



City of Greensboro

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

Meeting Minutes - Draft City Council

Tuesday, July 17, 2018

5:30 PM

Council Chamber

Call to Order

This City Council meeting of the City of Greensboro was called to order at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present:

Present: 9 - Mayor Nancy Vaughan, Mayor Pro-Tem Yvonne J. Johnson, Councilmember Marikay Abuzuaiter, Councilmember Sharon M. Hightower, Councilmember Nancy Hoffmann, Councilmember Michelle Kennedy, Councilmember Justin Outling, Councilmember Tammi Thurm and Councilmember Goldie F. Wells

Also present were City Manager David Parrish, City Attorney Tom Carruthers, and Deputy City Clerk Angela R. Lord.

Moment of Silence

The meeting opened with a moment of silence.

Pledge of Allegiance to the Flag

Mayor Vaughan recognized Councilmember Abuzuaiter to lead the Pledge of Allegiance to the Flag.

Recognition of Courier

City Manager David Parrish recognized Charles McLaughlin of the Engineering and Inspections Department who served as Courier for the meeting.

Council Procedure for Conduct of the Meeting

Mayor Vaughan explained the Council procedure for conduct of the meeting.

I. CONSENT AGENDA (One Vote)

Mayor Vaughan asked if anyone wished to remove any items from the Consent Agenda; and reminded Council that if an item was removed from the consent agenda it would go on as a business item at the next meeting.

Councilmember Hightower requested Items #7 and #9 be removed for discussion. Item #7 postponed to the August 21st meeting of Council; and item #9 was discussed and adopted.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells to adopt the consent agenda as amended. The motion carried by voice vote.

1. [ID 18-0432](#) Resolution Recognizing July as Parks and Recreation Month and Supporting the Parks and Recreation Department's Work of Building Better Lives to Build a Better Community

161-18 RESOLUTION RECOGNIZING JULY AS PARKS AND RECREATION MONTH AND TO SUPPORT THE DEPARTMENT'S WORK OF BUILDING BETTER LIVES TO BUILD A BETTER COMMUNITY

WHEREAS, the National Recreation and Park Association has celebrated the month of July as National Parks and

Recreation Month since 1985; and our own Parks and Recreation Department has served Greensboro since 1933;

WHEREAS, during this time, the Department has developed trust and relationships with the community while being innovative and efficient toward exceeding community recreational needs;

WHEREAS, through the support of the City Council, Parks and Recreation Commission, community partners and dedicated professionals, the Parks and Recreation Department provides progressive leadership, and develops strong partnerships with public and private organizations to literally and figuratively change the landscape of Greensboro;

WHEREAS, the Department has been recognized nationally for best practice in terms of business operations and programming, and several of their team members are considered subject matter experts in the field, presenting at state and national conferences;

WHEREAS, the Department has committed to C.A.R.E.: 1) Create economic impacts; 2) Advance conservation; 3) Rejuvenate health and wellness; and 4) Enhance quality of life.

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

1. That it recognizes each and every July as Parks and Recreation Month.
2. That it expresses its support of the Greensboro Parks and Recreation Department, its staff, and their success with building better lives to build a better Greensboro.

(Signed) Yvonne Johnson

2. [ID 18-0175](#) Resolution Authorizing the Master Service Agreement with Sterns Conrad and Schmidt Consulting Engineers (SCS) to Provide Air Quality Professional Services

162-18 RESOLUTION AUTHORIZING THE MASTERS SERVICE AGREEMENT WITH STERNS CONRAD AND SCHMIDT CONSULTING ENGINEERS (SCS) FOR AIR QUALITY PROFESSIONAL SERVICES

WHEREAS, the Field Operations Department is responsible for meeting state and federal requirements to provide air permit monitoring and compliance at the White Street landfill (No. 08830T05) for the City of Greensboro;

WHEREAS, the Field Operations Department plans to enter into a three year contract with two one-year extensions which expires September 30, 2023;

WHEREAS, the Master Services Agreement is averaged at \$102,820 annually with a total contract value of \$514,100 over a five year period to cover the federal and state monitoring and reporting requirements of the City's Title V permit. Additionally, the contract is used to assist the City in complying with federal requirements associated with natural gas pipeline (maintenance and inspection) which previously supplied landfill gas to Cone Mills for power generation;

WHEREAS, funding for this contract is available in the Solid Waste Management fund in account number 551-4306-04.5413.

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

That the resolution authorizing the Master Service Agreement with Sterns Conrad and Schmidt Consulting Engineers SCS for Air Quality Professional Services is hereby approved.

(Signed) Yvonne Johnson

3. [ID 18-0414](#) Resolution Authorizing Agreement in the Amount of \$404,236.64 Between

the City of Greensboro and AT&T for the W. Market Street (SR 1008) and
Guilford College Road (SR 1546) Intersection Improvements Project

163-18 RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF GREENSBORO AND AT&T FOR THE W. MARKET STREET (SR 1008) AND GUILFORD COLLEGE ROAD (SR 1546) INTERSECTION IMPROVEMENTS PROJECT

WHEREAS, the W. Market Street and Guilford College Road Intersection Improvements is a project within the North Carolina Department of Transportation (NCDOT) public right-of-way;

WHEREAS, NCDOT and the City are required to compensate AT&T for the costs to adjust their facilities within the public right-of-way;

WHEREAS, one primary purpose of the streetscape is to reduced overhead clutter of utilities and modernize the corridor which includes the number of poles, burying communication lines whenever possible, installing new services, and occasional raising of lines for clearance as outlined in the proposed utility adjustment agreement presented herewith this day;

WHEREAS, the City is being requested to reimburse AT&T in the amount of \$404,236.64.

