of the School at Spring Garden recorded in Plat Book 126 at Page 137 in Guilford County Registry.

**Section 2.** That the zoning amendment from **CD-O** (Conditional District Office) to **PUD** (Planned Unit Development) is hereby authorized subject to the following use limitations and conditions:

1. Uses are limited to a maximum of 80 residential multifamily dwelling units and accessory uses.
2. Maintain the existing principal structures without expansion.

**Section 3.** This property will be perpetually bound to the uses authorized and subject to the development standards of the **PUD** (Planned Unit Development) 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 October 18, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0719

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 25.

Ordinance Annexing Territory into the Corporate Limits for Property Located at 5405 Marley Drive - .60-Acres

Department: Planning

Council District: Nearest to District #1

Public Hearing: Yes

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman at 373-4649

Contact 2 and Phone: Sue Schwartz at 373-2149

### PURPOSE:

CMH Homes, Inc. has petitioned for annexation of their property located at 5405 Marley Drive. The City Council is required to hold a public hearing on this petition before considering its approval.

### BACKGROUND:

This property is within the Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. The site currently contains and will continue to contain a single family dwelling.

City water is available by connecting to the existing 12-inch line located within Knox Road. In order for this site to be served with water the owner would be responsible for all costs associated with connecting to the public line.

City sanitary sewer is available by either connecting to the existing 24-inch sewer line approximately 2,500 feet to the northeast or the 8-inch sewer line approximately 2,100 feet to the west. In order for this site to be served with sanitary sewer the owner would be responsible for all costs associated with connecting to the public line.

The City's Fire Department notes that this site is currently served by McLeansville Station #37 on Knox Road (north) and upon annexation will be served by City Station #57 on Mount Hope Church Road (west). Service to this location should improve, as more personnel will be available to respond. Single company responses and multi-unit responses should fall with the Department's Standard of Cover.

The Police Department estimates it can provide service with little difficulty.

Provision of other City services will involve a travel distance almost equal to that necessary to provide service to the previously-annexed property located to the north and west.

**BUDGET IMPACT:**

Initial service will be absorbed in the budget; future services will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its August meeting on a vote of 7-0. Accordingly, it is recommended that on October 18, 2016, the City Council hold a public hearing to receive public comment and to consider adoption of an ordinance annexing the above-mentioned property into the City of Greensboro.



**SATELLITE ANNEXATION PETITION**  
**FY 2016-2017**

Date 8-16-16

TO THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. We the undersigned, being all the owners of the real property described in Paragraph 2 below, respectfully request that such property be annexed to the City of Greensboro, pursuant to N.C.G.S. 160A-58.1.
2. The area to be annexed is non-contiguous to the City of Greensboro and within an area that the City of Greensboro is permitted to annex pursuant to N.C.G.S. 160A-58.1, and the boundaries of such territory to be annexed are described below by metes and bounds. (You may print "See Attached" and attach the description.)

"SEE ATTACHED"

3. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for water service.
4. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for sewer service.
5. We acknowledge that any zoning vested rights\*\* acquired pursuant to N.C.G.S. 160A-385.1 or N.C.G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such vested rights on this petition shall result in a termination of such vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

	<u>Print or Type Name and Address</u>	<u>Do you declare vested rights? **</u> (Indicate yes or no.)	<u>Signature</u>
1.	<u>Hugh T. Statum</u> <u>5000 Clayton Road</u> <u>Mahtville, TN 37804</u>	<u>NO</u>	<u>[Signature]</u>
2.	<u>J.P. C. M. H. Inc</u>	_____	_____
3.	_____	_____	_____

Important: Both husband and wife must sign, if applicable.

\*Acreage fees are not charged on land within an existing street or railroad right-of-way.

\*\*These are a special type of vested rights obtained only after the approval of a "site specific development plan" following a public hearing on that plan. Only a small number of plans have received such an approval.

Date Received: 8/22/16

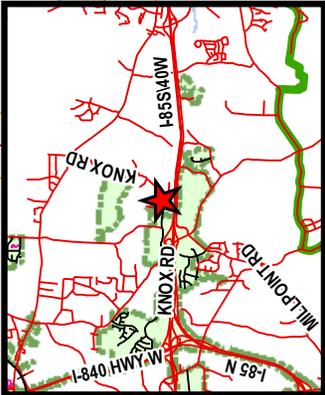
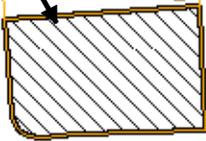
Received By: S. GALANTI

ANNEXATION BOUNDARY DESCRIPTION  
5405 MARLEY DRIVE

Beginning at an existing iron pipe at the northwest corner of Lot 1 of J. Harold Lowdermilk & Catherine B. Lowdermilk, as recorded in Plat Book 162, Page 132, in the Guilford County Register of Deeds Office, said pipe being in the southern right-of-way line of Knox Road and the eastern right-of-way line of Marley Drive; thence with said southern right-of-way line N 85° 51' 24" W 128.92 feet to the northeast corner of said lot; thence with the east line of said lot S 04° 05' 00" E 203.64 feet to the southeast corner of said lot; thence with the south line of said lot S 86° 17' 04" W 128.76 feet to the southwest corner of said lot; thence with the eastern right-of-way line of Marley Drive N 04° 07' 47" W 202.68 feet to the point and place of BEGINNING, being all of said Lot 1 and containing 0.60 acres.

PL(P) 16-17

Proposed Annexation  
5405 Marley Dr  
.60 Acres



1" = 200'

I-85S/40W

I-85N/40E

MARLEY DR

KNOX RD

KNOX RD

KNOX RD



North Carolina  
**Elaine F. Marshall**  
 Secretary

North Carolina  
**DEPARTMENT OF THE**  
**SECRETARY OF STATE**

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

Account  
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 Register

**Our web site will be unavailable starting on 8/12/2016 at 5:30 PM due to scheduled electrical maintenance.**

### Click Here To:

View Document Filings   File an Annual Report   Amend a Previous Annual Report  
 Print a Pre-Populated Annual Report form

### Corporate Names

**Legal:** CMH Homes, Inc.  
**Prev Legal:** Cmh of FI, Inc.

### Business Corporation Information

**SosId:** 0135510  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Foreign  
**Date Formed:** 3/1/1985  
**Fiscal Month:** December  
**State of Incorporation:** TN  
**Registered Agent:** CT Corporation System

### Corporate Addresses

**Reg Office:** 150 Fayetteville St., Box 1011  
 Raleigh, NC 27601-2957  
**Reg Mailing:** 150 Fayetteville St., Box 1011  
 Raleigh, NC 27601-2957  
**Principal Office:** 5000 Clayton Road  
 Maryville, TN 37804-5550  
**Mailing:** PO Box 4098  
 Maryville, TN 37802-4098

### Officers

**Assistant Secretary:** Nathan Britt  
 5000 Clayton Rd.  
 Maryville TN 37804  
**Treasurer:** Nathan Britt  
 5000 Clayton Rd.  
 Maryville TN 37804  
**Vice President:** Hugh T Statum , III  
 5000 Clayton Road  
 Maryville TN 37804  
**Secretary:** Hugh T Statum , III  
 5000 Clayton Road  
 Maryville TN 37804  
**President:** Danny Warrick  
 5000 Clayton Rd.  
 Maryville TN 37801

### Stock

**PARTIAL MINUTES FOR THE  
MEETING OF THE  
GREENSBORO PLANNING BOARD  
AUGUST 17, 2016**

The Greensboro Planning Board meeting was held on Wednesday, August 17, 2016 at 4:05 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair, Steve Allen, Richard Mossman, Day Atkins, Homer Wade, John Martin and Celia Parker. City staff present included Steve Galanti, Hanna Cockburn, Sheila Stains-Ramp, Shayna Thiel, Jeff Sovich, and Lucas Carter. Also present was Jennifer Schneier, City Attorney's Office.

**ANNEXATIONS:**

**PL(P) 16-16: PROPOSED ANNEXATION OF 3436 RANDLEMAN ROAD, APPROXIMATELY 0.97 ACRES. (RECOMMENDED)**

Lucas Carter stated that the property is located within the Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan, and that it is not contiguous to the City's primary corporate limits. The request was sent to the City's service providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of this annexation.

Mr. Allen moved to recommend the annexation to City Council, seconded by Mr. Mossman. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Martin, Wade, Mossman, Atkins, Parker and Allen. Nays: None.)

**PL(P) 16-17 PROPOSED SATELLITE ANNEXATION OF 5405 MARLEY DRIVE, APPROXIMATELY 0.60 ACRES. (RECOMMENDED)**

Lucas Carter stated that the property is located within the Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan, and that it is not contiguous to the City's primary corporate limits. The request was sent to the City's service providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of this annexation.

Mr. Allen moved to recommend the annexation to City Council, seconded by Ms. Parker. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Atkins, Wade, Mossman, Martin, Parker and Allen. Nays: None.)

**APPROVAL OF ABSENCES**

The absence of Mr. Bryson and Ms. Brame were acknowledged as excused.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 4:45 pm.

Respectfully submitted,

Sue Schwartz, FAICP  
Planning Department, Director

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS  
(PROPERTY LOCATED AT 5405 MARLEY DRIVE – .60 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after October 18, 2016, the liability for municipal taxes for the 2016-2017 fiscal year shall be prorated on the basis of 8/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2017. Municipal ad valorem taxes for the 2017-2018 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF GREENSBORO:

That Tuesday, October 18, 2016 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 8, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0793

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 26.

Ordinance Establishing Original Zoning for Property Located at 5405 Marley Drive

Department: Planning

Council District: Proximate to District 1

Public Hearing: October 18, 2016

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

Clayton Homes on behalf of CMH Homes Inc is requesting original zoning from **County RS-40** (Residential Single Family) to **City R-3** (Residential Single Family) for property located at 5405 Marley Drive, generally described as south of Knox Road and east of Marley Drive.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **October 18, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on September 19, 2016, the Zoning Commission voted 8-0 to recommend approval of this request. One person spoke in favor of the request and two in opposition. (See attachment B: Minutes of the September 19, 2016 Zoning Commission meeting). This request is associated with a voluntary annexation petition.

This request addresses the following MAP Goals:

### **MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

### **BUDGET IMPACT:**

This item will have no budget impact.

### **RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 8-0 to **recommend approval** of this request.

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

- Request is consistent with the **Growth at the Fringe** goal to promote sound,

sustainable land use patterns that provide for the efficient provision of public services and facilities.

- 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.



PL(Z) 16-15

KNOX RD

MARLEY DR

KNOX RD

KIVETT DAIRY RD

KNOX RD

I-85S\40W

I-85N\40E

MILLSTREAM RD

I-85S\40W

Original Zoning Request  
from County RS-40 to City R-3  
.60 Acres



1" = 300'





Z-16-09-003

City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation

City Council Hearing Date: October 18, 2016

**GENERAL INFORMATION**

**APPLICANT** Clayton Homes on behalf of CMH Homes Inc

**HEARING TYPE** Original Zoning Request

**REQUEST** **County RS-40** (Residential Single-Family) to **City R-3** (Residential Single Family)

**CONDITIONS** N/A

**LOCATION** **5405 Marley Drive**

**PARCEL ID NUMBER(S)** **8804718733**

**PUBLIC NOTIFICATION** The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **21** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~0.6 Acres

**TOPOGRAPHY** Primarily flat

**VEGETATION** Residential

**SITE DATA**

<b>Existing Use</b>	Single family dwelling	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	County AG (Agricultural)	Undeveloped
E	County RS-40 (Residential Single-Family)	Single family dwellings
W	County RS-40 (Residential Single-Family)	Single family dwellings

S County RS-40 (Residential Single-Family) Single family dwellings and undeveloped

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City's planning jurisdiction.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (County RS-40)	Requested (City R-3)
Max. Density:	1.0 units per gross acre	3.0 units per gross acre
Typical Uses	Primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and wastewater services.	Primarily intended to accommodate low-density single-family detached residential development.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

n/a

**Environmental/Soils**

Water Supply Watershed Site drains to Lake MacIntosh Watersupply Watershed, Little Alamance Creek

Floodplains N/A

Streams N/A

Other: If the total area minus the street r/w divided by the number of house lots equals 20,000sf or more, then the lot is considered Low Density development.

**Utilities**

Potable Water Available

Waste Water Sewer is currently not available to this property. Contact Kenny Treadway 336-373-2897 for a sewer feasibility to serve this property.

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Landscaping and Tree Conservation not required for single-family development.

**Transportation**

Street Classification: Knox Drive – Minor Thoroughfare.  
Marley Drive – Local Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None Available.

Trip Generation: No.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **R-3 (Residential, Single-Family – 3 du/ac)** zoning would allow land uses that are compatible with the general character of the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Mixed Use Corporate Park**. The requested **R-5 (Residential, Single-Family – 5 du/ac)** zoning is generally consistent with the **Mixed Use Corporate Park** Future Land Use designation. The Growth Strategy Map designates the subject site as being within **Growth Tier 1, Current Growth**

**Area (2013 – 2019).****Connections 2025 Written Policies**

**Land Use Goal 4.3 – Growth at the Fringe:** Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

**Policy 4F:** Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and
- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

**Policy 4G:** Improve the quality and patterns of development through incentives and regulatory guidelines.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Housing and Neighborhoods, Goal 6:** 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.

**Policy 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**Economic Development, Goal 7:** 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.

**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

**Connections 2025 Map Policies**

**Mixed Use Corporate Park:** This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels, and residential. Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly should be placed in a campus-like or "corporate park" setting with generous, linked open space to maximize value and to promote visual quality and compatibility with the surrounding area. Pedestrian-friendly features such as buildings placed near the street, sidewalks, and trails leading to nearby uses such as retail and housing should be encouraged.

**Growth Tier 1, Current Growth Area (2013 – 2019):** Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next six years.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Sustainability Action Plan***

##### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

##### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

##### **Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

##### **Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### **Other Plans**

n/a

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties.

The subject site is located within the area(s) eligible for the following economic development

incentive or assistance program(s):

- Economic Development Impact Zone 2 (local).

### **Staff Analysis**

This 0.6-acre subject site is currently a single family dwelling. North of the request is undeveloped property (zoned County AG). West, south and east of the request are primarily single family dwellings (zoned County RS-40).

The Comprehensive Plan's future land use map designates this area as Mixed Use Corporate Park. This designation is intended for large tracts of undeveloped land near the City's fringe that are appropriate for well planned, larger scale business/employment parks with supporting uses such as retail, hotels and residential.

The R-3 Residential Single-Family district is primarily intended to accommodate low density single-family detached residential development with a gross density of 3.0 units per acre or less. This request will allow the current single family dwelling to connect to public infrastructure and will remain compatible with adjacent development. The R-3 zoning district is the least intense single family zoning district in the City and is the closest equivalent to the existing County zoning for this property.

The request supports the Comprehensive Plan's 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. It also provides a development framework for the fringe to guide sound, sustainable patterns of land use, limits sprawl and provide for efficient provision of public services and facilities as the City expands.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

### **Staff Recommendation**

Staff recommends **approval** of the requested **R-3** (Residential Single-Family) zoning district.

**Zoning Statement for Original Zoning  
5405 Marley Drive**

Date: October 18, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for the property located at **5405 Marley Drive** from **County RS-40 (Residential Single-Family)** to **City R-3 (Residential Single-Family)** to be **consistent** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It is consistent with the Growth at the fringe goal to promote sound investment and sustainable patterns of land use.</li> <li>2. The request is consistent with the Housing and Neighborhood goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable livable neighborhoods.</li> <li><b>3. Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent with the Growth at the Fringe Goal to promote sound and sustainable patterns of land use.</li> <li>2. The request is inconsistent with the Housing and Neighborhood goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable livable neighborhoods.</li> <li><b>3. Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

The minutes from the  
September 19, 2016  
Zoning Commission meeting  
are not yet available

## AMENDING OFFICIAL ZONING MAP

### 5405 MARLEY DRIVE, SOUTH OF KNOX ROAD AND EAST OF MARLEY DRIVE

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

**Section 1.** The Official Zoning Map is hereby amended by original zoning from **County RS-40 (Residential Single Family)** to **City R-3 (Residential Single Family)**.

The area is described as follows:

“Beginning at an existing iron pipe at the northwest corner of Lot 1 of J. Harold Lowdermilk & Catherine B. Lowdermilk, as recorded in Plat Book 162, Page 132, in the Guilford County Register of Deeds Office, said pipe being in the southern right-of-way line of Knox Road and the eastern right-of-way line of Marley Drive; thence with said southern right-of-way line N 85° 51' 24" W 128.92 feet to the northeast corner of said lot; thence with the east line of said lot S 04° 05' 00" E 203.64 feet to the southeast corner of said lot; thence with the south line of said lot S 86° 17' 04" W 128.76 feet to the southwest corner of said lot; thence with the eastern right-of-way line of Marley Drive N 04° 07' 47" W 202.68 feet to the point and place of BEGINNING, being all of said Lot 1 and containing 0.60 acres.”

**Section 2.** This property will be perpetually bound to the uses authorized and subject to the development standards of the **R-3 (Residential Single Family)** 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 3.** 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 4.** This ordinance shall be effective on October 18, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0720

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 27.

Ordinance Annexing Territory into the Corporate Limits for Property Located at 3436 Randleman Road - .97-Acres

Department: Planning

Council District: Nearest to District #1

Public Hearing: Yes

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman at 373-4649

Contact 2 and Phone: Sue Schwartz at 373-2149

### PURPOSE:

Phillip and Dianne McMillan have petitioned for annexation of their property located at 3436 Randleman Road. The City Council is required to hold a public hearing on this petition before considering its approval.

### BACKGROUND:

This property is within the Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. The site currently contains and will continue to contain a single family dwelling.

City water is available by connecting to the existing 8-inch line located within Randleman Road. In order for this site to be served with water the owner would be responsible for all costs associated with connecting to the public line.

City sanitary sewer is available by connecting to the existing 8-inch line located to approximately 600 feet to the south. In order for this site to be served with sanitary sewer the owner would be responsible for all costs associated with connecting to the public line.

The City's Fire Department notes that this site is currently served by City Station #61 on West Vandalia Road (north) and County Station #24 on Bishop Road (west) and will continue to be served by City Station #61 upon annexation. Single unit incidents will remain the same. Multi-company incidents will improve and should fall with the Department's Standard of Cover.

The Police Department estimates can provide service with little difficulty.

Provision of other City services will involve a travel distance almost equal to that necessary to provide service to the previously-annexed property located to the north, east and south.

**BUDGET IMPACT:**

Initial service will be absorbed in the budget; future services will have an incremental effect on future budgets.

**RECOMMENDATION / ACTION REQUESTED:**

The Technical Review Committee (TRC) recommended this annexation to the Planning Board and to City Council. The Planning Board recommended this annexation at its August meeting on a vote of 7-0. Accordingly, it is recommended that on October 18, 2016, the City Council hold a public hearing to receive public comment and to consider adoption of an ordinance annexing the above-mentioned property into the City of Greensboro.

SATELLITE ANNEXATION PETITION  
FY 2015

Date 7-7-16

TO THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. We the undersigned, being all the owners of the real property described in Paragraph 2 below, respectfully request that such property be annexed to the City of Greensboro, pursuant to N.C.G.S. 160A-58.1.
2. The area to be annexed is non-contiguous to the City of Greensboro and within an area that the City of Greensboro is permitted to annex pursuant to N.C.G.S. 160A-58.1, and the boundaries of such territory to be annexed are described below by metes and bounds. (You may print "See Attached" and attach the description.)

"SEE ATTACHED"

3. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for water service.
4. Attached is A) payment or B) proof of payment (circle one) to the City of Greensboro or Guilford County of an acreage fee of five hundred eighty dollars (\$580) per acre\* for sewer service.
5. We acknowledge that any zoning vested rights\*\* acquired pursuant to N.C.G.S. 160A-385.1 or N.C.G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such vested rights on this petition shall result in a termination of such vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

	<u>Do you declare vested rights?*</u> (Indicate yes or no.)	<u>Signature</u>
1. <u>Phillip McMillan</u> <u>NO</u> <u>3436 Randleman Rd</u> <u>Greensboro, NC 27406</u>		<u>Phillip McMillan</u>
2. <u>Dianne McMillan</u> <u>NO</u> <u>3436 Randleman Rd</u> <u>Greensboro, NC 27406</u>		<u>Dianne McMillan</u>
3. _____		_____
_____		_____
_____		_____

Important: Both husband and wife must sign, if applicable.

\*Acreage fees are not charged on land within an existing street or railroad right-of-way.

\*\*These are a special type of vested rights obtained only after the approval of a "site specific development plan" following a public hearing on that plan. Only a small number of plans have received such an approval.

Date Received: 7-7-16 Received By: L. Carver

ANNEXATION BOUNDARY  
3436 RANDLEMAN ROAD

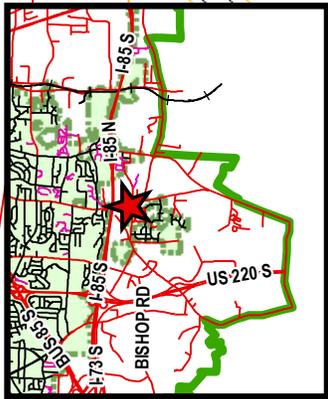
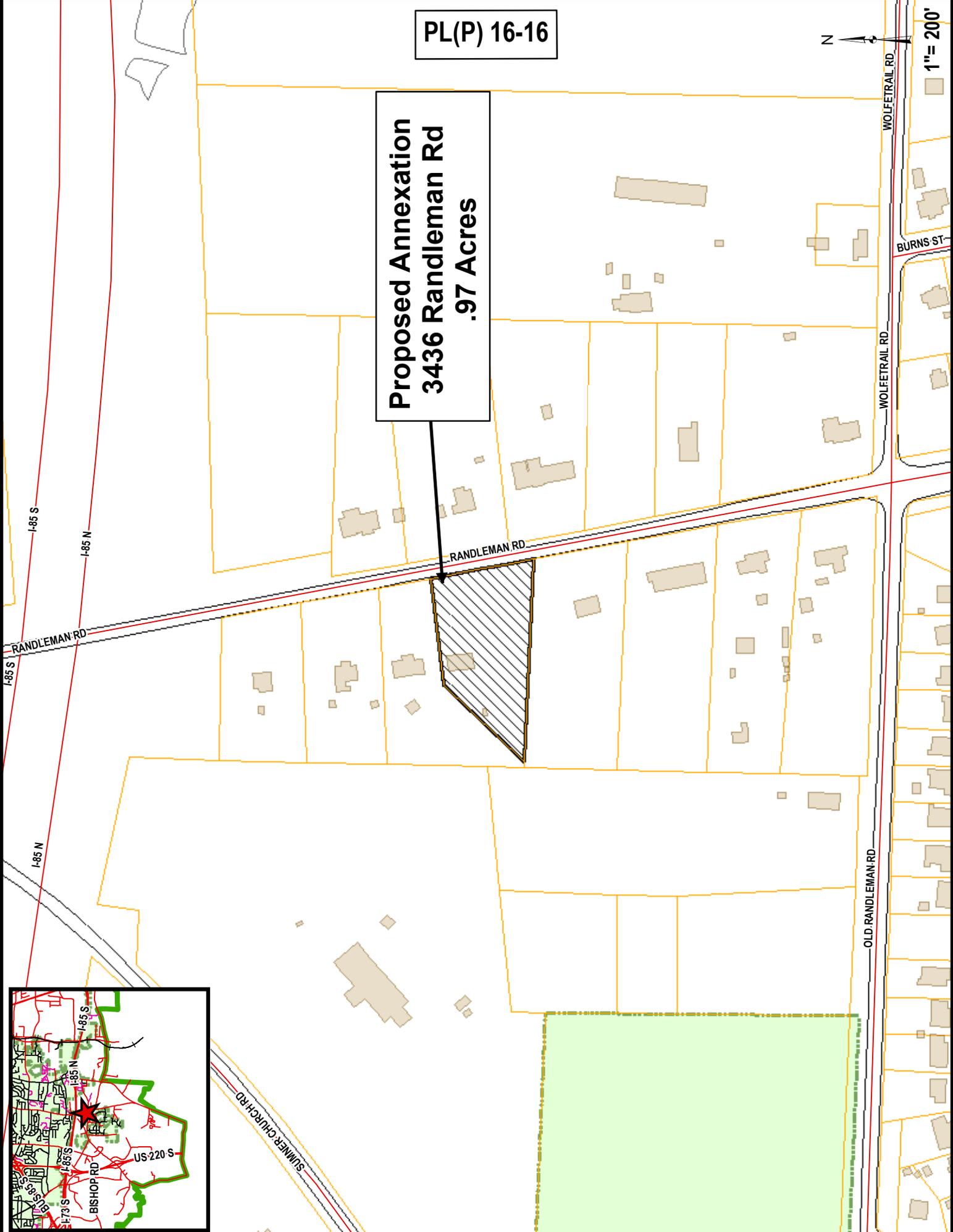
BEGINNING at the northeast corner of Lot B of Recombination Survey for: Herbert J. Rankin & Madeline Pitts, recorded at Plat Book 132, Page 123; thence with the western right-of-way line of Randleman Road S  $09^{\circ} 08' 02''$  E 78.94 feet to a point; thence continuing with said right-of-way line S  $09^{\circ} 08' 52''$  E 101.70 feet to the southeast corner of said lot; thence with the southern line of said lot S  $13^{\circ} 00' 17''$  W 354.87 feet to its southwest corner; thence with the western line of said lot N  $00^{\circ} 32' 10''$  E 9.70 feet to its northwest corner; thence with the northern line of said lot the following three courses and distances: 1) S  $89^{\circ} 27' 50''$  E 10.00 feet to a point, 2) N  $47^{\circ} 10' 32''$  E 195.45 feet to a point, and 3) N  $84^{\circ} 16' 22''$  E 173.10 feet to the point and place of BEGINNING, being all of said Lot B, and containing approximately 0.97 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

PL(P) 16-16



1" = 200'

Proposed Annexation  
3436 Randleman Rd  
.97 Acres



**PARTIAL MINUTES FOR THE  
MEETING OF THE  
GREENSBORO PLANNING BOARD  
AUGUST 17, 2016**

The Greensboro Planning Board meeting was held on Wednesday, August 17, 2016 at 4:05 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair, Steve Allen, Richard Mossman, Day Atkins, Homer Wade, John Martin and Celia Parker. City staff present included Steve Galanti, Hanna Cockburn, Sheila Stains-Ramp, Shayna Thiel, Jeff Sovich, and Lucas Carter. Also present was Jennifer Schneier, City Attorney's Office.

**ANNEXATIONS:**

**PL(P) 16-16: PROPOSED ANNEXATION OF 3436 RANDLEMAN ROAD, APPROXIMATELY 0.97 ACRES. (RECOMMENDED)**

Lucas Carter stated that the property is located within the Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan, and that it is not contiguous to the City's primary corporate limits. The request was sent to the City's service providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of this annexation.

Mr. Allen moved to recommend the annexation to City Council, seconded by Mr. Mossman. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Martin, Wade, Mossman, Atkins, Parker and Allen. Nays: None.)

**PL(P) 16-17 PROPOSED SATELLITE ANNEXATION OF 5405 MARLEY DRIVE, APPROXIMATELY 0.60 ACRES. (RECOMMENDED)**

Lucas Carter stated that the property is located within the Growth Tier 1 on the Growth Strategy map in the Comprehensive Plan, and that it is not contiguous to the City's primary corporate limits. The request was sent to the City's service providers for their review and there were no issues raised. The Technical Review Committee (TRC) recommended approval of this annexation.

Mr. Allen moved to recommend the annexation to City Council, seconded by Ms. Parker. The Board voted 7-0 in favor of the motion. (Ayes: Isaacson, Atkins, Wade, Mossman, Martin, Parker and Allen. Nays: None.)

**APPROVAL OF ABSENCES**

The absence of Mr. Bryson and Ms. Brame were acknowledged as excused.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 4:45 pm.

Respectfully submitted,

Sue Schwartz, FAICP  
Planning Department, Director

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS  
(PROPERTY LOCATED AT 3436 RANDLEMAN ROAD - .97 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northeast corner of Lot B of Recombination Survey for: Herbert J. Rankin & Madeline Pitts, recorded at Plat Book 132, Page 123; thence with the western right-of-way line of Randleman Road S 09° 08' 02" E 78.94 feet to a point; thence continuing with said right-of-way line S 09° 08' 52" E 101.70 feet to the southeast corner of said lot; thence with the southern line of said lot S 13° 00' 17" W 354.87 feet to its southwest corner; thence with the western line of said lot N 00° 32' 10" E 9.70 feet to its northwest corner; thence with the northern line of said lot the following three courses and distances: 1) S 89° 27' 50" E 10.00 feet to a point, 2) N 47° 10' 32" E 195.45 feet to a point, and 3) N 84° 16' 22" E 173.10 feet to the point and place of BEGINNING, being all of said Lot B, and containing approximately 0.97 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of five hundred eighty dollars (\$580.00) per acre for water service and five hundred eighty dollars (\$580.00) per acre for sewer service immediately prior to the time of annexation, provided that each of these utilities are available at the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after October 18, 2016, the liability for municipal taxes for the 2016-2017 fiscal year shall be prorated on the basis of 8/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2017. Municipal ad valorem taxes for the 2017-2018 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective upon adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF GREENSBORO:

That Tuesday, October 18, 2016 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 8, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0792

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 28.

Ordinance Establishing Original Zoning for Property Located at 3436 Randleman Road

Department: Planning

Council District: Proximate to District 1

Public Hearing: October 18, 2016

Advertising Date/By: October 6 and 13, 2016/City Clerk

Contact 1 and Phone: Mike Kirkman 373-4649

Contact 2 and Phone: Sue Schwartz 373-2149

### **PURPOSE:**

Lisa McMillan, on behalf of Phillip M and Dianne T McMillan, is requesting original zoning from **County RS-40** (Residential Single Family) to **City R-3** (Residential Single Family) for property located at 3436 Randleman Road, generally described as west of Randleman Road and south of I-85.

As this request is associated with a voluntary annexation petition, the City Council will conduct a public hearing to consider and take action on this request at its **October 18, 2016** meeting.

### **BACKGROUND:**

Following a public hearing on September 19, 2016, the Zoning Commission voted 9-0 to recommend approval of this request. One person spoke in favor of the request and none in opposition. (See attachment B: Minutes of the September 19, 2016 Zoning Commission meeting). This request is associated with a voluntary annexation petition.

This request addresses the following MAP Goals:

### **MAP Goal 2 - Maintain infrastructure and provide sustainable growth opportunities**

### **BUDGET IMPACT:**

This item will have no budget impact.

### **RECOMMENDATION / ACTION REQUESTED:**

The Zoning Commission voted 9-0 to **recommend approval** this request.

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

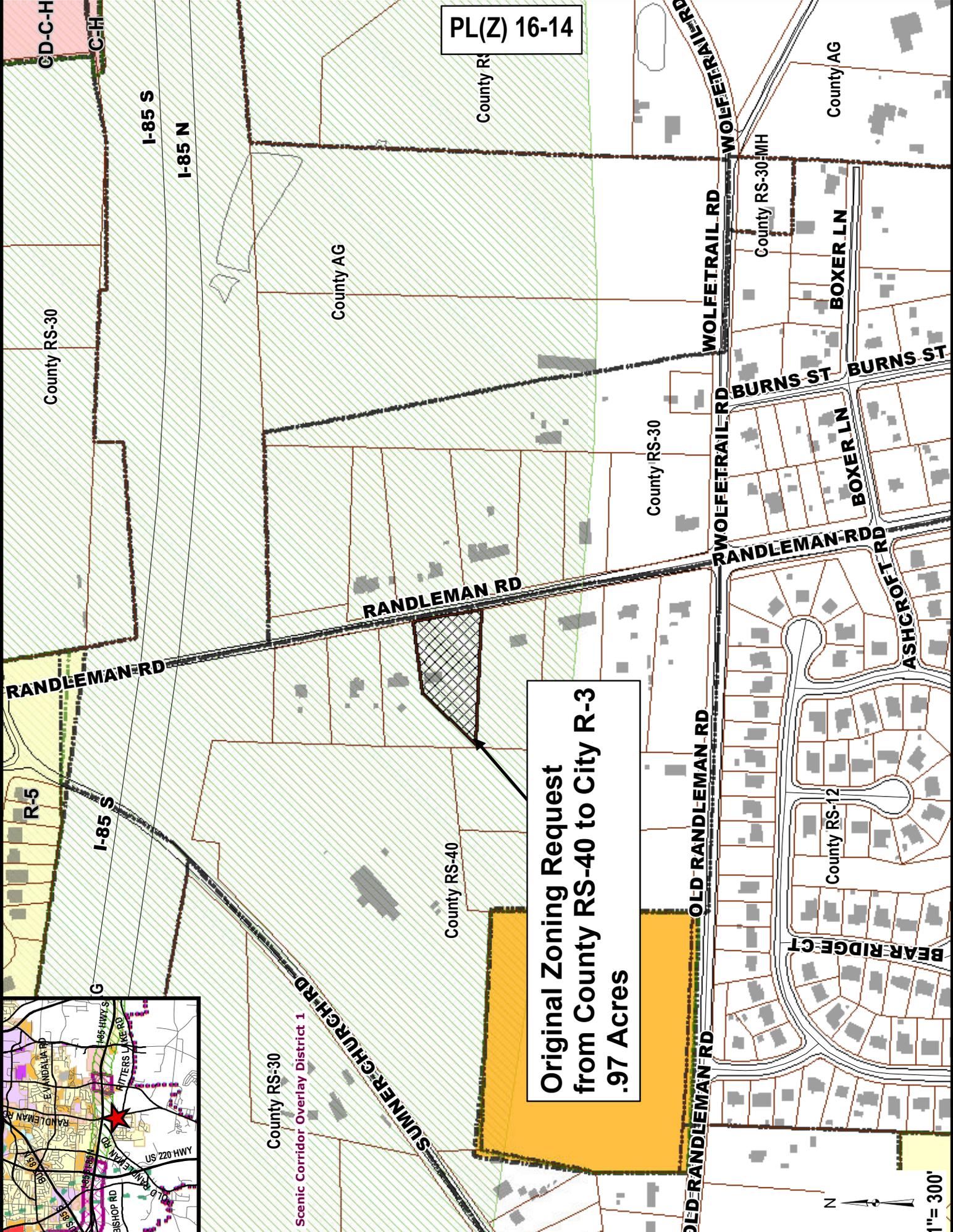
- Request is consistent with the **Growth at the Fringe** goal to promote sound,

sustainable land use patterns that provide for the efficient provision of public services and facilities.

- 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.

PL(Z) 16-14

Original Zoning Request  
from County RS-40 to City R-3  
.97 Acres



County RS-30  
Scenic Corridor Overlay District 1



1" = 300'

PL(Z) 16-14



Original Zoning Request  
from County RS-40 to City R-3  
.97 Acres





Z-16-09-001

**City of Greensboro Planning Department  
Zoning Staff Report and Plan Amendment Evaluation**

**City Council Hearing Date: October 18, 2016**

**GENERAL INFORMATION**

**APPLICANT** Lisa McMillan on behalf of Phillip M and Dianne T McMillan

**HEARING TYPE** Original Zoning Request

**REQUEST** **County RS-40** (Residential Single-Family) to **City R-3** (Residential Single Family)

**CONDITIONS** N/A

**LOCATION** **3436 Randleman Road**

**PARCEL ID NUMBER(S)** **7861196256**

**PUBLIC NOTIFICATION** The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). **19** notices were mailed to those property owners in the mailing area.