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

That it hereby authorizes the utility adjustment agreement between the City of Greensboro and AT&T presented herewith this day, with payment in the amount of \$404,236.64 to be made from accounts:

Street and Sidewalk Cap Project Account: 401-4547-01.6012	A11168 \$370,000
2008 Transportation Bond Fund Account: 471-4502-15.6012	A11171 \$34,237

(Signed) Yvonne Johnson

4. [ID 18-0417](#) Resolution Approving Bid in the Amount of \$596,384.00 and Authorizing Execution of Contract 2017-069 with Armen Construction, LLC for the Construction of the Cone Boulevard Sidewalk Improvements Phase 1

164-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT 2017-069 WITH ARMEN CONSTRUCTION, LLC FOR THE CONSTRUCTION OF THE CONE BOULEVARD SIDEWALK IMPROVEMENTS PHASE 1

WHEREAS, after due notice, bids have been received for the Cone Boulevard Sidewalk Improvements Phase 1 project;

WHEREAS, Armen Construction, LLC, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$596,384.00 as general contractor for Contract No. 2017-069, 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 Armen Construction, LLC is hereby accepted, and the City is authorized to enter into a contract with Armen Construction, LLC for the Cone Boulevard Sidewalk Improvements Phase 1 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 \$596,384.00 from 2008 Transportation Bond Fund account 471-4502-15.6015 A11132.

(Signed) Yvonne Johnson

5. [ID 18-0434](#) Resolution Authorizing a One-Year Renewal Term for Contract 2015-10254 with J. W. Wright for Mowing and Lot Clean Up Services

165-18 RESOLUTION AUTHORIZING A ONE-YEAR RENEWAL TERM FOR CONTRACT 2015-10254 FOR MOWING AND LOT CLEAN UP SERVICES

WHEREAS, the Planning Department is responsible for mowing and lot cleanup of properties owned by the Redevelopment Commission and Greensboro Housing Development Partnership; and

WHEREAS, the Department plans to renew a one-year Contract #2015-10254 for Mowing and Lot-Clean Up Services and the contract value will exceed \$100,000, which requires City Council approval, and

WHEREAS, the company, J.W. Wright, a North Carolina certified MBE firm, was awarded a contract through June 30, 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 fourth year at the same unit pricing; and

WHEREAS, the estimated annual cost under the current contract is \$115,000; and

WHEREAS, funds are anticipated to be budgeted in the 2018-19 fiscal year; and

WHEREAS, future fund appropriations are subject to City Council approval.

NOW THEREFORE BE IT RESOLVED BY THE GREENSBORO CITY COUNCIL

That the resolution authorizing a one-year renewal of contract # 2015-10254 for mowing and landscaping services is hereby approved.

(Signed) Yvonne Johnson

6. [ID 18-0443](#) Resolution Approving a Contract in the Amount of \$969,176 with Black and Veatch International Company to Perform a Water Resources Capacity Development Study

166-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$969,176 WITH BLACK & VEATCH INTERNATIONAL COMPANY TO PERFORM A WATER RESOURCES CAPACITY DEVELOPMENT STUDY

WHEREAS, a water resources capacity development is needed to support the Water Resources Department's ongoing planning and operation;

WHEREAS, work includes investigating the current state of both water supplies and wastewater capacity to plan for future development and capacity allocation;

WHEREAS, the professional engineering services of Black & Veatch International Company were selected through an RFP process that evaluated submissions based on transmittal letter, description/understanding of the scope of services, experience/qualifications of company and personnel/staff, references, and proposed M/WBE participation;

WHEREAS, Black & Veatch was selected and is needed based on their experience and expertise in planning for the Department.

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

That the City is authorized to enter into a contract Black & Veatch International Company for a water resources

capacity development study 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 \$969,176 from Water Resources Capital Fund Account No. 503-7028-01.5413 and the associated budget adjustment.

(Signed) Yvonne Johnson

8. [ID 18-0442](#) Resolution Approving a Contract in the Amount of \$338,641 with Hazen and Sawyer, PC for Design Services of the Airpark Road Water Booster Station Improvements Project

167-18 RESOLUTION APPROVING A CONTRACT IN THE AMOUNT OF \$338,641 WITH HAZEN AND SAWYER, PC FOR DESIGN SERVICES OF THE AIRPARK ROAD WATER BOOSTER STATION IMPROVEMENTS PROJECT

WHEREAS, on November 28, 2018, the Water Resources Department issued a Request for Qualifications (RFQ) for Groometown Road and Airpark Court Booster Station Design Projects;

WHEREAS, the proposal submitted by Hazen and Sawyer, PC received the top score for the Design of the Airpark Road Water Booster Station Improvements Project;

WHEREAS, the professional services of Hazen and Sawyer, PC will be utilized to design a booster pump station to support Airpark Road tank;

WHEREAS, based on the evaluation completed a pump station with three 1 MGD (Million Gallons per Day) pumps is sufficient to boost water from the 1070 to the 1120 pressure zone.

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

That the City is authorized to enter into a contract with Hazen and Sawyer, PC. to provide Design of the Airpark Road Water Booster Station 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 in the amount of \$338,641 from account 503-7028-07.5410 and the associated budget adjustment.

(Signed) Yvonne Johnson

9. [ID 18-0437](#) Resolution Authorizing the Greensboro Coliseum to Enter in to a Planned Service Contract with Johnson Controls to Provide an Onsite HVAC Engineer and Johnson Control Parts Related to the HVAC Control System and Fire Alarm System Located at the Greensboro Coliseum Complex

168-18 RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A THREE YEAR MULT-YEAR CONTRACT WITH JOHNSON CONTROLS FOR THE GREENSBORO COLISEUM COMPLEX

WHEREAS, Johnson Controls, Inc. provides an onsite HVAC Engineer and parts for facility operations, fire alarms systems and basic facility management;

WHEREAS, the contract between the City of Greensboro and Johnson Controls, Inc. indicates a three year term from July 2018 through June 2021;

WHEREAS, the contract has a three year value of \$511,978: Year one has an annual value of \$167,502; Year two has an annual value of \$170,652; Year three has an annual value of \$173,824.

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

That the multi-year contract between the City of Greensboro and Johnson Controls, Inc. in the annual amounts above are payable in four installments each year is hereby approved.

(Signed) Yvonne Johnson

10. [ID 18-0416](#) Resolution Authorizing Encroachment Agreement Between the City of Greensboro and GBORO AG II, LLC

169-18 RESOLUTION AUTHORIZING AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND GBORO AG II, LLC INTO THE CITY'S RIGHT-OF-WAY ALONG MCCONNELL ROAD AT INTERSECTION WITH 1414 E. WASHINGTON STREET TO INSTALL WELDED STEEL SECURITY FENCE.