**TRACT SIZE** ~0.97 Acres

**TOPOGRAPHY** Primarily flat

**VEGETATION** Residential

**SITE DATA**

<b>Existing Use</b>	Single family dwelling
<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N County RS-40 (Residential Single-Family)	Single family dwellings
E County RS-30 (Residential Single-Family)	Single family dwellings
W County RS-40(Residential Single-Family)	Single family dwellings

S County RS-40 (Residential Single-Family) Single family dwellings

**Zoning History**

Case #	Date	Request Summary
N/A	N/A	The subject property is not currently located in the City’s planning jurisdiction.

**ZONING DISTRICT STANDARDS**

Zoning District Designation:	Existing (County RS-40)	Requested (City R-3)
Max. Density:	1.0 units per gross acre	3.0 units per gross acre
Typical Uses	Primarily intended to accommodate single-family detached dwellings on large lots in areas without access to public water and wastewater services.	Primarily intended to accommodate low-density single-family detached residential development.

**District Summary \***

*\*These regulations may not reflect all requirements for all situations; see the City of Greensboro Development Ordinance for all applicable regulations for site requirements for this zoning district.*

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The subject site is located within the SCOD-1 (Scenic Corridor Overlay District 1) of the Greensboro Urban Loop. Consult the Scenic Corridor Overlay Districts Design Manual, for detailed applicable requirements and design guidelines.

**Environmental/Soils**

Water Supply Watershed Site drains to South Buffalo Creek non-watersupply watershed

Floodplains N/A

Streams N/A

Other: If >1 acre is disturbed and an increase in BUA is to take place, site must meet Phase 2 requirements. Water quality and water quantity must be addressed. BUA must be treated by a State approved water quality BMP.

**Utilities**

Potable Water Available

Waste Water Sewer is currently not available to this property. Contact Kenny Treadway

336-373-2897 for a sewer feasibility to serve this property.

**Airport Noise Cone**

n/a

**Landscaping & Tree Conservation Requirements**

Landscaping and Tree Conservation not required for single-family development.

**Transportation**

Street Classification: Randleman Road – Major Thoroughfare.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None Available.

Trip Generation: No.

Sidewalks: Sidewalks are a requirement of the Development Ordinance. 5' sidewalk with a 5' grass strip is required along both sides of thoroughfares. 5' sidewalk with a 3' grass strip is required along one side (at a minimum, collectors may require sidewalk on both sides) of all other street types. Sidewalk does not exist along the frontage of this property.

Transit in Vicinity: No.

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT ANALYSIS**

**Land Use Compatibility**

The proposed **R-3 (Residential, Single-Family – 3 du/ac)** zoning would allow land uses that are compatible with the general character of the area.

**Connections 2025 Comprehensive Plan Policies**

The Generalized Future Land Use Map designates this location as **Mixed Use Residential**. The requested **R-3 (Residential, Single-Family – 3 du/ac)** zoning is generally consistent with the **Mixed Use Residential** Future Land Use designation. The Growth Strategy Map designates the subject site as being within **Growth Tier 1, Current Growth Area (2013 – 2019)**.

**Connections 2025 Written Policies**

**Land Use Goal 4.3 – Growth at the Fringe:** Provide a development framework for the fringe that guides sound, sustainable patterns of land use, limits sprawl, protects rural character, evidences sound stewardship of the environment, and provides for efficient provision of public services and facilities as the City expands. Development will increase density and mix land uses at a pedestrian scale with sidewalks, bikeways, and where possible, public transit.

**Policy 4F:** Initiate a fringe area growth management framework comprising the following elements:

- Create a Fringe Area Land Use Plan;
- Establish a “tiered” approach that designates growth areas for staged development, annexation, and extension of public facilities within the water and sewer service boundary;
- Define specific criteria for water and sewer extensions and annexations;
- Initiate designation of the fringe as Greensboro's extraterritorial jurisdiction; and
- Establish a proactive plan to provide infrastructure in advance of development, consistent with the growth “tiers” and Fringe Area Land Use Concept Plan.

**Policy 4G:** Improve the quality and patterns of development through incentives and regulatory guidelines.

**Community Character, Goal 5.2 – Man-Made Environment:** Preserve and enhance the character and visual quality of Greensboro's built environment, including historic resources, private developments, and public landscapes.

**Policy 5E:** Improve the aesthetic quality of publicly owned and maintained landscapes.

**Policy 5F:** Implement and improve design standards governing the appearance of development from public roadways.

**Housing and Neighborhoods, Goal 6:** 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.

**Policy 6C:** Promote the diversification of new housing stock to meet the needs of all citizens for suitable, affordable housing.

**Economic Development, Goal 7:** 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.

**Policy 7A:** Target city investment and regulatory policies for economic development.

**Policy 7C:** Ensure that city land use policies and regulations allow for an adequate supply of land to accommodate economic development.

**Transportation, Goal 8:** Develop and maintain a safe, efficient, and environmentally sound transportation system that provides convenient choices for accessing destinations throughout Greensboro and the Triad, including a range of well-integrated transit, pedestrian, and bicycle linkages.

**Policy 8A:** Maintain a roadway network that safely and efficiently accommodates vehicular traffic while supporting other community objectives defined in the Comprehensive Plan.

**Connections 2025 Map Policies**

**Mixed Use Residential:** This designation applies to neighborhoods or districts where the City Council Public Hearing

predominant use is residential and where substantial, compatible local-serving nonresidential uses may be introduced. Such use mixes are typically found in older, in-town neighborhoods that accommodate "corner stores" and other local services, as well as in newly developed traditional neighborhood developments (TNDs). This district is also applied in areas suited to a diverse mix of housing types and densities. Ensuring that buildings are of the appropriate scale and intensity is critical.

**Growth Tier 1, Current Growth Area (2013 – 2019):** Where infrastructure systems are in place, can be economically provided and/or will be proactively extended and where continued annexation and consolidation of the City's development pattern shall be encouraged over the next six years.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

#### ***Sustainability Action Plan***

##### **Element 1) Transportation and Land Use:**

**Policy 1)** Encourage increased density, a mix of land uses and more integrated links between transportation and land use through changes to Greensboro's Comprehensive Plan, Development Ordinance and other related plans.

##### **Element 2) Green Jobs and Buildings:**

**Policy 3)** Develop a coordinated City program to provide technical support, energy audits and education and outreach to increase energy efficiency and conservation in commercial and residential buildings.

**Policy 4)** Use a combination of code changes, incentives, partnerships and education to promote green building in Greensboro.

**Policy 6)** Promote more efficient use of water through education, partnerships and pilot projects.

##### **Element 3) Waste Reduction and Recycling:**

**Policy 7)** Employ a combination of expanded recycling infrastructure, regulations and incentives to increase Greensboro's solid waste diversion and recycling rates.

##### **Element 6) Education and Outreach:**

**Policy 11)** Provide technical support, awards and recognition to individuals and organizations furthering Greensboro's energy and sustainability efforts.

### **Other Plans**

n/a

## **STAFF ANALYSIS AND RECOMMENDATION**

### **Community Outreach**

Applicant is strongly encouraged to discuss this proposed original zoning with owners of surrounding properties.

The subject site is located within the area(s) eligible for the following economic development incentive or assistance program(s):

- Economic Development Impact Zone 2.

**Staff Analysis**

This 0.97-acre subject site is currently a single family dwelling. North, west and south of the request are single family dwellings (zoned County RS-40). South of the request is a single family dwelling (zoned County RS-30).

The Comprehensive Plan's future land use map designates this area as Mixed Use Residential. The Mixed Use Residential designation applies to neighborhoods or districts where the predominant use is residential and where substantial, compatible local-serving non-residential uses may be introduced.

The R-3 Residential Single-Family district is primarily intended to accommodate low density single-family detached residential development with a gross density of 3.0 units per acre or less. This request will allow the current single family dwelling to connect to public infrastructure and will remain compatible with adjacent development. The R-3 zoning district is the least intense single family zoning district in the City and is the closest equivalent to the existing County zoning for this property.

The request supports the Comprehensive Plan's 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. It also provides a development framework for the fringe to guide sound, sustainable patterns of land use, limits sprawl and provide for efficient provision of public services and facilities as the City expands.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (Connections 2025) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **R-3** (Residential Single-Family) zoning district.

**Zoning Statement for Original Zoning  
3436 Randleman Road**

Date: October 18, 2016

**Zoning Amendment Statement by City Council on Consistency with  
Adopted Comprehensive Plan**

The **Greensboro City Council** believes that its action to **approve/deny** the zoning amendment, for the property located at **3436 Randleman Road** from **County RS-40 (Residential Single-Family)** to **City R-3 (Residential Single-Family)** to be **consistent** with the adopted Connections 2025 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. It is consistent with the Growth at the fringe goal to promote sound investment and sustainable patterns of land use.</li> <li>2. The request is consistent with the Housing and Neighborhood goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable livable neighborhoods.</li> <li><b>3. Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>	<ol style="list-style-type: none"> <li>1. It is inconsistent with the Growth at the Fringe Goal to promote sound and sustainable patterns of land use.</li> <li>2. The request is inconsistent with the Housing and Neighborhood goal to meet the needs of present and future Greensboro citizens for a choice of decent, affordable housing in stable livable neighborhoods.</li> <li><b>3. Other factors raised at the public hearing, if applicable</b> (describe)</li> </ol>

The minutes from the  
September 19, 2016  
Zoning Commission meeting  
are not yet available

## AMENDING OFFICIAL ZONING MAP

### 3436 RANDLEMAN ROAD, WEST OF RANDLEMAN ROAD AND SOUTH OF I-85

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

**Section 1.** The Official Zoning Map is hereby amended by original zoning from **County RS-40 (Residential Single Family)** to **City R-3 (Residential Single Family)**.

The area is described as follows:

“BEGINNING at the northeast corner of Lot B of Recombination Survey for: Herbert J. Rankin & Madeline Pitts, recorded at Plat Book 132, Page 123; thence with the western right-of-way line of Randleman Road S 09° 08' 02" E 78.94 feet to a point; thence continuing with said right-of-way line S 09° 08' 52" E 101.70 feet to the southeast corner of said lot; thence with the southern line of said lot S 13° 00' 17" W 354.87 feet to its southwest corner; thence with the western line of said lot N 00° 32' 10" E 9.70 feet to its northwest corner; thence with the northern line of said lot the following three courses and distances: 1) S 89° 27' 50" E 10.00 feet to a point, 2) N 47° 10' 32" E 195.45 feet to a point, and 3) N 84° 16' 22" E 173.10 feet to the point and place of BEGINNING, being all of said Lot B, and containing approximately 0.97 acres. The plat referred to hereinabove is recorded in the Office of the Register of Deeds of Guilford County”

**Section 2.** This property will be perpetually bound to the uses authorized and subject to the development standards of the **R-3 (Residential Single Family)** 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 3.** 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 4.** This ordinance shall be effective on October 18, 2016.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0810

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 29.

Ordinance to Change Name of West Lee Street, off West Gate City Boulevard, to Binford Street

Department: Planning

Council District: District: 4

Public Hearing: Yes

Advertising Date/By: N/A

Contact 1 and Phone: Mike Kirkman at 373-4649

Contact 2 and Phone: Sue Schwartz at 373-2149

**Note: Item is Public Hearing but does not need to be advertised**

### **PURPOSE:**

To change the name of the remaining portion of West Lee Street to Binford Street as initiated by City Council.

### **BACKGROUND:**

At their August 16, 2016 meeting, the Greensboro City Council initiated a request to rename the remaining portion of West Lee Street, off West Gate City Boulevard, to Binford Street on behalf of a property owner on West Lee Street.

This portion of West Lee Street was created in May 1913 by the recording of the subdivision plat in Plat Book 3 on Page 69 and was not changed with the larger City initiated effort to rename High Point Road and Lee Street to East and West Gate City Boulevard. Binford Street is the name of the street directly connecting to West Lee Street.

Planning sent a letter to all the tenants and property owners notifying them of the proposed street name change and a public hearing was held by the Greensboro Planning Board on Wednesday, September 21 to consider the change. Following a public hearing the Planning Board unanimously recommended approval of the street name change (see minutes of September 21, 2016 Planning Board meeting). The Technical Review Committee (TRC) also reviewed the street name change and determined the change did not conflict with the provisions of the City's Street Naming and Addressing Manual.

If this street name change is approved, the Planning Department will notify utility companies and various other service agencies of this change to minimize any inconvenience to property owners and residents. The change would result in new numerical addresses in addition to the name change due to the existing addresses on Binford Street.

**BUDGET IMPACT:**

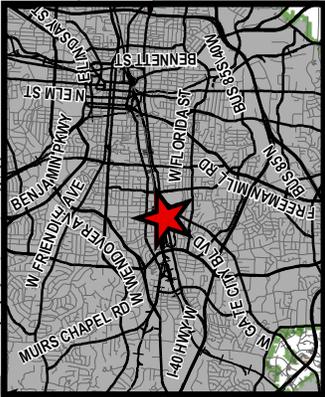
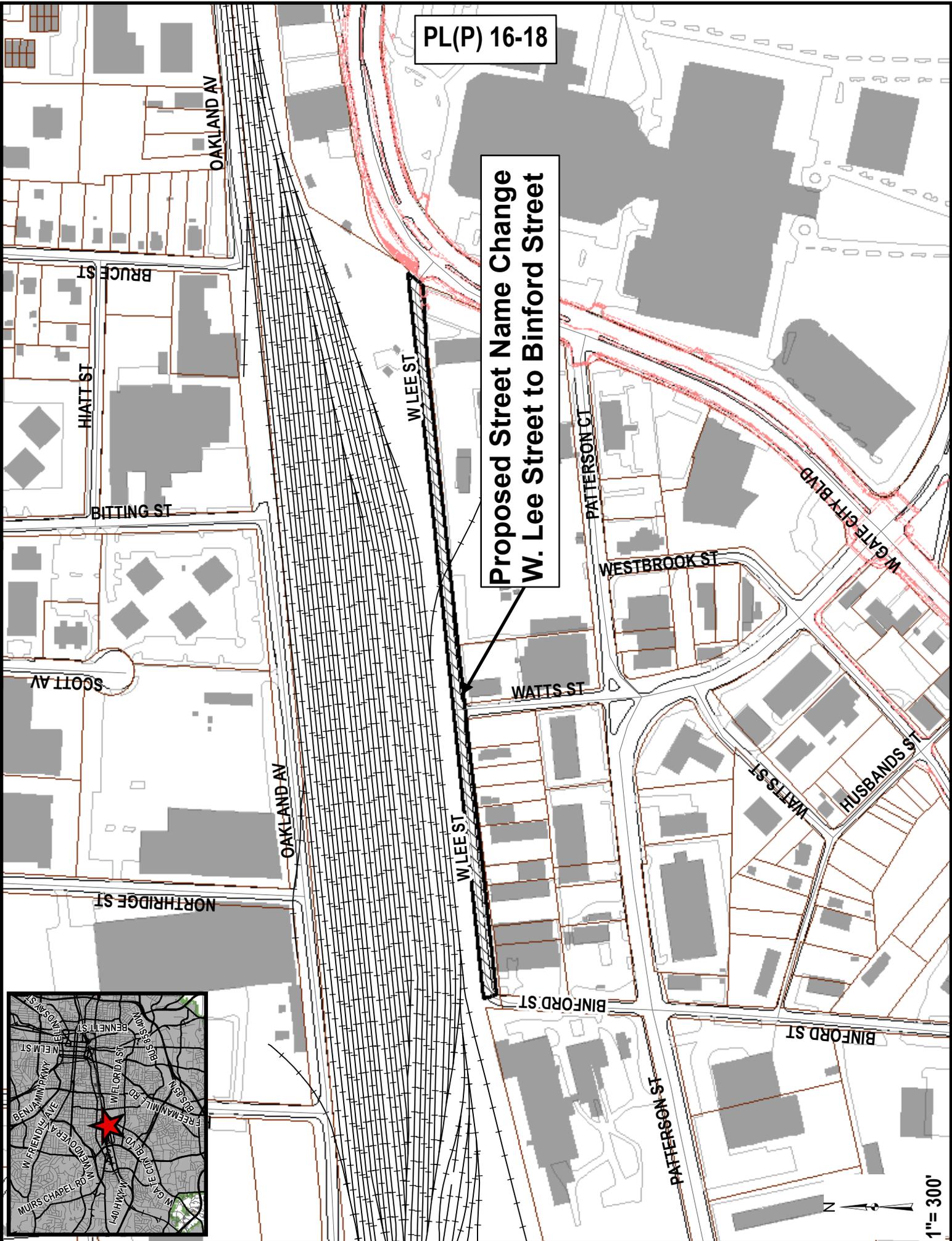
It is estimated that the cost to prepare and install new street signs will be \$975.00

**RECOMMENDATION / ACTION REQUESTED:**

Following a public hearing, the City Council is requested to consider adopting an ordinance changing the name of West Lee Street to Binford Street at their October 18, 2016 meeting.

PL(P) 16-18

Proposed Street Name Change  
W. Lee Street to Binford Street



1" = 300'

AN ORDINANCE CHANGING NAME OF STREET

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

That the following street name change is hereby authorized to become effective immediately:

<u>PRESENT NAME</u>	<u>PORTION</u>	<u>NEW NAME</u>
West Lee Street	Between West Gate City Boulevard and Binford Street	Binford Street



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0822

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Ordinance

**Agenda Number:** 30.

Ordinance Establishing Revolution Mills, 1200 Revolution Mill Drive as a Guilford County Historic Landmark

Department: Planning

Council District: 2

Public Hearing: Yes

Advertising Date/By: October 6 and 13, by Planning

Contact 1 and Phone: Sue Schwartz, FAICP 336-373-2149

Contact 2 and Phone: Mike Cowhig, AICP 336-373-2755

### **PURPOSE:**

Conduct a public hearing to consider historic landmark designation interior common areas and exterior facades of mill buildings A, B, C, D, E, F and G; the Carpenter Shop façade, the three smokestacks and the water tower of Revolution Mills, located at 1200 Revolution Mill Drive.