WHEREAS, GBORO AG II, LLC has requested that the City permit installation of a Welded Steel Security Fence within City property and right-of-way. GBORO AG II, LLC is requesting that the Encroachment Agreement be approved;

WHEREAS, GBORO AG II, LLC has agreed to enter into this Encroachment Agreement with the City, which, among other things, will indemnify the City from any claim or damages that may occur due to the installations of the Welded Steel Security Fence;

WHEREAS, it is deemed in the best interest of the City to permit the Encroachment of said Welded Steel Security Fence by entering into the Encroachment Agreement presented herewith this day.

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Encroachment Agreement with GBORO AG II, LLC for the installation of Welded Steel Security Fence within City property and right of way. GBORO AG II, LLC, through the Encroachment Agreement, will be approved in accordance with the terms and conditions set out therein and in the executed Encroachment Agreement.

(Signed) Yvonne Johnson

11. [ID 18-0458](#) Resolution Approving FY 18-19 Contract Award for Firefighter Medical Evaluations and Physicals

170-18 RESOLUTION APPROVING FY 18-19 CONTRACT AWARD FOR FIREFIGHTER MEDICAL EVALUATIONS AND PHYSICALS

WHEREAS, the Greensboro Fire Department, in accordance with the National Fire Protection Association's Standard on Comprehensive Occupational Medical Programs for Fire Departments (NFPA 1582) and the Standard on Fire Department Occupational Safety and Health Program (NFPA 1500) has established and maintained a medical evaluation program for its sworn firefighters;

WHEREAS, providing annual medical evaluations for firefighters is considered the best practice for making a difference in the lives of firefighters because it has resulted in the early diagnosis of existing and/or potential health issues;

WHEREAS, the City of Greensboro has contracted with Moses H. Cone Memorial Hospital Operating Corporation for over ten (10) years to provide annual medical evaluations and physicals for firefighters;

WHEREAS, the costs for providing annual medical evaluations for the majority of firefighters resides in the account named Contracted Medical, #101-4005-02.5428 and is allocated at one-hundred thirty nine thousand, nine hundred and three dollars (\$139,903);

WHEREAS, the costs to provide medical evaluations for firefighters assigned to the Hazardous Materials Team resides in the account named Contracted Medical, #220-4020-01.5428 and is allocated at fifteen thousand dollars (\$15,000);

WHEREAS, a total amount of one hundred fifty four thousand, nine hundred and three dollars (\$154,903) is allocated to provide annual medical evaluations for firefighters.

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

That the City Manager is authorized to execute the Contract between the City of Greensboro and the Moses H. Cone Memorial Hospital Operating Corporation, for annual medical evaluations of all sworn firefighters for the contracted amount of \$154,903.

(Signed) Yvonne Johnson

12. [ID 18-0430](#) Resolution Approving Update to Rehabilitation Program Guidelines for Disaster Relief Homeowner Repair Program

171-18 RESOLUTION APPROVING UPDATE TO REHABILITATION PROGRAM GUIDELINES FOR DISASTER RELIEF HOMEOWNER REPAIR PROGRAM

WHEREAS, on April 15, 2018, the City experienced a tornado weather event which caused significant damage to homes and neighborhoods in East Greensboro;

WHEREAS, the City has been working collaboratively with community partners in the initial relief, debris clean up and relocation processes, and we are now moving into the long term repair and recovery period;

WHEREAS, the City seeks to assist homeowners who have financial gaps related to tornado damages to their homes;

WHEREAS, the Disaster Relief Homeowner Repair Program funds will be offered as an unsecured loan at 0% interest up to \$40,000, to be forgiven over a 5 year period, as long as the homeowner remains in the home;

WHEREAS, for homeowners whose properties have been destroyed, additional funds will be offered as a grant for the portion of the reconstruction project which does not add value to the property and may include demolition, site clearance, and the difference between the cost to construct and the property value;

WHEREAS. Community Development Block Grant and 2016 Housing Bond funds are already budgeted for Homeowner Rehabilitation programs.

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

That the Disaster Relief Homeowner Repair program guidelines targeting homeowners impacted by the April 15, 2018 tornado are hereby approved and will be incorporated into the existing Rehabilitation Program guidelines.

(Signed) Yvonne Johnson

13. [ID 18-0431](#) Resolution Authorizing a Commitment of Funds to Richardson Village, LP, and Trinity Consulting and Development, LLC/Trinity Funding and Consulting, LLC for East Greensboro Housing Development Projects

172-18 RESOLUTION AUTHORIZING A COMMITMENT OF FUNDS TO RICHARDSON VILLAGE, LP, AND TRINITY CONSULTING AND DEVELOPMENT, LLC/TRINITY FUNDING AND CONSULTING, LLC, FOR EAST GREENSBORO HOUSING DEVELOPMENT PROJECTS

WHEREAS, \$1,000,000 of City Housing Bond funds were included in a competitive Request for Proposals for East Greensboro Housing Development;

WHEREAS, the Planning Board has made a recommendation for City Council consideration to award funds as follows:

Project Name	Location	Developer	Amount
Richardson Village	600 DeWitt Street	Richardson Village, LP/Beacon Management Corp.	\$155,000
Solomon's Plaza LLC	1632 Ball Street	Trinity Consulting and Development, LLC/Trinity Funding and Consulting, LLC	\$700,000
Total			\$855,000

WHEREAS, the City loan to Richardson Hospital would be in 3rd position behind a bank loan and an existing City loan;

WHEREAS, funds are available from the following sources:

\$855,000.00 483-2201-01 East GSO Housing Devlpmt - Loans

WHEREAS, the recommendation is for issuance of a financing commitment for the Richardson Village and Solomon's Plaza projects conditioned on the projects receiving all necessary financing, M/WBE compliance documentation, and availability of City funds;

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

That it further authorizes financing commitments including a third position City lien for Richardson Village, LP, for the Richardson Village project, and a second position City lien for Trinity Consulting and Development, LLC/Trinity Funding and Consulting, LLC for the Solomon's Plaza project and authorizes the City Manager to execute loan closing documents for these multi-family affordable housing development projects.

(Signed) Yvonne Johnson

14. [ID 18-0370](#) Resolution Approving the Global Encroachment Agreement Between the City of Greensboro and Smart City Media, LLC for Encroachment Into City Right-Of-Way and City Property

173-18 RESOLUTION AUTHORIZING GLOBAL ENCROACHMENT AGREEMENT BETWEEN THE CITY OF GREENSBORO AND SMART CITY MEDIA, LLC FOR ENCROACHMENT INTO CITY RIGHT-OF-WAY AND CITY PROPERTY

WHEREAS, the City wants Smart City Media, LLC to install Smart Media Platforms in City right of way and City property;

WHEREAS, Smart City Media, LLC has agreed to enter into a Global Encroachment Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the equipment placed in City right of way and City property;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said installation of Smart Media Platforms and choose locations in the City's best interest.

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate Global Encroachment Agreement with Smart City Media, LLC to permit the installation of Smart Media Platforms all in accordance with the terms and conditions set out therein.

(Signed) Yvonne Johnson

15. [ID 18-0391](#) Resolution Approving Bid in the Amount of \$550,300.00 and Authorizing Execution of Contract 2017-065 with Michels Corporation for Elm Street Waterline Rehabilitation

174-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$550,300.00 AND AUTHORIZING EXECUTION OF CONTRACT 2017-065 WITH MICHELS CORPORATION FOR ELM STREET WATER LINE REHABILITATION

WHEREAS, after due notice, bids have been received for the Elm Street Water Line Rehabilitation;

WHEREAS, Michels Corporation a responsible bidder, has submitted the low base and alternate bid in the total amount of \$550,300.00 as general contractor for Contract No. 2017-065, 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 Michels Corporation is hereby accepted, and the City is authorized to enter into a contract with Michels Corporation for the Elm Street Water Line Rehabilitation 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 \$550,300.00 from account 503-7027-01.6016 A18036.

(Signed) Yvonne Johnson

16. [ID 18-0401](#) Resolution Adopting the City of Greensboro Peeler Community Park Master Plan

175-18 RESOLUTION ADOPTING THE CITY OF GREENSBORO PEELER COMMUNITY PARK MASTER PLAN

WHEREAS, Peeler Community Park was identified in 2016 Bond referendum for improvements for renovation of tennis courts and other park improvements;

WHEREAS, the City of Greensboro has completed a series of community conversations and public input opportunities to develop the master plan for Peeler Community Park in November 2017 and February 2018 to adequately serve and reflect the recreational needs of residents;

WHEREAS, The master plan includes expanded parking, relocated playground, relocated basketball, conversion of tennis court to multi-sport court, renovation of one tennis court, installation of outdoor fitness equipment, field renovation including lighting and improvements to ADA access through the park;

WHEREAS, the Parks and Recreation Commission approved the master plan at its June 13, 2018 meeting.

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

That it hereby adopts the Peeler Community Park Master Plan presented herewith this day.

(Signed) Yvonne Johnson

17. [ID 18-0409](#) Resolution Authorizing Interlocal Agreement Between the City of Greensboro, the City of High Point, and Guilford County for the Piedmont Discovery Park Locator Application

176-18 RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT BETWEEN THE CITY OF GREENSBORO, THE CITY OF HIGH POINT, AND GUILFORD COUNTY FOR THE PIEDMONT DISCOVERY PARK LOCATOR

APPLICATION

WHEREAS, Piedmont Discovery is a free park locator application that allows resident and visitors to fund parks, trails, and activities near them;

WHEREAS, the City of Greensboro, City of High Point, and Guilford County have collaborated to complete a comprehensive inventory of parks and trail and amenities;

WHEREAS, the application wireframe development has been completed and application development will be completed by Winter 2018.

WHEREAS, following completion of the application a testing phase of beta user will last approximately six months;

WHEREAS, each entity will work collaboratively to promote the application once completed for public launch to residents from each governmental entity;

WHEREAS, the Parks and Recreation Commission supported the City entering into this Interlocal agreement at its May 9, 2018 Commission meeting.

WHEREAS, pursuant to N.C. General Statute 160A-461 et seq. entering into such an Interlocal agreement requires City Council approval;

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

That the City Manager is authorized to execute an Interlocal agreement involving the City of Greensboro, City of High Point, and Guilford County for the Piedmont Discovery Application subject to the terms and conditions included within this resolution and Interlocal agreement.

(Signed) Yvonne Johnson

18. [ID 18-0402](#) Resolution Authorizing Grant Application for Outdoor Recreation Legacy Partnership Program

177-18 RESOLUTION AUTHORIZING GRANT APPLICATION OF OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM FOR PEELER COMMUNITY PARK

WHEREAS, the City of Greensboro qualifies as a local government to submit an Outdoor Recreation Legacy Partnership Program application by the August 14, 2018 deadline;

WHEREAS, Peeler Community Park was identified in 2016 Bond referendum as a location for renovation of tennis courts and additional park improvements;

WHEREAS, in 2018 the master plan for Peeler Community Park was completed based on feedback from the community;

WHEREAS, identified funding from the 2016 Bond referendum will be used as matching funding for the Outdoor Recreation Legacy Partnership Program;

WHEREAS, the Outdoor Recreation Legacy Partnership Program will provide additional funding for the Peeler Community Park for additional phased development;

WHEREAS, a dollar-for-dollar match is a grant requirement and the City authorized revenue from the 2016 Bond referendum for facility and community recreation center improvements to be used to satisfy the match requirement;

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

That the resolution authorizing a matching grant application for the Outdoor Recreation Legacy Partnership Program is awarded for the Peeler Community Park continued phased development is hereby approved.