### **BACKGROUND:**

At their August 16, 2016 meeting, the Guilford County Historic Preservation Commission unanimously recommended historic landmark designation for the following components of Revolution Mill, located at 1200 Revolution Mill Drive: interior common areas and exterior facades of mill buildings A, B, C, D, E, F and G; the Carpenter Shop façade, the three smokestacks and the water tower.

Revolution Cotton Mill was constructed in 1899 as a joint venture of the Cone and Sternberger families. It is a significant example of the diversification of the southern textile industry and is believed to be the first flannel mill in the South. By 1930 it was the largest flannel producer in the world.

The mill buildings are currently being renovated for 140 apartments along with offices and creative spaces, artist studios, restaurants, event venues and community gathering places. The work is being done in accordance with the Secretary of the Interior's Standards for Rehabilitation to preserve the industrial character of the mill buildings. The estimated investment in the project is \$100 million.

Landmark designation makes the property owner eligible for a deferral of up to 50% of City and County property taxes. Before a Landmark property can be materially altered or demolished, the owner must obtain a Certificate of Appropriateness from the Guilford County Historic Preservation Commission. Demolition cannot be prevented but it can be delayed for up to 365 days.

### **BUDGET IMPACT:**

The total appraised value of the property is \$10,980,400. If approved, the tax deferral will be calculated

by the Guilford County Tax Department based on the percentage of the structure and property included in the designation.

**RECOMMENDATION / ACTION REQUESTED:**

Following the public hearing, Council is requested to adopt the ordinance establishing Historic Landmark Designation as described above for Revolution Mills, 1200 Revolution Mill Drive.



**GUILFORD COUNTY**  
**PLANNING AND DEVELOPMENT DEPARTMENT**

**Revolution Cotton Mill**  
**Motion of Recommendation**  
**August 16, 2016**  
**Guilford County Historic Preservation Commission**

The Guilford County Historic Preservation Commission recommends designation to the Greensboro City Council a Joint Guilford County Historic Landmark designation for interior common areas, exterior facades of mill buildings A (1250), B, C, D, E, F and G, Carpenter Shop facade, three smokestacks and water tower of the Revolution Mill Site, 1200 Revolution Mill Drive, Greensboro, NC with a condition that when the rehabilitation is complete, a new set of photographs will be submitted to guide future certificate of approvals.

Following the Commissioners' discussion of the application, Commission Member Leimenstoll made a motion to approve historic designation.

Commission Member Pittman seconded the motion, and the Commissioners voted 9-0 to approve the motion.



# REVOLUTION MILL

**Guilford County Landmark Status Application**

**Submitted December, 2015**



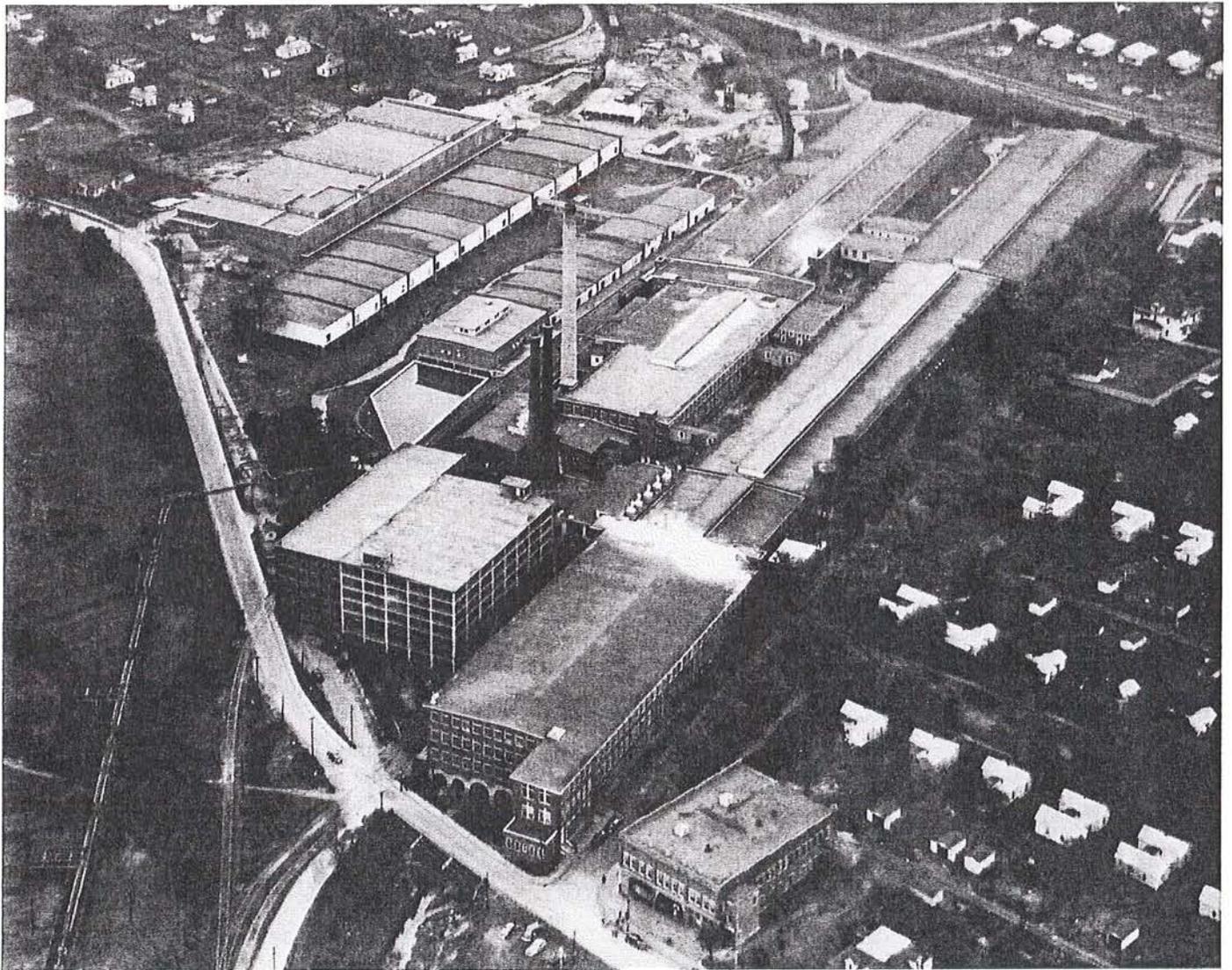
Revolution Mill Landmark Status Application  
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**Guilford County  
Historic Preservation Commission  
Landmark Application  
General Information Sheet**

Historic name of Property: Revolution Cotton Mill



Street address: 1200 Revolution Mill Drive  
Greensboro NC

Tax Map#: 7875

Deed Book & Page #:BK. 7396, PG. 1836-1834

Plat Book & Page#: BK. 150, PG. 30

Zoning: L

Acreage designated 25.47

Interior designated Yes

Legal Owner(s) of Property

Name: Historic Revolution, LLC

Address: 301 W Main Street

City: Durham, NC 27701

Phone Number(s): Fax Number:

E-Mail:

Applicant/Contact Person (If other than owner):

Name: Emma Schropp

Address: 1200 Revolution Mill Drive

City: Greensboro NC

Phone Number(s): 239-896-7770

E-Mail: Emma.Schropp@Self-Help.org

## Summary Paragraph

Historic Revolution, LLC seeks to designate the interior common areas and all exteriors of the above-referenced property as an historic landmark in Guilford County, North Carolina. The property is currently being rehabilitated and repurposed, with an estimated completion of 2017. The project utilizes the state Mill Tax Credit and the federal Historic Tax Credit. As such, all work will follow the Secretary of the Interior's Standards for Rehabilitation. Work that is currently underway has already been reviewed and approved by the State Historic Preservation Office and the National Park Service. Future work will either fall under approved Tenant Upfit Guidelines or will be reviewed and approved separately by SHPO and NPS. Additional detail about the status of previous work, work underway, and future work, follows in the section of this report labeled Architectural Significance.

The Revolution Mill complex is a large, formerly industrial complex located in Northeast Greensboro. It was constructed in 1899 as a joint venture of the prominent Cone and Sternberger families, and it is widely regarded as an integral component of Greensboro's early industrial development. Moreover, it is a significant example of the diversification of the southern textile production industry during the nineteenth and twentieth centuries, particularly due to the fact that it is believed to be the first flannel mill in the South.

By 1930, Revolution had become the largest exclusive flannel producer in the entire world, and continued to produce textiles until 1982, when most production began to be outsourced to foreign production facilities. In 1984, Revolution Mill was nominated for placement on the National Register of Historic Places, for reasons significant to industry and architecture.

The historical and architectural significance of Revolution Mill has been well documented in the 1983 National Register of Historic Places nomination form (Exhibit A of this document) filed by 'Revolution Associates I' and Dewayne H. Anderson. Per its listing, Revolution Mill has achieved historical significance in the following four categories:

A. Revolution Cotton Mills is associated with the early twentieth century industrial development of Greensboro and with the innovations in the Southern textile industry which occurred during the late nineteenth and early twentieth centuries.

B. Revolution Cotton Mills is associated with the lives of various members of the Cone and Sternberger families of Greensboro. These families not only served as industrial leaders (in the case of the Cones, well beyond the confines of

Greensboro), but as community leaders who contributed substantially to numerous philanthropic endeavors through the years.

C. Revolution Cotton Mills embodies the distinctive characteristics of standard textile mill construction of the late nineteenth century and early twentieth century, incorporating the "slow burning construction" and good lighting and ventilation prescribed by factory insurance companies of the period. It is the most intact of the early twentieth century textile mills in Greensboro.

D. May be likely to yield information important in prehistory or history.

This application will reference the "Description" and "Significance" portions of the associated National Register listing where thorough information has already been made available.

### **Property Description**

Legal description and associated maps of the property are included on the following pages:

## Legal Description

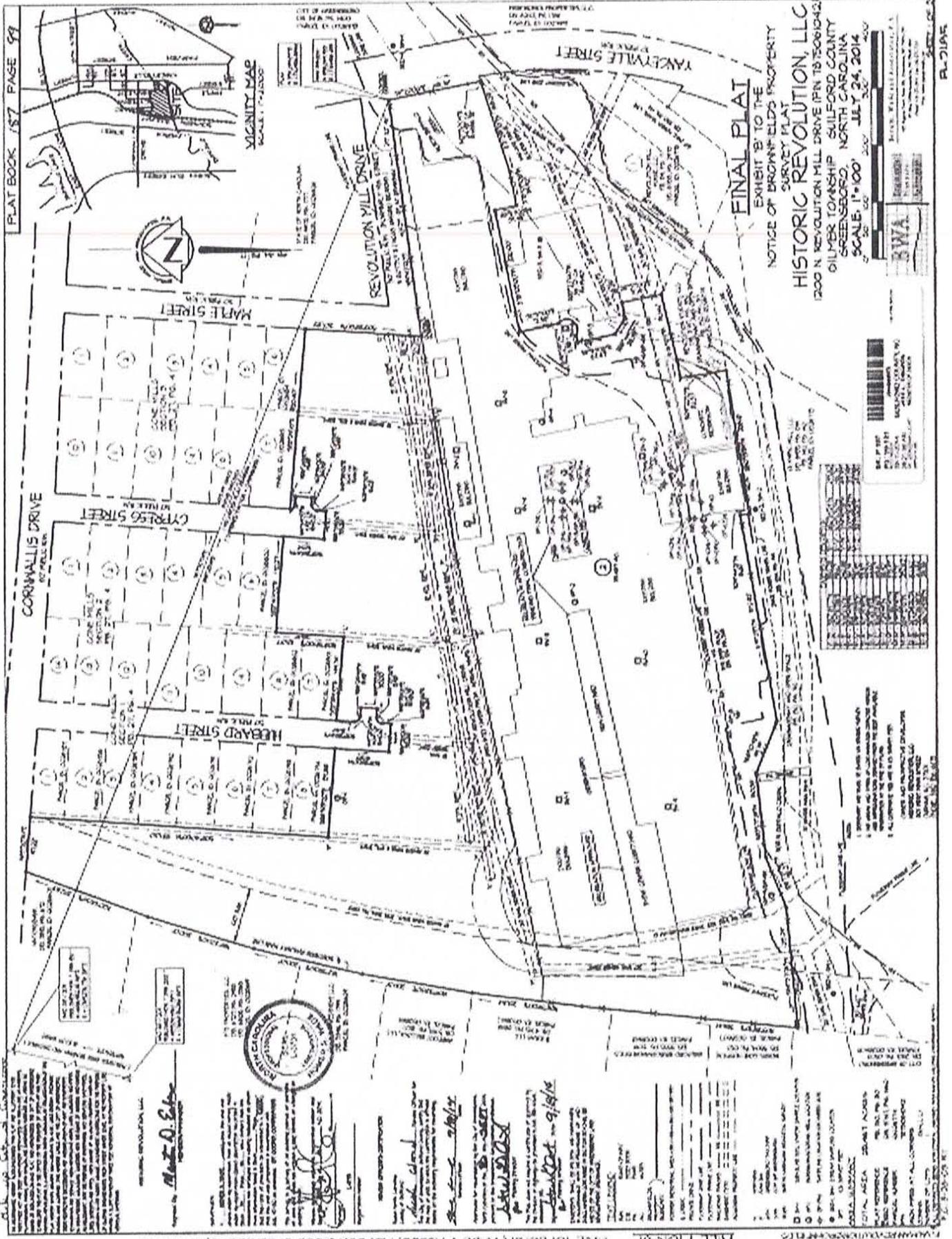
Being all of that Parcel of land known as Lot 2, as recorded in Plat Book 150, Page 30 in the Guilford County Register of Deeds, and being more particularly described as follows:

BEGINNING at a iron pin marking the intersection of the southern margin or the 50-foot-wide right-of-way of Revolution Mill Drive (formerly 9<sup>th</sup> Street) with the western margin of the 80-foot-wide right-of-way of Yanceyville Street in the City of Greensboro, said point having coordinates of North 856,249.8773 and East 1,770,956.3890, and running thence along the right-of-way of Yanceyville Street South 11 degrees 22 minutes East 143.76 feet to an iron pin; thence continuing along said right-of-way line South 10 degrees 32 minutes 04 seconds East a chord distance of 24.43 feet having a radius of 836.73 feet and an arc length of 24.43 feet to the northeast corner of the 3.481-acre tract described as Lot 1 of the Property of Revolution Associates I as recorded in Plat Book 84, Page 17, Guilford County Registry; and running thence along the northern line of said tract South 71 degrees 23 minutes West 168.03 feet to a point; thence South 78 degrees 3 minutes West 59.92 feet to a point; thence North 11 degrees 57 minutes West 39.48 feet to a point; thence South 78 degrees 3 minutes West 220 feet to a point; thence South 11 degrees 57 minutes East 72.50 feet to a point; thence with a curve to the right South 33 degrees 22 minutes West a chord distance of 38.72 feet to a point; thence South 78 degrees 3 minutes West 11.56 feet to a point; thence South 11 degrees 57 minutes East 67.47 feet to a point; thence South 58 degrees 44 minutes East 33.33 feet to a point; thence North 78 degrees 3 minutes East 28.26 feet to a point; thence South 11 degrees 57 minutes East 71.14 feet to a point; thence South 76 degrees 18 minutes 11 seconds West 152.62 feet to a point; thence South 09 degrees 22 minutes 10 seconds East 82.57 feet to a point; thence South 80 degrees 15 minutes 39 seconds West 258.13 feet to a point; thence North 09 degrees 44 minutes 21 seconds West 16.81 feet to a point; thence South 79 degrees 23 minutes 11 seconds West 372.32 feet to a point; thence North 68 degrees 10 minutes 45 seconds West 99.79 feet to a point; thence South 83 degrees 07 minutes 28 seconds West 150.86 feet to a point; thence South 67 degrees 01 minutes 56 seconds West 96.27 feet to a point; thence South 84 degrees 07 minutes 06 seconds West 215.29 feet to a point in the center of the Southbound rail of Southern Railway; thence along the center of Southbound rail of Southern Railway the following 6 (six) course and distances: North 5 degrees 35 minutes 30 seconds East 386.61 feet; North 6 degrees 39 minutes East 201.84 feet; North 9 degrees 32 minutes East 200.51 feet; North 12 degrees 55 minutes East 200.01 feet; North 16 degrees 22 minutes 200.01 feet; North 20 degrees 1 minute East 232.63 feet to an iron pin set in the southern margin of the 60-foot-wide right-of-way of Cornwallis Drive; and running thence along the southern line of said right-of-way South 85 degrees 50 minutes 30 seconds East 97.22 feet to a control corner; thence South 3 degrees 40 minutes West 537.00 feet to an existing iron pipe control corner; thence South 86 degrees 03 minutes East 157.88 feet to a point in the western margin of the 50-foot-wide right-of-way of Hubbard Street; thence with the margin of Hubbard Street as dedicated in Plat Book 150, Page 30, Guilford County Registry the following courses and distances: South 03 degrees 35 minutes West 97.83 feet; South 86 degrees 25 minutes East 50.00 feet; North 3 degrees 35 minutes East 16.39 feet; a curve to the right North 48 degrees 35 minutes East a chord distance of 14.14 feet, having a radius of 10.00 feet and an arc length of 15.70 feet; South 86 degrees 25 minutes East 15.93 feet; North 3 degrees 35 minutes East 30.00 feet; North 86 degrees 25 minutes West 15.93 feet; a curve to the right North 41 degrees 25 minutes West a chord distance of 14.14 feet, having a radius of 10.00 feet and an arc length of 15.70; North 3 degrees 35 minutes East 31.89 feet to a

point; thence leaving the Eastern margin of Hubbard Street South 85 degrees 35 minutes East 149.74 feet to an iron pin; thence North 3 degrees 38 minutes East 121.07 feet to an iron pin; thence South 85 degrees 40 minutes East 170.27 feet to an iron pin in the western margin of Cypress Street with the margin of Cypress Street as dedicated in Plat Book 150, Page 30, Guilford County Registry the following courses and distances: South 03 degrees 36 minutes East 16.02 feet; a curve to the right North 48 degrees 36 minutes East a chord distance of 14.14 feet, having a radius of 10.00 feet and an arc length of 15.70; South 86 degrees 24 minutes East 12.95 feet; North 3 degrees 36 minutes East 30.00 feet; North 86 degrees 24 minutes West 14.53 feet; a curve to the right North 41 degrees 21 minutes 57 seconds West a chord distance of 11.91 feet; having a radius of 10.00 feet and an arc length of 12.76 feet; thence leaving the Eastern margin of Cypress Street and continuing along the Southern line of Cone Mills Corporation Subdivision as recorded in Plat Book 27, Page 4, Guilford County Registry South 85 degrees 21 minutes East 320.39 feet to an iron pin in the western margin of Maple Street; thence South 3 degrees 33 minutes West 207.85 feet along the western margin of Maple Street to an iron pin set in the southern margin of Revolution Mill Drive (formerly 9<sup>th</sup> Street); thence following the southern margin of Revolution Mill Drive North 81 degrees 42 minutes East 421.27 feet to the point and place of the BEGINNING.

Said parcel contains 25.467 acres, more or less, as shown on a survey titled "ALTA/ACSM Land Title Survey for Revolution Studios, LLC" prepared by CPT Engineering and Surveying, Inc. of Greensboro, North Carolina, Job number 520-05, signed and sealed on the 12<sup>th</sup> day of July, 2006. It is the same property conveyed to Historic Revolution, LLC by the instrument recorded in Book 7396, Page 1836, Guilford County Registry.

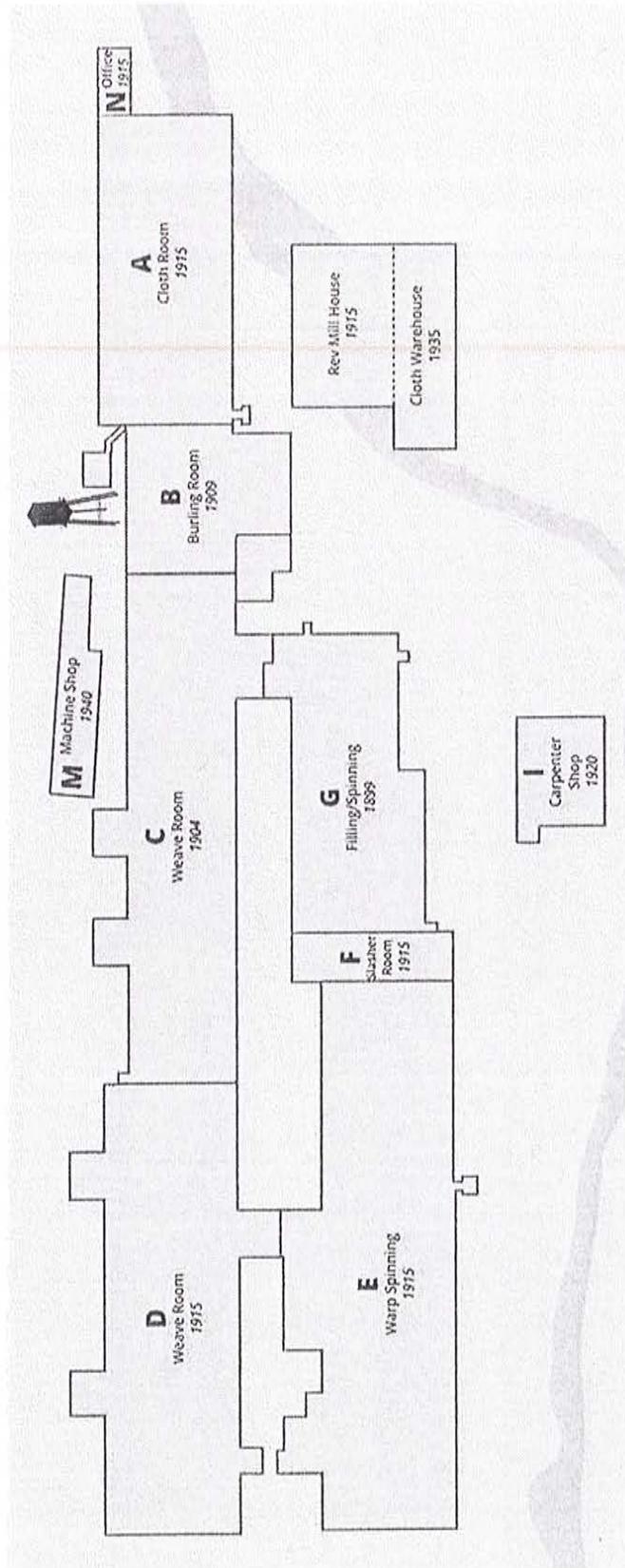
Map 1: Revolution Mill Plat Map, 2012



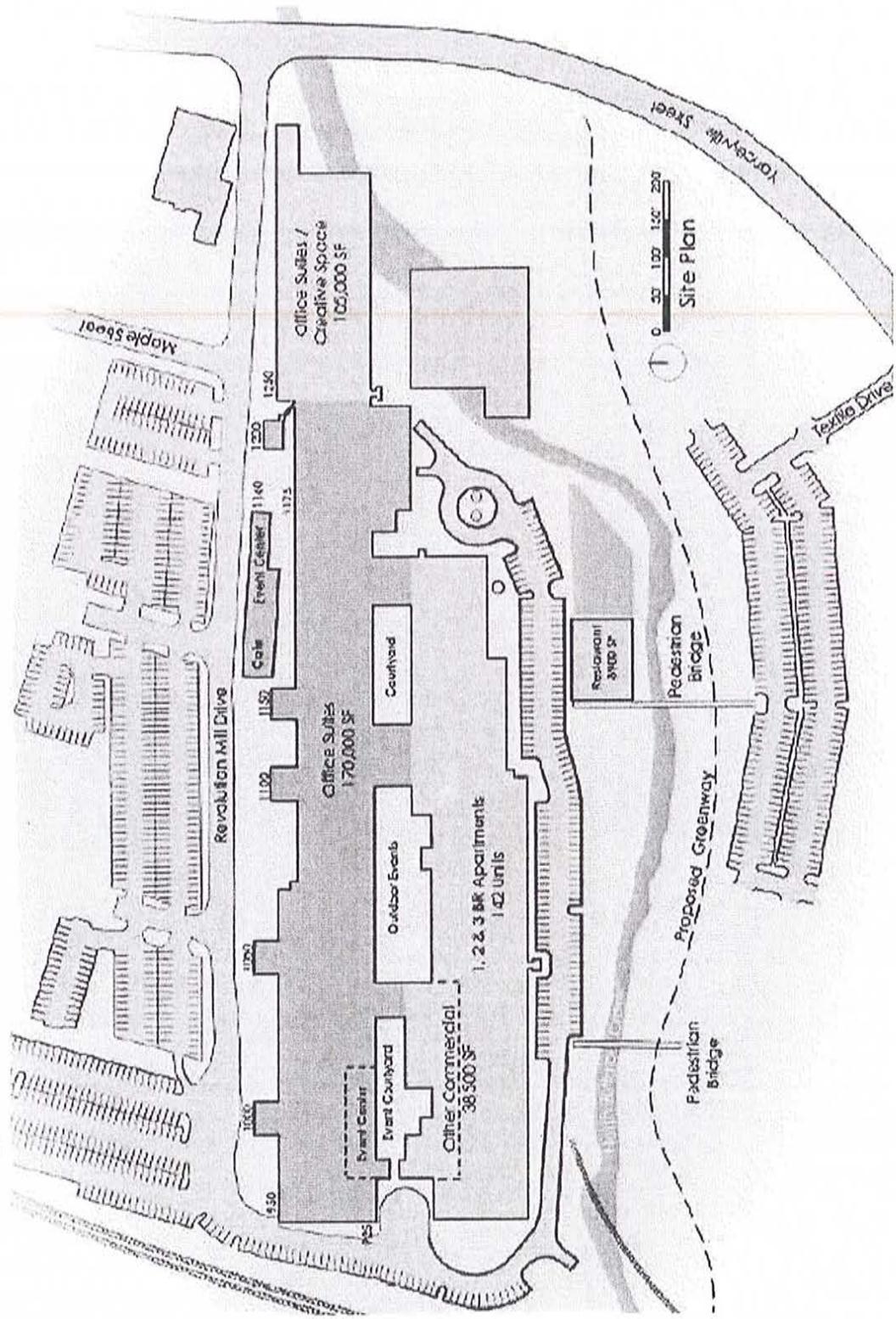
MAL TO: ROSM WARE 1 A9506 P.O. BOX 2882 GREENSBORO, NC 27420

BILL PICKUP

Map 2: Historical Uses of Revolution Mill



Map 3: Future Uses for Revolution Mill Site Plan



## Historical Significance

For a thorough explanation of the historical significance of Revolution Mill, please refer to Exhibit A: National Register Nomination Form, Section 8: Significance (pages 9-16).

## Architectural Significance

For historical architectural significance, please reference Exhibit A: National Register Nomination Form, section 7: Description (pages 2-8).

Furthermore, at the time of this application substantial redevelopment work has been proposed and occurring at Revolution Mill for nearly a decade. The following is a summary narrative of this work, as well as the included applications to and correspondence with the National Park Service regarding the redevelopment and remediation work proposed and completed at Revolution Mill.

### Response to Previous Development Work

Prior to Self-Help's acquisition of Revolution Mill in 2012, the project was in the process of redevelopment under the ownership of Frank Auman and Jim Peeples, beginning in the mid-2000s. As a result of financial stress related to the economic recession, Auman and Peeples determined that they would apply for a Part 3 before the project was completed in full, as their investor was unwilling to put more money into the project without a part 3 application.

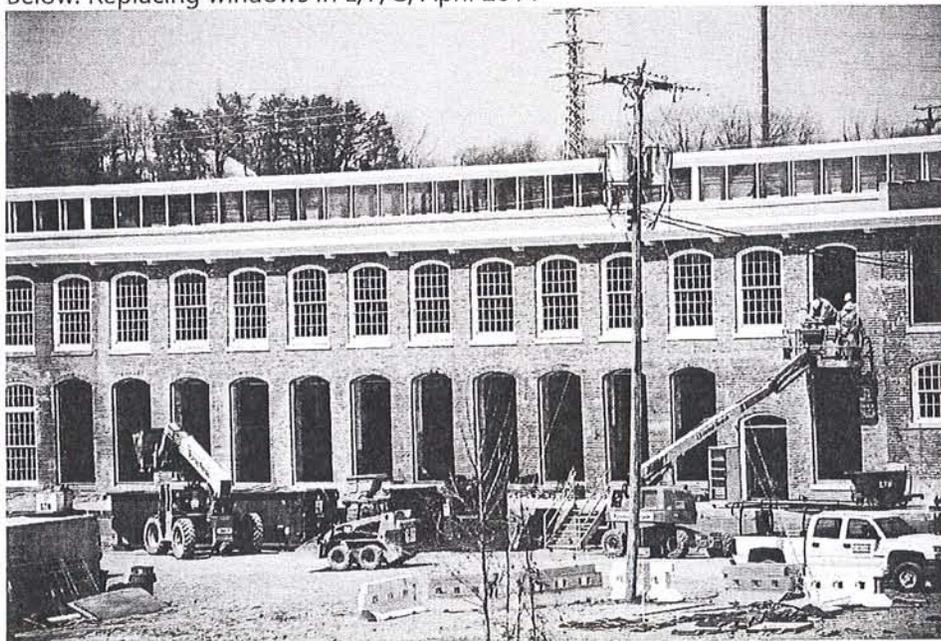
This Part 3 application was denied by NPS for the following reasons-

1. The first reason for denial of certification was that the project had not been completed. Revolution Mill is a functionally related set of five buildings, and at the time of their application, large portions of the complex had not been redeveloped as proposed.
2. The second reason for denial was in reference to incompatible exterior alterations that had been completed without the review of knowledge of NPS. These alterations were, generally, not compatible with the historic, industrial character of the complex, and did not meet the Standards.

3. The third reason for denial was in reference to compromising the overall historic character of the Mill through use of incompatible and inappropriate finishes and landscaping. This includes, among other things, high-style finishes such as elaborate iron railings, crown moldings, chandeliers, carriage lights, and stone retaining walls and pathways.

As Self-Help assumed ownership in 2012, Self-Help and Belk Architecture immediately began discussions with the National Park Service about what additional work was needed to remediate the inappropriate interior and exterior work, and to stabilize buildings that had not previously been protected. Our first step was to immediately work on shell stabilization of the south row of buildings (shown as E/F/G) to repair deteriorated structure, put on a new roof, and to replace all windows so that even if progress stopped at that point, we could ensure that the building would remain in a stabilized condition. This work took place for approximately 18 months in 2013-2014.

Below: Replacing windows in E/F/G, April 2014



At this time, the north row of buildings (shown as B/C/D) was already occupied with commercial tenants, many of whom liked the interior detailing that NPS did not approve of. Belk Architecture and its founder, Eddie Belk, utilized its considerable experience to propose a strategy for remediating the prior work. Since 1979, Belk has completed 68 historic tax credit projects amounting to nearly 4 million square feet of heritage buildings. Belk, the State Historic Preservation Office, and the

National Park Service negotiated a strategy to ensure that it was financially feasible to complete the rehabilitation of Revolution Mill.

This was a major challenge which required us to develop a strategy that allowed us to gradually remediate the interior details that were inappropriate as tenants began to change. More immediately, we made exterior alterations to the degree practical. This included replacing cloth awnings with industrial style metal awnings; replacing all decorative street lights with LED industrial streamlined lights; replacing all building-mounted carriage lights with hooded industrial LED lights; and removing a large, ornate, spear-point finial iron fence from along the north stretch of the property. The NPS approved both elements of this strategy in the Phase 2 Amendment dated 06/2013 (see Exhibit B).



Before: Green cloth awnings and wall-mounted carriage lights have since been replaced with more appropriate, industrial fixtures



Ornate, wrought iron fence has since been removed from in front of Building M.

### Initial Approach to Redevelopment, 2012

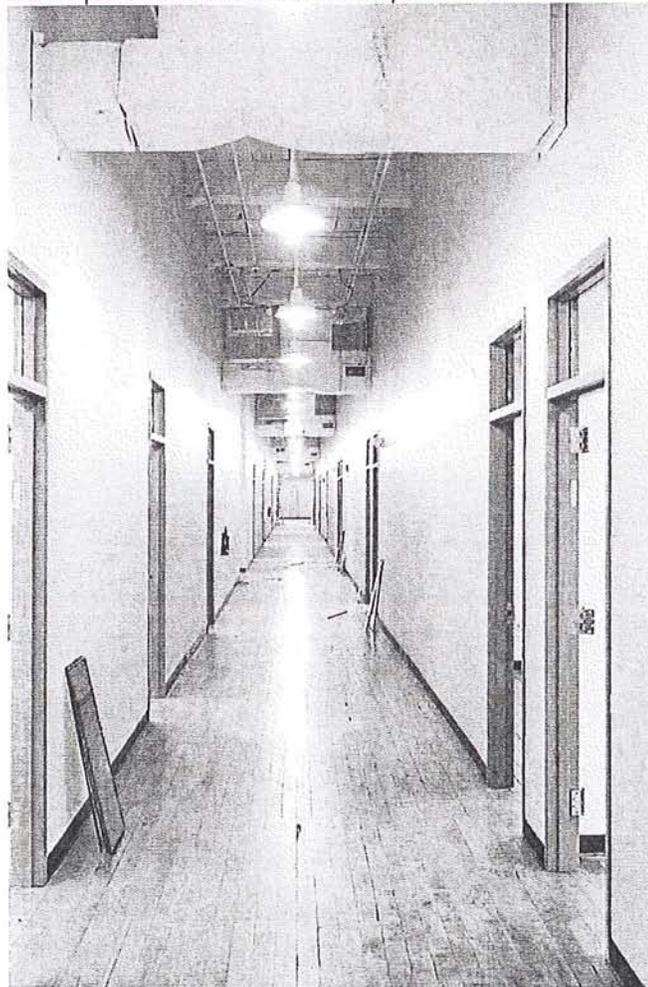
Once we had addressed the need for stabilization and remediation, our focus shifted to the continued redevelopment of the remaining campus. This included extensive market research, visioning, and team discussion around what would be the best use for the remaining buildings. A large part of this conversation centered on how to create an active, 24/7 life for the campus, and led to our interest in developing a campus with multiple diverse uses including office space, restaurants, and apartments. We believe there is a high value of bringing back people and constant activity to a complex, for reasons pertaining to both historical use/activity, as well as to ensure constant use, updating, and preservation of the physical structure. Revolution Mill was, historically, a hub of activity and an integral part of Greensboro's sense of community, and we hope to make this local landmark a relevant and valuable asset to the community again, rather than leaving in dormant or minimally utilized by a small fraction of the community.