(Signed) Yvonne Johnson

19. [ID 18-0436](#) Ordinance Amending State, Federal, and Other Grants Fund Budget for the Appropriation of 2019 Carolina Panthers Challenger League Grant Fund for the Challenger Flag Football Program

18-078 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF 2019 CAROLINA PANTHERS CHALLENGER LEAGUE GRANT FUND FOR THE CHALLENGER FLAG FOOTBALL PROGRAM

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 – CAROLINA PANTHERS GRANT FY19

Account	Description	Amount
220-5092-01.5237	Program Supplies	\$2,450
220-5092-01.5431	In-house Printing	\$ 50
Total		\$2,500

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

Account	Description	Amount
220-5092-01.8620	Donations & Private Contributions	\$2,500
Total		\$2,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

20. [ID 18-0422](#) Ordinance in the Amount of \$250,000 Amending State, Federal and Other Grants Fund Budget for Matching Funds for the Appropriation of Land and Water Conservation Fund Grant for Keeley Park Phase II

18-079 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF LAND AND WATER CONSERVATION FUND GRANT

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 – LWCG Keeley Park Phase 2 Grant

Account	Description	Amount
220-5089-01.6019	Capital Improvements	\$250,000
Total		\$250,000

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

Account	Description	Amount
220-5089-01.9482	Transfer from 2016 Bond Funds	\$250,000
Total		\$250,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

- 21. [ID 18-0413](#)** Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Preferred Investments, Inc. Located at 7325 CE W. Friendly Avenue in Connection with the West Friendly Avenue Sidewalk Project

178-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF PREFERRED INVESTMENTS, INC. IN CONNECTION WITH THE WEST FRIENDLY AVENUE SIDEWALK PROJECT

WHEREAS, Preferred Investments, Inc. is the owner of certain property located at 7325 CE W. Friendly Avenue, designated as Parcel # 0099485 said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the West Friendly Avenue Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$11,875.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$11,875.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$11,875.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 471-4502-15.6012 Activity #A11171.

(Signed) Yvonne Johnson

- 22. [ID 18-0420](#)** Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Kotis Holdings, LLC Located at 1302 and 1314-1320 Lees Chapel Road in Connection with the Lees Chapel Road Sidewalk Project

179-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF KOTIS HOLDINGS, LLC IN CONNECTION WITH THE LEES CHAPEL ROAD SIDEWALK PROJECT

WHEREAS, Kotis Holdings, LLC is the owner of certain property located at 1302 and 1314-1320 Lees Chapel Road, designated as Parcel Numbers 0047445 and 0047446, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lees Chapel Road Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$27,025.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$27,025.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$27,025.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4546-01.6012 Activity #A15138.

(Signed) Yvonne Johnson

23. [ID 18-0428](#) Resolution Authorizing City Attorney to Institute Proceedings to Condemn a Portion of the Property of Resurrection Fellowship Church Located at 2107 Lees Chapel Road in Connection with the Lees Chapel Road Sidewalk Project

180-18 RESOLUTION AUTHORIZING THE CITY ATTORNEY TO INSTITUTE PROCEEDINGS TO CONDEMN A PORTION OF THE PROPERTY OF RESURRECTION FELLOWSHIP CHURCH IN CONNECTION WITH THE LEES CHAPEL ROAD SIDEWALK PROJECT

WHEREAS, Resurrection Fellowship Church is the owner of certain property located at 2107 Lees Chapel Road, designated as Parcel# 0078808, said property being as shown on the attached map;

WHEREAS, a portion of said property is required by the City in connection with the Lees Chapel Road Sidewalk Project;

WHEREAS, negotiations with the owner at the appraised value of \$1,150.00 have been unsuccessful and said portion of the property is necessary for said project;

WHEREAS, it is deemed necessary and in the best interest of the City that the City Attorney be authorized to institute civil proceedings to condemn said portion of the property and that the Director of Finance be authorized to issue a draft to the Clerk of Superior Court as compensation to the owner(s) in the amount of \$1,150.00.

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

That, pursuant to Chapter 40A of the North Carolina General Statutes, the City Attorney is hereby authorized to institute condemnation proceedings to acquire said portion of the property, and the Director of Finance is hereby authorized to issue a draft in the amount of \$1,150.00 to the Clerk of Superior Court as compensation to the owner(s), payment to be made from Account No. 401-4546-01.6012 Activity #A15138.

(Signed) Yvonne Johnson

24. [ID 18-0392](#) Ordinance in the Amount of \$10,000 Amending State, Federal, and Other Grants Fund Budget for the Appropriation of Weaver Foundation Grant for Community Food Task Force Consultant

18-080 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF WEAVER FOUNDATION 2018 COMMUNITY FOOD TASK FORCE GRANT

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 – Community Food Task Force FY18

Account	Description	Amount
220-5090-01.5413	Consultant Services	\$10,000
Total		\$10,000

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

Account	Description	Amount
220-5090-01.7170	Local Government Grant	\$10,000
Total		\$10,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

25. [ID 18-0415](#) Ordinance in the Amount of \$537,635 Establishing FY 2018-2019 Greensboro Urban Area Metropolitan Planning Organization (MPO) Activities

18-081 ORDINANCE AMENDING STATE FEDERAL AND OTHER GRANTS FUND BUDGET FOR FY 2018-2019 GREENSBORO URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO) ACTIVITIES

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:

ACCOUNT	DESCRIPTION	AMOUNT
220-4540-01.4110	Salaries and Wages	229,633
220-4540-01.4140	Roster Wages	41,367
220-4540-01.4510	FICA Contribution	20,929
220-4540-01.4520	Retirement Contribution	22,406
220-4540-01.4610	Health Coverage-Active	22,189

220-4540-01.4650	Dental Coverage- Active	2,445
220-4540-01.4710	Life Insurance-Active	1,705
220-4540-01.5211	Postage	1,000
220-4540-01.5212	Computer Software	10,000
220-4540-01.5213	Office Supplies	500
220-4540-01.5221	Advertising	5,000
220-4540-01.5222	Professional Organizational Dues	2,000
220-4540-01.5223	Subscriptions	500
220-4540-01.5224	Outside Printing	2,000
220-4540-01.5235	Small Tools & Equipment	500
220-4540-01.5239	Miscellaneous Supplies	1,000
220-4540-01.5254	Rental Equipment	500
220-4540-01.5261	Books	500
220-4540-01.5413	Consultant Services	53,934
220-4540-01.5431	In-House Printing	3,500
220-4540-01.5510	Business & Meeting Expenses	3,500
220-4540-01.5520	Seminar/Training Expense	5,000
220-4540-01.5928	In-Kind Services	107,527
Total		\$537,635