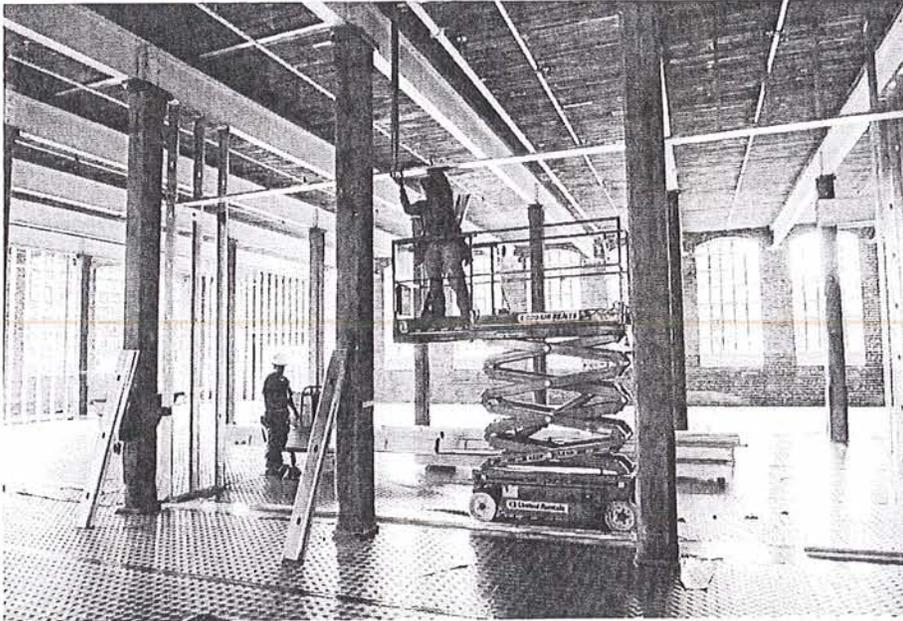
Market research for the area showed demand for market-rate apartments. With these apartments, the sizes and layouts were quite compatible with the existing architectural character of the buildings. Initially, we planned for 100 1 and 2 bedroom apartments (09/2014). After completing construction documents we realized that there was a lot more space in our buildings to work with and

four months later we decided to do a very clean addition of 42 more apartments, omitting the north side of building E for artisan space where the building was not suitable for residential (see Exhibit C, Phase 2 Amendment dated 05/2015). Now we are in the process of building all 142 apartments for a cohesive development and delivery.

The former Nussbaum Center for Entrepreneurship (1250 Revolution Mill Drive) had potential for additional residential development, but we felt we had an obligation to the community to develop more business and creative-oriented space that could return Revolution Mill to its roots as a catalyst for economic development. Incorporating artist space (artist studios and galleries) with office space was a great, active use for the building but is also harmonious with existing office and planned apartments. On the second and third floors of this building, we have planned office space for medium and larger potential tenants, in order to leave the floors as open and undivided as possible.

Before: The Nussbaum Center  
for Entrepreneurship in  
Building A





After: Self-Help  
developing office and  
creative space in  
Building A

As we started evaluating how to move forward with all of the existing building that we had, we discovered through historical photos and documents, that we had a historic basis for opening up the internal courtyards between the north and south rows of buildings. As a result, we proposed to uncover and redevelop the internal courtyards to their historically accurate size, to serve as additional tenant and resident activity centers. The courtyards will help to create a much higher quality of space between the north and south side buildings, as Revolution Mill's original workers would have enjoyed them. In pursuit of this stronger historic preservation outcome, we incurred significant additional expense while sacrificing the income that would have resulted from additional rentable area.

Below: We have opened up the interior courtyards between the north and south buildings, September 2015



#### Later Part 2 Amendments and Current Work

As a second measure of remediation, in June of 2015 we worked with the Park Service to develop a set of Tenant Design Guidelines- new standards for future interior and tenant up-fit work that ensured future work would be fully compatible with the Secretary's Standards. This agreement assured NPS that all future development would be respectful of the industrial interior of the building and architectural elements, and in accordance with the Standards. The guidelines (included as Exhibit C) defined standards for all work done in the following categories:

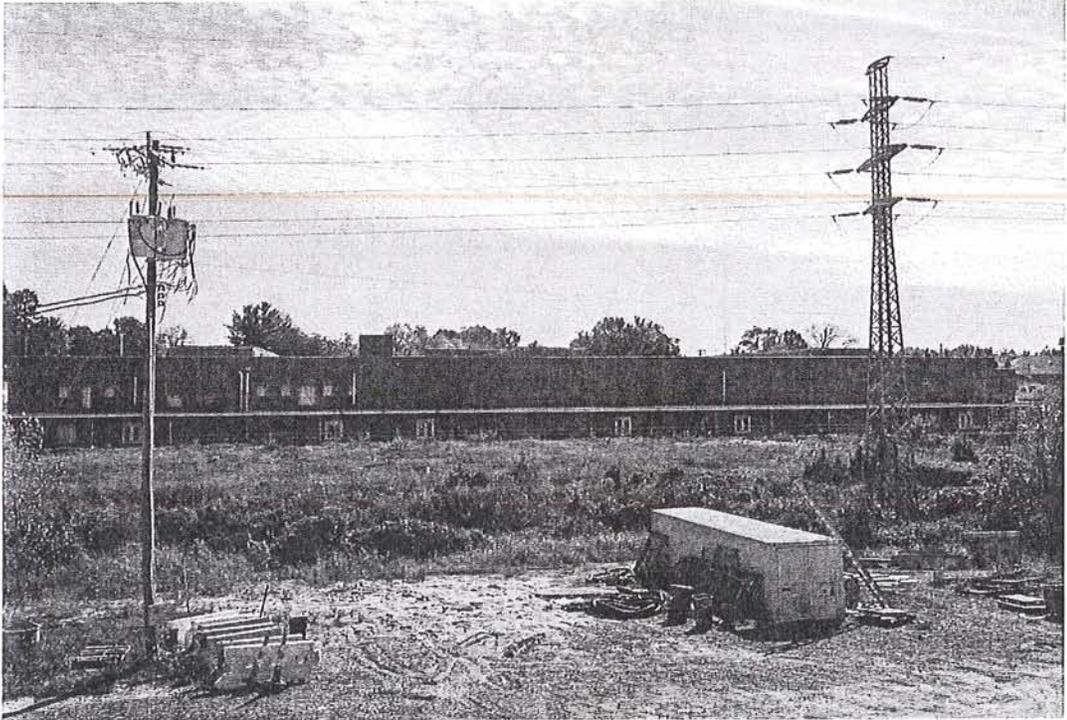
- Exterior Windows- tenant layout walls and ceilings will not intersect existing historic windows, they may only intersect the solid wall pillars and may not harm the wall surfaces.

- Interior/Corridor Walls- new corridor wall layouts and transparency have been developed to share the experience of height and volume inherent to these industrial spaces. All tenant layouts will strive to maintain open volume and view lines to as high a degree as possible.
- Structural Columns/Grid- Historic industrial buildings are primarily laid out in a uniform grid of column bays. This building rhythm is integral to the architectural statement of these historic structures. Corridor walls and common area walls act as backdrops to this structural rhythm. Tenant layouts will also avoid intersecting/interrupting this grid rhythm in every possible way.
- Exposed Ceiling Structure- the exposed ceiling beam grid and heavy timber decking contributes to the architectural character of these spaces. Tenant layouts will maintain this open structural ceiling. Interior spaces will minimize drop or lay-in ceilings. In spaces where they are absolutely required they will follow these guidelines. Ceiling will not intersect exterior or interior windows.
- Architectural Style- tenant interiors should follow simpler, contemporary lines to compliment the clean lines of the industrial structure. Incompatible faux history details are strongly discouraged.

These design guidelines were crucial for NPS to regain confidence in the project, and it also negates the need for the State Office to review each tenant upfit for compliance. Tenant upfit guidelines were established so that we, NPS, and the Guilford County Historic Preservation Commission can feel confident that all internal work will be done in an appropriate way and will not be cumbersome via COA and review processes. These guidelines are applied toward all tenant work done in building A, all future tenant work done in buildings B/C/D, and the residential development done in buildings E/F/G.

In the summer of 2015, we began demolition work on the non-historic Olympic Mill site south of Buffalo Creek to prepare that site for future phase of the campus' development. Olympic Mill was built in the mid-20th century at a time period when most mills were implementing artificial methods of lighting and conditioning. It was constructed essentially without windows and therefore had a very large footprint with mostly dark, interior, warehouse space. It was not a building that was easy to repurpose into a new, modern use, and it would likely have had to be used as a warehouse or a storage facility. The Olympic Mill property was not in a historic district, and it was not identified as contributing to the functional complex. Being able to get the site south of Buffalo creek available for future supporting development was more beneficial, from a community development perspective, than attempting to force-fit new uses into the existing structure, so we ultimately decided upon, and received NPS approval for, demolition of the structure. We salvaged materials out of Olympic Mill that could be

used in the renovation at Revolution, and the 19-acre site is now available to be repurposed for larger office tenants, supporting retail, amphitheaters, green spaces, and other community uses.



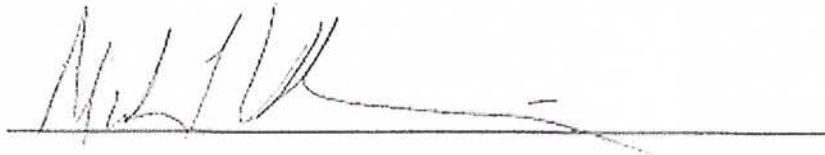
The Former Olympic Mill prior to demolition

### Conclusion

Just as it was when it was first developed, Revolution Mill is now poised once again to be one of the largest catalytic development projects in Greensboro. The project investment is estimated to total \$100 million, and will bring apartments, office and creative spaces, markets, cafes and restaurants, event venues, and community gathering spaces to an area of town that has seen significant disinvestment since the closing of the mill in the 1980s. From a historic preservation perspective, this project will ensure the continued preservation and care of Revolution Mill, and will breathe new life and constant activity back into one of Greensboro’s greatest heritage icons.

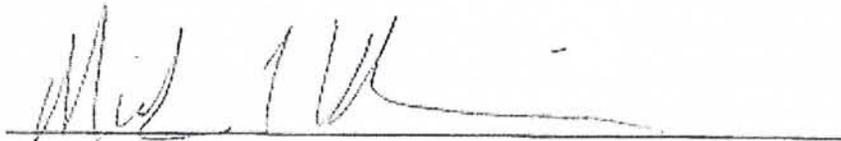
Acknowledgement

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE ABOVE STATEMENTS ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; AND SUPPORT LANDMARK DESIGNATION OF THE PROPERTY DEFINED HEREIN. I ALSO ACKNOWLEDGE THAT THE GUILFORD COUNTY HISTORIC PRESERVATION COMMISSION MAY REQUIRE ADDITIONAL INFORMATION.



Date 12/17/15 Signature of Owner(s)

I ALSO ACKNOWLEDGE THAT THE DESIGNATION INCLUDES THE INTERIOR, INTERIOR FEATURES AND DETAILS; EXTERIOR, EXTERIOR FEATURES AND DETAILS OF ALL STRUCTURES; AND LAND, UNLESS OTHERWISE NOTED IN THE APPLICATION. ANY ALTERATIONS OF THE PROPERTY AND/OR FEATURES DESIGNATED, REQUIRES AN APPROVED CERTIFICATE OF APPROPRIATENESS (COA) ISSUED BY THE GUILFORD COUNTY HISTORIC PRESERVATION COMMISSION.



Date 01/17/15 Signature of Owner(s)

ORDINANCE DESIGNATING REVOLUTION MILL, 1200 REVOLUTION MILL DRIVE  
A GUILFORD COUNTY LANDMARK PROPERTY

WHEREAS, all the prerequisites to the adoption of the ordinance, as prescribed by Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, have been met; and

WHEREAS, the Guilford County Historic Preservation Commission has submitted a report, which is incorporated herein by reference, and recommended in a public hearing that the property described below be designated as a historic landmark; and

WHEREAS, appropriate notice has been given of the public hearing as required by law; and

WHEREAS, the Guilford County Historic Preservation Commission finds that the property described herein is of historical, architectural, educational, and/or cultural significance, and its preservation should be encouraged so as to safeguard the heritage of the City and County and to promote the use and conservation for the education, pleasure and enrichment of the residents of the City and County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. The City Council of the City of Greensboro accepts the findings of the Guilford County Historic Preservation Commission and adopts the recommendation of the Commission for the preservation of the subject property by the authority set forth in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and local ordinance adopted pursuant thereto.
2. The designation includes only the exterior of the mill buildings, interior common areas, smokestacks and water tower.
3. The Guilford County Landmark Plaque shall be installed on the property and such sign shall indicate that such property has been designated as a Historic Landmark. Details of the display of the plaque are to be approved by the Guilford County Historic Preservation Commission before installation.
4. The procedures provided by law, including waiting period, shall be observed prior to demolition, alteration, remodeling or removal of the designated property. This includes the process of approving a Certificate of Appropriateness before any changes are made to this designated property.
5. A certified copy of this ordinance is to be appropriately recorded with the Register of Deeds, the Guilford County Tax Department and City of Greensboro Engineering and Inspections Department in accordance with provisions of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and the local ordinance adopted pursuant thereto.
6. This ordinance shall be effective from and after its adoption.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0828

**Agenda Date:** 10/18/2016

**Status:** Approval Review

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 31.

Resolution Authorizing the Award of Contract 2016-10495 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for Various Divisions Within the Water Resources Department.

Department: Water Resources

Council District: All

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Steve Drew, Water Resources Department Director, 373-7893

Contact 2 and Phone: Kristine Williams, Water Resources Deputy Director, 373-2556

### **PURPOSE:**

The Water Resources Department requests City Council approval for the resolution authorizing Contract 2016-10495 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for various divisions within the Water Resources Department. In accordance with current City policy, contracts exceeding \$100,000 in value require City Council approval.

### **BACKGROUND:**

The Water Resources Department contracts temporary labor staffing to ensure that it delivers services in an efficient and effective manner. The temporary services that Water Resources utilizes are for Meter Technicians for Water Customer Service, Crew Maintenance Members for both Water Supply and Water Reclamation, Water Quality Maintenance Members for Water Supply and Administrative Assistants for both Water Resources Customer Service and Business.

Following the prior vendor's cancellation of multiple temporary labor contracts, the Water Resources Department requested that the Centralized Contracting Division conduct an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8286. The M/WBE Office provided a list of M/WBE firms from the Greensboro 10-county to invite to participate in the solicitation opportunity through an outreach email.

In accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services. A total of 427 contacts were notified of the solicitation through the GePS system and 8 firms identified by the M/WBE Office received an outreach email inviting them to participate in the online bidding opportunity. A M/WBE memo is attached.

Based on the lowest responsive, responsible bid standard of award, the Water Resources Department and Centralized Contracting Division concur in this recommendation to award this contract for

temporary labor services for the Water Resources Department to Hire Quest, LLC dba Trojan Labor, a business with offices located in Greensboro, NC.

The contracted service amounts are listed as follows:

<u>Service Description</u>	<u>Contract Number</u>	<u>Estimated Annual Amount</u>	<u>Estimated 3-Years Total Amt</u>	<u>Estimated 5-Years Total Amt</u>	
Water Resources Temp Services		2016-10495	\$318,521	\$960,341	\$1,616,639

**BUDGET IMPACT:**

The initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$1,616,639. Funding for this agreement is available in the current fiscal-year budget in account numbers 501-7011-01.5414, 501-7012-01.5414, 501-7023-01.5414, and 501-7056-01.5414. Funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

**RECOMMENDATION / ACTION REQUESTED:**

Staff requests City Council approval of the resolution authorizing the award of Contract 2016-10495 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services in the Water Resources Department.



*Elaine F. Marshall*  
Secretary

North Carolina

DEPARTMENT OF THE  
SECRETARY OF STATE

PO Box 29622 Raleigh, NC 27626-0622 (919)807-2000

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**Corporate Names**

**Legal:** Hire Quest, LLC

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**Limited Liability Company Information**

**SosId:** 0639293  
**Status:** Current-Active  
**Annual Report Status:** Current  
**Citizenship:** Foreign  
**Date Formed:** 7/23/2002  
**Fiscal Month:** December  
**State of Incorporation:** FL  
**Registered Agent:** Corporation Service Company

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**Corporate Addresses**

**Mailing:** 28 HASELL ST  
CHARLESTON, SC 29401-1632  
**Principal Office:** 28 HASELL ST  
CHARLESTON, SC 29401-1632  
**Reg Office:** 327 Hillsborough Street  
Raleigh, NC 27603-1725  
**Reg Mailing:** 327 Hillsborough Street  
Raleigh, NC 27603-1725

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**Company Officials**

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

**Member:** Richard F Hermanns  
3633 Bayshore Blvd NE  
Saint Petersburg FL 33703  
**Member:** Richard Hipskind  
4112 W Palm Aire Drive, Apt 125-B  
Pompano Beach SC 33069  
**Member:** Edward Jackson  
19151 SW 54th Place SW  
Ranches FL 33332  
**Member:** Paul Kroncke  
2400 W Cypress Creek Rd, #100  
Ft Lauderdale FL 33309  
**Member:** Jarrett Lindon  
1142 Marquis Road  
North Charleston SC 29405  
**Member:** Daniel B Mcannar  
800 Robert E Lee Drive  
Charleston SC 29412



**DATE:** September 29, 2016  
**TO:** Wade Gilley, Water Resources  
**FROM:** Tiffany Jones, M/WBE Office  
**DEPARTMENT:** Water Resources  
**SUBJECT:** M/WBE Review for Temporary Labor Services – Water Resources

The M/WBE Office reviewed the documentation submitted for the temporary labor contract to determine compliance with the City of Greensboro's M/WBE Program Plan. The M/WBE Office had advance substantive input in the contract specification process; the contract was debundled to allow firms to bid on individual portions of the contract. M/WBEs were notified of the opportunity to bid. There was only one bidder, a non M/WBE firm.