And that this increase be financed by increasing the following accounts:

ACCOUNT	DESCRIPTION	AMOUNT
220-4540-01.7110	State Grant	430,108
220-4540-01.8695	Local In-Kind Services	107,527
Total		\$537,635

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Yvonne Johnson

26. [ID 18-0435](#) Resolution Approving a Contract with Arcadis G&M of North Carolina, Inc. to perform Force Main Condition Services

181-18 RESOLUTION IN THE AMOUNT OF \$360,000 APPROVING A CONTRACT WITH ARCADIS G&M OF NORTH CAROLINA, INC. TO PERFORM FORCE MAIN CONDITION ASSESSMENT SERVICES

WHEREAS, force main condition assessment services are needed to support the Water Resources Department's ongoing maintenance and operation;

WHEREAS, work includes investigating the current condition of the force mains through specialty non-destructive testing, analyzing testing data, and evaluating data for future recommendations;

WHEREAS, the professional engineering services of Arcadis G&M of North Carolina, Inc. an on-call consultant, are needed based on their experience and success in providing condition assessments and sewer services for the Department.

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

That the City is authorized to enter into a contract with Arcadis G&M of North Carolina, Inc. for Force Main Condition Assessment Services 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 \$360,000 from account 501-7081- 01.5413.

(Signed) Yvonne Johnson

27. [ID 18-0429](#) Resolution Listing Loans and Grants for City Council Approval

182-18 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at the March 1, 2005 meeting of City Council, the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

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

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 Council meeting.

(Signed) Yvonne Johnson

28. [ID 18-0451](#) Budget Adjustments Requiring Council Approval 6/12/18 - 7/16/18

Motion to approve the budget adjustments of 6/12/18 - 7/16/18 over the amount of \$50,000 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 16 which is hereby referred to and made a part of these minutes)

29. [ID 18-0452](#) Budget Adjustments Approved by Budget Officer 6/12/18 - 7/9/18

Motion to accept the report of budget adjustments of 6/12/18 - 7/9/18 was adopted.

(A copy of the Report is filed in Exhibit Drawer A, Exhibit No. 16 which is hereby referred to and made a part of these minutes)

30. [ID 18-0398](#) Motion to Approve the Minutes of the Regular Meeting of June 5, 2018

Motion to approve the minutes of the Regular meeting of June 5, 2018 was adopted.

31. [ID 18-0457](#) Motion to Approve the Minutes of the Work Session of June 12, 2018

Motion to approve the minutes of the Work Session of June 12, 2018 was adopted.

32. [ID 18-0444](#) Motion to Approve the Minutes of the Regular Meeting of June 19, 2018

Motion to approve the minutes of the Regular meeting of June 19, 2018 was adopted.

7. [ID 18-0441](#) Resolution Approving Change Order No. 2 in the Amount of \$123,145 to Contract 2016-039 with Hazen and Sawyer, PC, for the Townsend Water Treatment Facility Basin and Gravity Filter Improvements Project Construction Administration and Inspection Services

This item was removed from the consent agenda; and postponed to the August 21st meeting of Council.

II. PUBLIC HEARING AGENDA

33. [ID 18-0403](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 5230 Burlington Road - .23 -Acres (Isiah Hickman)

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Annexing Territory into the Corporate Limits for Property Located at 5230 Burlington Road - .23 -Acres (Isiah Hickman).

Being no one to speak to the item, it was moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by voice vote.

Planning Manager Mike Kirkman made a PowerPoint Presentation; reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the conditions attached to the zoning request, and outlined staff recommendations.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 16, which is hereby referred to and made a part of these minutes.)

Moved by Councilmember Hightower, seconded by Mayor Pro-Tem Johnson, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-082 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5230 BURLINGTON ROAD – .23 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 (non-contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the southern margin of U. S. Highway 70 (Burlington Road), said point being the northwest corner of Lot 85 of Sherwood Forest, as recorded at Plat Book 17, Page 94 in the Office of the Register of Deeds of Guilford County; thence with the northern lines of Lots 85 and 84 of Sherwood Forest S 81° 05' E 50 feet to the northeast corner of said Lot 84; thence with the eastern line of Lot 84 S 08° 55' W 200.0 feet to the southeast corner of Lot 84; thence with the southern lines of Lots 84 and 85 N 81° 05' W 50 feet to the southwest corner of Lot 85; thence with the western line of Lot 85 N 08° 55' E 200.0 feet to the point and place of BEGINNING, and containing approximately 0.23 acres.

Section 2. 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 July 17, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 11/12 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, 2018. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Sharon Hightower

34. [ID 18-0426](#) Ordinance Establishing Original Zoning for Property Located at 5230 Burlington Road (Isiah Hickman)

Moved by Councilmember Hightower, seconded by Councilmember Thurm to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval of the rezoning request for the property located at 5230 Burlington Road from County RS-40 (Residential Single-family) to R-5 (Residential Single-family - 5) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the 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; and the request is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-083 AMENDING OFFICIAL ZONING MAP

5230 BURLINGTON ROAD, GENERLALY DESCRIBED AS SOUTH OF BURLINGTON ROAD AND WEST OF DEBANNE ROAD

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-5 (Residential Single Family).

The area is described as follows:

"BEGINNING at a point in the southern margin of U. S. Highway 70 (Burlington Road), said point being the northwest corner of Lot 85 of Sherwood Forest, as recorded at Plat Book 17, Page 94 in the Office of the Register of Deeds of Guilford County; thence with the northern lines of Lots 85 and 84 of Sherwood Forest S 81° 05' E 50 feet to the northeast corner of said Lot 84; thence with the eastern line of Lot 84 S 08° 55' W 200.0 feet to the southeast corner of Lot 84; thence with the southern lines of Lots 84 and 85 N 81° 05' W 50 feet to the southwest corner of Lot 85; thence with the western line of Lot 85 N 08° 55' E 200.0 feet to the point and place of BEGINNING, and containing approximately 0.23 acres."