Hire Quest LLC dba Trojan Labor was selected as the vendor to perform the duties required of the contract.

Please be reminded that during the performance of the contract, if there is a change to the scope of work either through change orders or additions; the M/WBE Office must be contacted prior to making any such changes or additions.

TJ

cc: Gwen Carter, M/WBE Coordinator

**RESOLUTION AUTHORIZING THE AWARD OF CONTRACT 2016-10495 TO HIRE QUES, LLC DBA TROJAN LABOR FOR TEMPORARY LABOR SERVICES FOR VARIOUS DIVISIONS WITHIN THE WATER RESOURCES DEPARTMENT**

**WHEREAS**, the Water Resources Department contracts temporary labor staffing to ensure that it delivers services in an efficient and effective manner; and

**WHEREAS**, the services that utilize temporary labor includes Meter Technicians for Water Customer Service, Crew Maintenance Members for both Water Supply and Water Reclamation, Water Quality Maintenance Members for Water Supply and Administrative Assistants for both Water Resources Customer Service and Business; and

**WHEREAS**, prior to the cancellation of multiple temporary labor contracts, the Water Resources Department requested that the Centralized Contracting Division conducted an on-line competitive Request for Bids (RFB) for various Temporary Labor Services through the Greensboro Electronic Procurement System (GePS) in Event #8286.

**WHEREAS**, in accordance with the M/WBE Program Plan, the various services needed were de-bundled to provide an opportunity for multiple vendors to bid on various contracts for these Temporary Labor Services; and

**WHEREAS**, based on the lowest responsive, responsible bidder standard of award, the Water Resources Department and Centralized Contracting Division concur in this recommendation to award this contract for temporary labor services for various areas to Hire Quest, LLC dba Trojan Labor

The contracted services overall amounts are listed as follows:

<u>Service Description</u>	<u>Contract Number</u>	<u>Estimated Annual Amount</u>	<u>Estimated 3-Years Total Amt</u>	<u>Estimated 5-Years Total Amt</u>
Water Resources Temp Services	2016-10495	\$318,521	\$960,341	\$1,616,639

**WHEREAS**, the initial contract term is for three years, with two potential one-year renewals. The total potential five-year amount is estimated at approximately \$1,616,639; and

**WHEREAS**, funding in subsequent years is contingent upon future City Council appropriations through the annual budget.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:**

That the resolution Authorizing the Award of Contract 2016-10495 to Hire Quest, LLC dba Trojan Labor for Temporary Labor Services for various divisions in the Water Resources Department is hereby approved.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0815

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 32.

Resolution Approving Bid in the Amount of \$9,192,000 and Authorizing Execution of Contract 2010-130 with Haren Construction for the Stewart Mill Road and Rock Creek Lift Stations Improvements

Department: Water Resources

Council District: N/A

Public Hearing: N/A

Advertising Date/By: N/A

Contact 1 and Phone: Steven Drew: 373-7893

Contact 2 and Phone: Kenney McDowell: 373-2302

### PURPOSE:

The bids for Contract 2010-130 (Stewart Mill Road and Rock Creek Lift Stations Improvements) have been received. In order for the work to proceed on this contract, City Council approval is requested for award of the contract to Haren Construction in the amount of \$9,192,000.

### BACKGROUND:

As part of the dissolution of the City/County Water Sewer Trust Fund, the Eastern Area of the City of Greensboro was identified as a future economic development area. The City and County agreed to use a portion of the remaining funds for installation of sewer in this area to assist with development. The first project in a series of three that have been identified is the construction of Stewart Mill Lift Station, a 10 MGD quadruplex wastewater lift station, which will consist of a cast-in-place concrete structure, submersible sewage handling pumps, electrical and control gear, an electrical/control building, and miscellaneous equipment, piping and valves. Rock Creek Lift Station work will include upgrades to an existing duplex wastewater lift station to increase it to a 4.3 MGD station, including submersible pumps, motors, and piping replacement, as well as an engine-driven bypass pump. The bids for this project were opened on August 25, 2016 and the apparent lowest, responsible bidder is Haren Construction (Etowah, TN) with a bid of \$9,192,000.

The M/WBE utilization goal was MBE 9.0% and WBE 10.0%.

The contractor's commitment is MBE 2.9% and WBE 1.4%.

Additional bids received were:

Wharton-Smith	\$11,773,000.00	(MBE 0.5%, WBE 13.4%)	Sandford, FL
JR Lynch	\$12,564,749.98	(MBE 1.0%, WBE 14.0%)	Pilot Mountain, NC

The proposed date for start of construction is November 28, 2016. The proposed date of substantial completion is May 22, 2018.

**BUDGET IMPACT:**

Funds for this \$9,192,000 construction contract are budgeted in Water and Sewer Extensions Fund account 507-7012-02.6017 A13091 in the amount of \$1,427,000 for the Rock Creek Force Main, and 507-7012-01.6017 A13089 in the amount of \$7,765,000 for the Stewart Mill Force Main. A budget adjustment is needed to use these accounts.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended by the Departments of Engineering & Inspections and Water Resources that City Council approve the bid and award Contract 2010-130 (Stewart Mill Road and Rock Creek Lift Stations Improvements) to Haren Construction for the bid amount of \$9,192,000, and the associated budget adjustment.



**DATE:** September 30, 2016  
**TO:** Ted Kallam, Engineering and Inspections  
**FROM:** Kirim McGee, M/WBE Specialist  
**DEPARTMENT:** Engineering and Inspections  
**SUBJECT:** 2010-130 Stewart Mill Road and Rock Creek Lift Stations Improvements

The M/WBE Office reviewed the documentation submitted by Haren Construction Company, Inc. for the 2010-130 Stewart Mill Road and Rock Creek Lift Stations Improvements project. The goals established for the project were MBE 9% and WBE 10%. Haren Construction Company, Inc. achieved MBE 1.1% and WBE 1.4%. The Company did not meet the M/WBE goals; however it achieved the minimum 50 GFE points to be considered a responsive bid.

Haren Construction Company, Inc. proposed to utilize the following certified M/WBE firms:

MBE	D&G Hauling	Hauling	Guilford	\$58,262.00	.63%
MBE	Johnson & Johnson Masonry	Masonry	Guilford	\$41,000.00	.44%
WBE	Southern Paint & Waterproofing Company	Painting and Waterproofing	Guilford	\$111,000.00	1.2%
WBE	Canady's Landscaping	Erosion Control	Davidson	\$15,000.00	.16%

Please don't hesitate to give me a call if you have any questions.

Sincerely,

Kirim McGee, MWBE Specialist

cc: Gwen Carter

RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2010-130  
WITH HAREN CONSTRUCTION FOR THE STEWART MILL ROAD AND ROCK CREEK LIFT  
STATIONS IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Stewart Mill Road and Rock Creek Lift Stations Improvements project;

WHEREAS, Haren Construction, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$9,192,000.00 as general contractor for Contract No. 2010-130 which bid, in the opinion of the City Council, is the best bid from the standpoint of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Haren Construction is hereby accepted, and the City is authorized to enter into a contract with Haren Construction for the Stewart Mill Road and Rock Creek Lift Stations Improvements project subject to the terms outlined above. The Mayor and/or City Manager and the City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Water and Sewer Extensions Fund account 507-7012-02.6017 A13091 in the amount of \$1,427,000 for the Rock Creek Force Main, and 507-7012-01.6017 A13089 in the amount of \$7,765,000 for the Stewart Mill Force Main. .

A budget adjustment is needed to use these accounts.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0782

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 33.

Resolution Authorizing Execution of Contract With the Guilford County Board of Education for the School Safety Resource Officer Program

Department: Police

Council District: All

Public Hearing: NA

Advertising Date/By: NA

Contact 1 and Phone: Chief Wayne Scott, 373-2085

Contact 2 and Phone: Stephanie Moore, 373-2352

### **PURPOSE:**

The Guilford County Board of Education and the Greensboro Police Department have contracted to assign School Safety Resource Officers (SRO) to provide law enforcement services for the Board and certain Guilford County school campuses. In return for providing sworn officers to the program, the Guilford County Board of Education will reimburse the City for a portion of the costs. The contract funds seventeen (17) officers for eleven (11) months of the year, for total reimbursement of \$1,061,054. The FY 2016-2017 contract is presented to Greensboro City Council in accordance with current city fiscal procedures.

### **BACKGROUND:**

The School Safety Resource Officer program began July 2001 as a collaborative effort between the Guilford County Board of Education and the three jurisdictional law enforcement agencies in Guilford County: Greensboro Police Department, High Point Police Department and the Guilford County Sheriff's Department. The law enforcement officers are assigned to specific schools in which the officers perform their law enforcement duties in coordination with school officials. The Guilford County Board of Education contracts yearly with each agency, providing funding for salaries, training and equipment.

### **BUDGET IMPACT:**

The School Safety Resource Officer contract between the City and the Guilford County Board of Education states the GCSB will reimburse the City for payroll and equipment expenses related to the SRO program in the amount of \$1,061,054 in quarterly installments. The additional SRO expenses for those eleven months, approximately \$280,500, will be charged to the Police Department. Expenditures and revenues associated with the School Resource Officer's program are included in the FY 16-17 adopted budget in accounts 101-3510-07 and 101-3510-08.

**RECOMMENDATION / ACTION REQUESTED:**

It is requested that the City Council pass the resolution allowing the Greensboro Police Department to enter into a contract in the estimated amount of \$1,061,054 with the Guilford County Board of Education for the period of July 1, 2016 through June 30, 2017.

**ADDENDUM TO CONTRACT  
FY 2016-2017**

It is hereby agreed by and between the **GUILFORD COUNTY BOARD OF EDUCATION** located in Guilford County, North Carolina (hereinafter referred to as "*Board*") and the **CITY OF GREENSBORO** (hereinafter referred to as "*City*") that the Board does amend the School Safety Resource Officer (SRO) Program contract between the parties dated July 1, 2001 by this Addendum, effective for the 2016-2017 school year.

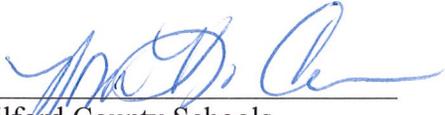
- ***"The City shall provide 17 (seventeen) sworn officers to be assigned to specific middle/high schools by the Chief of Police. The selection of the individual officers shall be at the discretion of the Chief of Police. During the 2016-2017 school year, there shall be 17 (seventeen) officers assigned to the Board by the Chief as School Safety Resource Officers."***
- ***"The City will assume maintenance charges for the 17 (seventeen) vehicles for the 2016-2017 school year and such maintenance charges will be reimbursed by the Board."***
- ***"The City will provide appropriate vehicle liability coverage for the 17 (seventeen) vehicles and such insurance costs will be reimbursed by the Board."***
- ***"The Board shall pay to the City all actual expenditures on a quarterly basis, which represent the funds needed to pay salaries and benefits for 17 (seventeen) SRO's and other maintenance and operations expenses necessary to support the SROs."***
- ***Guilford County Schools will pay the City up to \$1,061,053.64 per the annual costs statement provided by the City for 17 sworn officers to serve as SROs for the 2016-2017 school year.***

All other items and conditions contained in the Contract between the parties dated July 1, 2001 shall continue in full force and effect subject to the terms and conditions set forth in SECTION 5. TERM OF AGREEMENT in the July 2001 contract as if fully set forth herein.

IN WITNESS WHEREOF, the duly authorized officers of the parties have executed this Addendum, as of the date indicated in the first paragraph of this Addendum.

ATTEST:

CITY OF GREENSBORO



\_\_\_\_\_  
Guilford County Schools  
Chief of Staff

\_\_\_\_\_  
City Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Approved as to Legality and Form:

\_\_\_\_\_  
Assistant / City Attorney

\_\_\_\_\_  
City of Greensboro Finance

Attest:

\_\_\_\_\_  
City Clerk

This instrument has been pre-audited in the manner required by the School Budget and Fiscal Control Act.

Approved as to Content:

Anyle C. Henry 9-6-2016  
Guilford County Board of Education  
Chief Financial Officer

\_\_\_\_\_  
Chief of Police, City of Greensboro

Greensboro Police Dept School Resource Officer Billing  
to Guilford County School System

<u>Salaries &amp; Benefits</u>	Per each SRO- 11 months	Total for 11 months <b>17 SRO</b>
Salaries	\$ 40,876.92	\$ <b>694,907.58</b>
Longevity	\$ 837.83	\$ 14,243.17
FICA	\$ 605.00	\$ 10,285.00
Pension	\$ 1,998.33	\$ 33,971.67
Other Pension	\$ 4,905.08	\$ 83,386.42
Hospital	\$ 5,027.92	\$ 85,474.58
Life	\$ 296.08	\$ 5,033.42
Dental	\$ 352.00	\$ 5,984.00
	<b>\$ 14,022.25</b>	<b>\$238,378.25</b>

Maintenance & Operations

Vehicle Maintenance	\$ 2,695.00	\$ 45,815.00
Fuel Charges	\$ 1,833.33	\$ 31,166.67
Radio Charges	\$ 1,732.50	\$ 29,452.50
Uniforms	\$ 888.25	\$ 15,100.25
Training/Conferences	\$ 366.67	\$ 6,233.39
	<b>\$ 7,515.75</b>	<b>\$ 127,767.81</b>

Vehicle Replacement

(3) Police Line Vehicles

Not included

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Annual total:	<b>\$ 1,061,053.64</b>
Quarterly Charge	\$265,263.41

**STATE OF NORTH CAROLINA  
CITY OF GREENSBORO**

**CONTRACT-SRO Program**

THIS AGREEMENT, made this 1<sup>st</sup> day of July 2001, by and between the CITY OF GREENSBORO, hereinafter referred to as "City"; and the GUILFORD COUNTY BOARD OF EDUCATION, hereinafter referred to as "Board";

**WITNESSETH:**

THAT WHEREAS, Board desires special law enforcement services to be rendered by the City of Greensboro, namely, the providing of School Safety Resource Officers (SROs), and WHEREAS, the City of Greensboro has agreed to provide such special law enforcement services to the Board upon certain terms and conditions provided hereinafter; NOW, THEREFORE, in consideration of the mutual promises contained herein and pursuant to the authority of the General Statutes of the State of North Carolina, and the acts and things done and performed, and to be done and performed by the parties hereto, one with the other, the parties mutually agree as follows:

**SECTION 1. DUTIES AND RESPONSIBILITIES OF CITY**

1.01 The City shall provide eleven (11) sworn police officers to be assigned to specific middle/high schools by the Chief of Police. The selection of the individual officers shall be at the discretion of the Chief of Police. During the term of this Agreement, there shall be eleven (11) police officers assigned to the Board as School Safety Resource Officers. The primary duty and responsibility of the SROs shall be to the schools. Specific SRO duty hours at particular schools may be set by the Board's Program Administrator for School Safety, the principal of the school to which the officer is assigned and the Chief of Police or supervisor in charge of the SRO program. It is understood that, in the event of Police Department emergencies, the School Safety Resource Officers may be required, for short periods of time, to attend to such emergencies in lieu of his/her duties under this Agreement. In the event that such a need arises, the Chief of Police or his designee will notify the Board's Program Administrator for School Safety as soon as possible. For purposes of this agreement, "emergency" is defined as an event which involves an

imminent threat of death or serious bodily injury and required immediate action. The emergency assignment shall be completed in a timely manner so as not to create unnecessary jeopardy to school safety. It is further understood that the School Safety Resource Officers are employees of the Greensboro Police Department and will be subject to the vacation and holiday schedule of the department. In the event an SRO is absent from work, the SRO shall notify both the Chief of Police or his designee and the principal of the school to which he/she is assigned. SROs shall coordinate and communicate with the principal or his/her designee as necessary to effectively perform their duties. It is understood and agreed that time spent by SROs attending court for juvenile and/or criminal cases arising from and/or out of their assignment as an SRO shall be considered as hours worked under this agreement.

1.02 The City shall ensure that the exercise of any law enforcement powers by the School Safety Resource Officers is in compliance with the authority granted by law and that they receive basic and in-service training and/or temporary duty assignments as necessary to properly maintain their certification and skills.

1.03 The City will assume maintenance charges for the eleven (11) vehicles for the duration of this contract which will be reimbursed by the Board.

1.04 The City will provide appropriate vehicle insurance coverage for the eleven (11) vehicles, which will be reimbursed by the Board.

1.05 The City agrees to provide each SRO with the necessary law enforcement supplies and forms required in the performance of their duties.

## **SECTION 2. DUTIES AND RESPONSIBILITIES OF BOARD**

2.01 The Board will be responsible for negotiating and contracting separately with the County of Guilford and the City of High Point for the services of a least seventeen (17) SRO officers to be assigned to middle/high schools located within their jurisdictions.

2.02 The Superintendent of the Board has designated the Board's Program Administrator for School Safety as the person to work with, coordinate activities of, and otherwise communicate with the School Safety Resource Coordinator and the City on behalf of the Board.

2.03 The Board shall pay to the City all actual expenditures on a quarterly basis, which represent the funds needed to pay salaries and benefits for eleven (11) SROs and other miscellaneous expenses necessary to support the SROs.

In the event of the renewal of this Agreement, the sum to be paid by the Board to the City shall be increased annually by an amount representative of any increase in the cost of said SRO's salaries, benefits and miscellaneous expenses. Any increase pursuant to this paragraph must be approved by the Board or Superintendent prior to its taking effect and evidenced by letter from him.

The City shall provide the Board with an annual cost report by April 1, of each year, identifying all expenditures relating to this contract.