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the R-5 (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 July 17, 2018.

(Signed) Sharon Hightower

35. [ID 18-0404](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 2335 and 2351 Campground Road - 26.338-Acres (Oliver Enterprises of Greensboro, LLC and Ellen Fields)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #35 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 2335 and 2351 Campground Road - 26.338-Acres (Oliver Enterprises of Greensboro, LLC and Ellen Fields); and item #36 an Ordinance Establishing Original Zoning at Property Located at 2335 and 2351 Campground Road (Samet Corporation for Oliver Enterprises of Greensboro, LLC).

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-084 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 2335 - 2351 CAMPGROUND ROAD – 26.338 ACRES)

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

BEGINNING at a point in the existing Greensboro city limit line (as of March 31, 2018), said point being an iron pipe found in the west line of Realty Income Corporation (the Wet'n Wild Emerald Pointe property), as recorded at Deed Book 5555, Page 131, said point also being the northeast corner of Oliver Enterprises of Greensboro, LLC, as recorded at Deed Book 4865, Page 1571; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 04° 41' 25" W 607.89 feet with said west line to the southeast corner of said LLC, also being the northeast corner of Landreth Properties/Campground, LLC, as recorded at Deed Book 6567, Page 3040 and shown on Plat Book 147, Page 12; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the north line of Landreth Properties/Campground, LLC N 88° 59' 44" W 705.43 feet to an iron pipe found; thence with said north line N 88° 54' 21" W 447.92 feet to a pinch top iron at the southeast corner of Ellen J. Fields, as recorded at Deed Book 1609, Page 468; thence with the south line of Fields N 86° 45' W 101.27 feet to a new iron pipe in the new eastern right-of-way line of Campground Road; thence with said right-of-way line, as described at Deed Book 5096, Page 55, N 12° 54' 23" W 83.17 feet to a point; thence with said right-of-way line with a curve to the left having a radius of 360.8917 feet, a chord bearing and distance of N 26° 00' 55" W 121.47 feet, and an arc distance of 122.05 feet to a rebar found in the eastern margin of Campground Road, said rebar having NC Grid NAD 83(2002) coordinates of, N: 822,217.22, E: 1,749,840.21; thence along said eastern margin the following five (5) courses: 1) N 30° 39' 04" W 13.78 feet to a rebar found, 2) N 37° 51' 55" W 114.82 feet to a rebar found, 3) a curve to the right having a radius of 229.67 feet and a chord bearing and distance of N 16° 40' 04" W 164.60 feet and an arc length of 168.35 feet to a rebar found, 4) N 04° 17' 30" E crossing a rebar found at 61.97 feet and a PK nail found at 154.33 feet for a total distance of 218.16 feet to an iron pipe set, and 5) N 31° 24' 38" E 22.84 feet to a concrete monument; thence with the southeastern right-of-way line of Campground Road the following six (6) courses: 1) N 58° 53' 59" E 160.68 feet to an iron pipe set, 2) S 31° 53' 16" E 23.87 feet to a rebar found, 3) N 58° 45' 35" E 139.70 feet to an iron pipe found, 4) N 60° 41' 07" E 162.90 feet to a rebar found, 5) N 61° 54' 13" E 98.53 feet to an iron pipe found, and 6) N 62° 02' 48" E 109.99 feet to a pinch pipe set, said pipe having NC Grid NAD 83(2002) coordinates of, N: 823,027.36, E: 1,750,339.48 and being the westernmost corner of Iris Oliver Fields, Heirs, as recorded at Deed Book 1594, Page 488; thence with the south line of said Fields heirs the following three (3) courses: 1) S 88° 09' 14" E 428.84 feet to a rebar found, 2) S 04° 35' 51" W 378.09 feet to an iron pipe found, and 3) S 86° 50' 22" E 494.46 feet to the point and place of BEGINNING, SAVE AND EXCEPT two special purpose lots of 10,000 square

feet each as described below, leaving 26.338 acres included in this description.

SAVE AND EXCEPT Special Purpose Lot 1, as recorded at Plat Book 116, Page 150, BEGINNING at the northwest corner of said lot; thence S 88° 22' 37" E 100.00 feet with the north line of said lot to its northeast corner; thence S 01° 37' 23" W 100.00 feet with the east line of said lot to its southeast corner; thence N 88° 22' 37" W 100.00 feet with the south line of said lot to its southwest corner; thence N 01° 37' 23" E 100.00 feet with the west line of said lot to the point and place of BEGINNING and Lot 1, as recorded at Plat Book 120, Page 97, BEGINNING at the northwest corner of said lot; thence S 88° 22' 45" E 100.00 feet with the north line of said lot to its northeast corner; thence S 01° 37' 15" W 100.00 feet with the east line of said lot to its southeast corner; thence N 88° 22' 45" W 100.00 feet with the south line of said lot to its southwest corner; thence N 01° 37' 15" E 100.00 feet with the west line of said lot to the point and place of BEGINNING.

All deeds and plats referred to herein are recorded in the Office of the Register of Deeds of Guilford County. Note: the term "right-of-way" in the above description applies to property designated as street right-of-way and to property held in fee simple by the North Carolina Department of Transportation for highway purposes.

Section 2. 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 July 17, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 11/12 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, 2018. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Yvonne Johnson

36. [ID 18-0425](#) Ordinance Establishing Original Zoning at Property Located at 2335 and 2351 Campground Road (Samet Corporation for Oliver Enterprises of Greensboro, LLC)

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hightower, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval of the rezoning request for a portion of the property located at 2335 and 2351 Campground Road from County LI (Light Industrial) and County CU-LI (Conditional Use – Light Industrial) to City BP (Business Park) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Growth at the Fringe Goal to encourage sound, sustainable pattern of land use; and the request is consistent with the Economic Development to promote a healthy, diversified economy. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-085 AMENDING OFFICIAL ZONING MAP

2335 AND 2351 CAMPGROUND ROAD, GENERLALY DESCRIBED AS SOUTH AND EAST OF CAMPGROUND ROAD

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 LI (Light Industrial) and County CU-LI (Conditional Use Light Industrial) to City BP (Business Park).