The City shall designate such annual cost to be paid by the Board in a cost sheet provided by the City to the Board by April 1 of each year which shall be applicable to the contract or to any renewal of the contract for services for the fiscal year beginning July 1 of each such applicable year; said cost sheet shall identify the specific expenditures relating to this contract and the SRO Program (excluding the School Safety Resource Coordinator).

2.04 The Board through its principals or their designees shall provide and maintain, to the extent resources are available, office space, furniture and/or telephone to SROs through the duration of this contract.

2.05 The Board shall provide funds to the City for Fiscal Year 2001-2002 to cover the cost of one (1) vehicle to replace a vehicle currently used by the School Resource Officers in the completion or their law enforcement duties. Payment shall include the cost of a vehicle with complete accessories, highway user taxes and license fees.

2.06 The normal useful life of a law enforcement vehicle is five years, 100,000 miles or excessive repair costs. If this agreement is terminated in less than five years, the City may retain possession of the assigned SRO vehicles for the Police Department upon reaching a mutually agreed upon settlement for the value of the vehicles.

- 2.07 In the event a vehicle is damaged or no longer operable, any insurance or other liability proceeds shall revert to the Guilford County Schools and the Board will be responsible for providing funds to acquire a replacement vehicle.
- 2.08 When any vehicle purchased under this agreement is disposed of or surplussed, all proceeds from the sale shall revert to the Guilford County Schools.
- 2.09 When any vehicle purchased under this agreement is disposed of or surplussed, all law enforcement accessories such as lights, sirens, radios, etc., shall remain the property of the City to be placed on any replacement vehicle or otherwise disposed of in accordance with law. In the event that vehicles must be replaced in future years, the numbers and costs of the vehicles to be replaced shall be provided in a cost sheet and mutually agreed upon for purposes of budget presentation.

### **SECTION 3. SCHOOL RESOURCE OFFICER PROGRAM**

- 3.01 The general outline of the Program shall be as provided in the attached addendum entitled "Guilford County Schools-School Resource Officer Program," which is incorporated herein by reference.
- 3.02 School officials shall allow SROs to inspect and copy any public records maintained by the school including student directory information such as yearbooks. However, law enforcement officials may not inspect and/or copy confidential student education records except in emergency situations. If some information in a student's cumulative record is needed in an emergency situation to protect the health and/or safety of the student or other individuals, school officials may disclose to the SRO the information that is needed to respond to the emergency situation based on the seriousness of the threat to someone's health and/or safety. This disclosure is based upon the immediacy of the need and the impact of the delay in obtaining said information from other sources. If confidential student records information is needed, but no emergency situation exists, the information may be released only upon a signed notarized consent of a parent or guardian, the issuance of a search warrant or a subpoena to produce the records.

### **SECTION 4. INDEMNIFICATION**

- 4.01 The Board shall indemnify and save harmless the City for any liability whatsoever arising out of the negligence of the Board's employees or agents arising from the operation and implementation of the School Safety Resource Officer Program to the extent allowed by law.
- 4.02 The City shall indemnify and save harmless the Board for any liability whatsoever arising out of the negligence of the City's employees or agents arising from the operation and implementation of the School Safety Resource Officer Program to the extent allowed by law.
- 4.03 Nothing in this Agreement shall be construed to affect in any way the City's or the Board's rights, privileges, and immunities or defenses, which may exist by statute or common law with regard to any claim, action or cause of action by or on behalf of any third person.

#### **SECTION 5. TERM OF AGREEMENT**

- 5.01 This Agreement shall be made for one-year period beginning July 1, 2001, and ending on June 30, 2002, with the intent to renew the Agreement, contingent upon the availability of the necessary funding through the appropriation of state and/or local funding or designated grants for SROs, for successive one-year terms beginning on July 1. The same terms and conditions shall continue during any renewal period(s) except for the increased costs to the Board, as described in Section 2.0.3 and the purchase costs of vehicles covered in Section 2.05 herein.
- 5.02 This Agreement shall continue from year to year without re-execution subject to the amount budgeted by the Board each year and the right of either party to terminate as set out below.

#### **SECTION 6. TERMINATION**

- 6.01 Either party may terminate this Agreement by serving written notice upon the other party at least thirty (30) days in advance of such termination.

#### **SECTION 7. INVALID PROVISION**

- 7.01 Should any part of this Agreement be declared invalid by a court of law, such decision shall not affect the validity of any remaining portion, which shall remain in full force and effect as if the invalid portion was never a part of this Agreement when it was executed.

7.02 Should the severance of any part of this Agreement materially affect any other rights or obligations of the parties hereunder, the parties hereto will negotiate in good faith to amend this Agreement in a manner satisfactory to the parties.  
Failing agreement on such amendment, either party may, by notice in writing, terminate this Agreement forthwith, subject to the provisions of this Agreement relating to termination.

#### **SECTION 8. ASSIGNMENT**

8.01 Neither party to the Agreement shall, directly or indirectly, assign or propose to assign this Agreement of any of its rights or obligations in whole or in part to any third party without the prior written consent of the other party.

#### **SECTION 9. NO WAIVER**

9.01 The failure of either party to enforce at any time any of the provisions, rights or elections shall not in any way affect the validity of this Agreement. The failure to exercise by either party any of its rights herein or any of its elections under the terms or conditions herein contained shall not preclude or prejudice it from exercising the same or any other right it may have under this Agreement, irrespective of any previous action of proceeding taken by it hereunder.

#### **SECTION 10. COMPLETE AGREEMENT**

10.1 This Agreement is the complete Agreement of the parties; may be amended or modified only in writing; and supercedes, cancels and terminates any and all prior agreements or understandings of the parties, whether written or oral, concerning the specific subject matter hereof.  
IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the day, month, and the year first above written.



RESOLUTION AUTHORIZING EXECUTION OF CONTRACT WITH THE GUILFORD  
COUNTY BOARD OF EDUCATION FOR THE SCHOOL SAFETY RESOURCE  
OFFICER PROGRAM

WHEREAS; the Guilford County Board of Education desires assistance of the City (Greensboro Police Department) in providing School Safety Resource Officers for additional police services to create safe and crime free educational campuses;

WHEREAS; there is a need to maintain the School Safety Resource Officer Program (SRO) jointly operated by the Greensboro Police Department and the Guilford County Board of Education in select public schools;

WHEREAS; the City and the Guilford County Board of Education believe that the continued operation of the SRO program is vital in protecting and safeguarding these campuses;

WHEREAS; under this contract, the City agrees that the services rendered by the assigned personnel of the Greensboro Police Department under this agreement to provide seventeen (17) officers for eleven months to the program are in addition to baseline police services;

The Guilford County Board of Education shall reimburse the City for \$1,061,054 for the salaries and equipment of the officers assigned to the program for the period of July 1, 2016 through June 30, 2017.

The Greensboro Police Department and the Guilford County Board of Education shall continue to work together to ensure the successful protection of those educational campuses.

WHEREAS; the Greensboro Police Department would like to enter into a contract with the Guilford County Board of Education for School Safety Resource Officers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Greensboro Police Department is hereby authorized to execute a contract with the Guilford County Board of Education for the School Safety Resource Officer program in Greensboro, NC for payment of \$1,061,054 (FY 2016-17) to be paid in reimbursements, to be funded with Guilford County Board of Education funds.



# City of Greensboro

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

## Agenda Memo Report

File Number: ID 16-0823

**Agenda Date:** 10/18/2016

**Status:** Agenda Ready

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:** 34.

Resolution Authorizing Interlocal Agreement with the County of Guilford and the City of High Point for a Community Notification System

Department: Fire

Council District: All

Public Hearing: No

Advertising Date/By: N/A

Contact 1 and Phone: Jim Robinson 336-373-2187

Contact 2 and Phone: Bobby Nugent 336-373-2297

### **PURPOSE:**

To enter into a interlocal agreement with Guilford County and the City of High Point for a Citizen Notification System, emergency and non-emergency, that will be a cost-share approach to funding.

### **BACKGROUND:**

In 2010, Guilford County, the City of Greensboro, and the City of High Point utilized Homeland Security Grant funding to create the GEANI (Guilford Emergency Notification and Information) system, to provide seamless notifications to residents within Guilford County for public safety alerts. From 2010 to 2014, Homeland Security Grant funds were used to maintain and support the system. In 2014, Guilford County, the City of Greensboro, and City of High Point entered into an inter-local agreement to share the ongoing maintenance costs of the system (County Contract 36460-04/14-064).

The current system infrastructure is now outdated and no longer supported by the vendor, requiring a substantial upgrade of hardware and ongoing maintenance costs. Based on the communities' expectations for emergency notifications, and the need for non-emergency notifications to residents and businesses, the partnership between Guilford County, Greensboro and High Point elected to go out for bids to solicit replacement systems to enhance the current GEANI system and ensure continued community notifications.

The notification system was competitively bid through Guilford County Purchasing under event #533 for a software as a service. Based on the procurement process, the *Everbridge Unified Critical Communications Suite* was chosen as the most responsive vendor that met the requirements set forth by the participating agencies. This proposed system will be able to provide emergency and non-emergency notifications to residents, businesses, and employees in a coordinated manner without the need for local hardware costs. Additionally, non-public safety agencies will be able to use the system to communicate with customers on issues such as water outages, changes in garbage collection days, interruptions in service, press release distribution, and employee notifications. The system will include the ability for

agencies to upload customer databases, employee databases, and a portal for individuals to opt-in for notifications on cell phones, text message, e-mails, or voice calls.

The inter-local agreement will replace County Contract 36460-04/14-064 with Guilford County and the City of High Point and sets the cost sharing mechanisms and governance structures for system implementation, maintenance, and use. The agreement is for one (1) year with automatic renewal over the following four (4) years.

**BUDGET IMPACT:**

A 1/3 cost share to the City of Greensboro. Currently, the City's share is \$5,000. In the first year of the new agreement, the cost will be \$44,334. In subsequent years, the cost will be \$40,834.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended and requested that the City Council approve the resolution authorizing the City Manager to execute the Interlocal Agreement between the County of Guilford and the City of High Point.

**GUILFORD COUNTY CONTRACT NO. 00061-09/16-181  
CITY OF GREENSBORO (GREENSBORO) & CITY OF HIGH POINT (HIGH POINT)**

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

**MEMORANDUM OF AGREEMENT  
between  
GUILFORD COUNTY  
the  
CITY OF GREENSBORO, NC  
And  
THE CITY OF HIGH POINT, NC**

**AGENCIES:**

THIS MEMORANDUM OF AGREEMENT (the “MOA”) is hereby entered into this 6<sup>th</sup> day of October, 2016, by and between **GUILFORD COUNTY**, on behalf of its Emergency Services Department, Division of Emergency Management, hereinafter referred to as the “**COUNTY**” and the **CITY OF GREENSBORO, NC**, hereinafter referred to as “**GREENSBORO,**” and the **CITY OF HIGH POINT, NC** hereinafter referred to as “**HIGH POINT,**” and also collectively referred to as the “**PARTIES.**”

**BACKGROUND:**

GUILFORD COUNTY, on behalf of its Division of Emergency Management and through a contract with Everbridge Inc., will maintain a web based Community Notification System (hereafter “System”), utilizing the Everbridge Unified Critical Communications Suite. The parties wish to utilize the existing the system to provide a unified and collaborative system to provide both routine and emergency notifications to residents and businesses in Guilford County, the City of Greensboro, and the City of High Point (to include areas outside of Guilford County).

**PURPOSE:**

The purpose of this MOA is to establish guidelines and funding mechanisms for the use of the System by the parties to provide routine and emergency notifications.

**CONDITIONS:**

1. The COUNTY, GREENSBORO, and HIGH POINT will form a partnership to share the Everbridge platform equally between the three jurisdictions.
2. The COUNTY will be responsible for contract administration with Everbridge.
3. The Parties will each identify a lead department to serve as the System Administrator for their jurisdiction.
4. The Parties will appoint 2 representatives each (for a total of 6 members) that will make up the “Notification System Advisory Board” as described in Attachment 1.

**GUILFORD COUNTY CONTRACT NO. 00061-09/16-181**  
**CITY OF GREENSBORO (GREENSBORO) & CITY OF HIGH POINT (HIGH POINT)**

5. All system users will be governed by policies and procedures set forth by the Notification System Advisory Board.
6. This MOA shall be in effect beginning on the date stated in the introductory paragraph of this MOA until such time as being amended or terminated by the Parties.
7. The terms of this MOA may only be modified or amended with a written Amendment executed by all Parties.
8. GREENSBORO will pay the COUNTY \$44,334.00 (1/3 of the total cost) for the first year's implementation in Fiscal Year 2016-2017. Payment is to be received by the COUNTY within thirty (30) days of approval of this MOA.
9. HIGH POINT will pay the COUNTY \$44,334.00 (1/3 of the total cost) for the first year's implementation in Fiscal Year 2016-2017. Payment is to be received by the COUNTY within thirty (30) days of approval of this MOA.
10. The PARTIES will determine subsequent annual payment amounts (not to exceed \$40,834.00, a maximum of 1/3 share of ongoing system costs) through the "Notification System Advisory Board." Payment is to be received by the COUNTY by October 1<sup>st</sup> of each Fiscal Year.
11. The COUNTY will continue to provide funding to allow for maintenance and support for the System, subject to annual appropriation of funds by the GUILFORD COUNTY Board of Commissioners or other funding source, pursuant to N.C.G.S. Chapter §153A-13.
12. The COUNTY will act as the liaison between Everbridge and the PARTIES of this agreement for customer support, training, and services.
13. This MOA, including the Exhibits and/or Attachments, sets forth the entire Agreement between the Parties.
14. The Parties agree that this Contract is subject to the jurisdiction and laws of the State of North Carolina. The Parties will comply with bid restrictions, if any, and applicable laws, including N.C.G.S. §143-129(j) regarding E-Verify. Any controversies arising out of this Contract shall be governed by and construed in accordance with the laws of the State of North Carolina.
15. The term of this Contract shall commence on Effective Date of October 6, 2016 and continue for an initial term of one year. This Agreement shall renew for a 1-year term for the following four (4) renewals unless a Party provides written notice of nonrenewal no less than ninety (90) days prior to the conclusion of the initial term or the then current renewal term.
16. Each Party agrees to be solely responsible for its own negligent acts or omissions and willful misconduct, and those of its employees, agents, and subcontractors, in the performance of services provided hereunder.
17. The terms of this Agreement may only be amended with a written Contract Amendment executed by all three Parties.
18. Any Party may terminate this Agreement for any reason and without penalty, upon a six month (6) written notice to the other Parties.







**GUILFORD COUNTY CONTRACT NO. 00061-09/16-181  
CITY OF GREENSBORO (GREENSBORO) & CITY OF HIGH POINT (HIGH POINT)**

**ATTACHMENT #1 – ADVISORY BOARD**

1. **PURPOSE:** The purpose of the Notification System Advisory Board is to determine policies and procedures for the implementation, use, and maintenance of the Community Notification System.
  
2. **GOVERNANCE:** The purpose of the Notification System Advisory Board is to determine policies and procedures for the implementation, use, and maintenance of the Community Notification System.
  - 2.2. Membership: Due to the shared nature of the system, the representation of the advisory board will consist of:
    - 2.2.1. Guilford County Emergency Management Division Director (Chair)
    - 2.2.2. Guilford County Sheriff’s Representative
    - 2.2.3. City of Greensboro Fire Department Representative
    - 2.2.4. City of Greensboro Police Department Representative
    - 2.2.5. City of High Point Fire Department Representative
    - 2.2.6. City of High Point Police Department Representative
  
  - 2.3. Staff Support
    - 2.3.1. Staff support to the Advisory Board will be provided by the Guilford County Emergency Management Division.
  
  - 2.4. Roles of Governance Committee
    - 2.4.1. To establish the operating parameters of the system and to provide for the future viability of the system as an on-going concern.
    - 2.4.2. Ensure transparency and public accountability for the operations and finances of the system and its participants
    - 2.4.3. Determine the operating, maintenance and administration policies and procedures for system use.
    - 2.4.4. Determine future system enhancements or modifications.
    - 2.4.5. Determine system expansions to additional allied agencies that are not a part of this initial agreement.
    - 2.4.6. Develop and approve strategic planning of the system, and the ability to offset operating expense through contractual agreements with other entities.
    - 2.4.7. Annually set the rates for system users and owners of the system.
      - 2.4.7.1. For the purposes of this Agreement, OWNERS are defined as the three PARTIES (COUNTY, GREENSBORO, HIGH POINT).
      - 2.4.7.2. USERS are defined as allied agencies that are not elements of the COUNTY, GREENSBORO, or HIGH POINT, that benefit from the infrastructure of the shared asset.
    - 2.4.8. All revenue generated on behalf of the system will be divided among the Parties in a manner determined by the governance committee and reduce the annual share of the Parties

RESOLUTION APPROVING INTERLOCAL AGREEMENT BETWEEN THE CITY OF GREENSBORO AND GUILFORD COUNTY AND THE CITY OF HIGH POINT FOR A COMMUNITY NOTIFICATION SYSTEM

WHEREAS, the City of Greensboro, the County of Guilford and the City of High Point have had a Community Notification System since 2010 funded by Homeland Security Grants;

WHEREAS, the current Community Notification System is at its end-of-life and needs to be replaced;

WHEREAS, the County will maintain a Community Notification System for use by the City of Greensboro for emergency and non-emergency community notifications;

WHEREAS, the cost to the City for this service will be \$44,334 (1/3 of the total cost) for the first year and subsequent annual payment amounts not to exceed \$40,834 for the duration of the Agreement;

WHEREAS, City Council is requested to approve the Interlocal Agreement between the City of Greensboro, Guilford County and the City of High Point for the Community Notification System presented here with this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Interlocal Agreement between the City of Greensboro, Guilford County and the City of High Point for the Community Notification System presented herewith this day is hereby approved and the Mayor and the City Clerk are hereby authorized to execute said Agreement.