The area is described as follows:

"BEGINNING at a point in the existing Greensboro city limit line (as of March 31, 2018), said point being an iron pipe found in the west line of Realty Income Corporation (the Wet'n Wild Emerald Pointe property), as recorded at Deed Book 5555, Page 131, said point also being the northeast corner of Oliver Enterprises of Greensboro, LLC, as recorded at Deed Book 4865, Page 1571; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 04° 41' 25" W 607.89 feet with said west line to the southeast corner of said LLC, also being the northeast corner of Landreth Properties/Campground, LLC, as recorded at Deed Book 6567, Page 3040 and shown on Plat Book 147, Page 12; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the north line of Landreth Properties/Campground, LLC N 88° 59' 44" W 705.43 feet to an iron pipe found; thence with said north line N 88° 54' 21" W 447.92 feet to a pinch top iron at the southeast corner of Ellen J. Fields, as recorded at Deed Book 1609, Page 468; thence with the south line of Fields N 86° 45' W 101.27 feet to a new iron pipe in the new eastern right-of-way line of Campground Road; thence with said right-of-way line, as described at Deed Book 5096, Page 55, N 12° 54' 23" W 83.17 feet to a point; thence with said right-of-way line with a curve to the left having a radius of 360.8917 feet, a chord bearing and distance of N 26° 00' 55" W 121.47 feet, and an arc distance of 122.05 feet to a rebar found in the eastern margin of Campground Road, said rebar having NC Grid NAD 83(2002) coordinates of, N: 822,217.22, E: 1,749,840.21; thence along said eastern margin the following five (5) courses: 1) N 30° 39' 04" W 13.78 feet to a rebar found, 2) N 37° 51' 55" W 114.82 feet to a rebar found, 3) a curve to the right having a radius of 229.67 feet and a chord bearing and distance of N 16° 40' 04" W 164.60 feet and an arc length of 168.35 feet to a rebar found, 4) N 04° 17' 30" E crossing a rebar found at 61.97 feet and a PK nail found at 154.33 feet for a total distance of 218.16 feet to an iron pipe set, and 5) N 31° 24' 38" E 22.84 feet to a concrete monument; thence with the southeastern right-of-way line of Campground Road the following six (6) courses: 1) N 58° 53' 59" E 160.68 feet to an iron pipe set, 2) S 31° 53' 16" E 23.87 feet to a rebar found, 3) N 58° 45' 35" E 139.70 feet to an iron pipe found, 4) N 60° 41' 07" E 162.90 feet to a rebar found, 5) N 61° 54' 13" E 98.53 feet to an iron pipe found, and 6) N 62° 02' 48" E 109.99 feet to a pinch pipe set, said pipe having NC Grid NAD 83(2002) coordinates of, N: 823,027.36, E: 1,750,339.48 and being the westernmost corner of Iris Oliver Fields, Heirs, as recorded at Deed Book 1594, Page 488; thence with the south line of said Fields heirs the following three (3) courses: 1) S 88° 09' 14" E 428.84 feet to a rebar found, 2) S 04° 35' 51" W 378.09 feet to an iron pipe found, and 3) S 86° 50' 22" E 494.46 feet to the point and place of BEGINNING, SAVE AND EXCEPT two special purpose lots of 10,000 square feet each as described below, leaving 26.338 acres included in this description.

SAVE AND EXCEPT Special Purpose Lot 1, as recorded at Plat Book 116, Page 150, BEGINNING at the northwest corner of said lot; thence S 88° 22' 37" E 100.00 feet with the north line of said lot to its northeast corner; thence S 01° 37' 23" W 100.00 feet with the east line of said lot to its southeast corner; thence N 88° 22' 37" W 100.00 feet with the south line of said lot to its southwest corner; thence N 01° 37' 23" E 100.00 feet with the west line of said lot to the point and place of BEGINNING and Lot 1, as recorded at Plat Book 120, Page 97, BEGINNING at the northwest corner of said lot; thence S 88° 22' 45" E 100.00 feet with the north line of said lot to its northeast corner; thence S 01° 37' 15" W 100.00 feet with the east line of said lot to its southeast corner; thence N 88° 22' 45" W 100.00 feet with the south line of said lot to its southwest corner; thence N 01° 37' 15" E 100.00 feet with the west line of said lot to the point and place of BEGINNING.

All deeds and plats referred to herein are recorded in the Office of the Register of Deeds of Guilford County. Note: the term "right-of-way" in the above description applies to property designated as street right-of-way and to property held in fee simple by the North Carolina Department of Transportation for highway purposes."

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the BP (Business Park) 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 July 17, 2018.

(Signed) Marikay Abuzuaiter

37. [ID 18-0405](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 5590 Garden Village Way - 1.69-Acres (MJK Investments, LLC)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #37 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 5590 Garden Village Way - 1.69-Acres (MJK Investments, LLC); and item #38 an Ordinance Establishing Original Zoning for Property Located at 5590 Garden Village Way (Amanda Hodierne for MJK Investments LLC).

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-086 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 5590 GARDEN VILLAGE WAY – 1.69 ACRES)

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

BEGINNING at a point in the existing Greensboro city limits (as of March 31, 2018), said point being the northern corner of Lot 6 of New Garden Village, Section 1, as recorded at Plat Book 148, Page 69; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a northerly direction, crossing Garden Village Way (private street) approximately 50 feet to the eastern corner of Lot 3 of Recombination Plat for Lot #2 & Lot #3, New Garden Village, as recorded at Plat Book 196, Page 79; thence with the northeastern line of said Lot 3 N 46° 23' 39" W 210.21 feet to an existing iron pipe at the northern corner of Lot 3; thence S 35° 09' 55" W 107.73 feet with the northwest line of Lot 3 to a right-of-way monument; thence with said northwest line S 30° 20' 30" W 127.14 feet to a right-of-way monument; thence with said northwest line S 25° 27' 40" W 7.38 feet to an existing iron pipe; thence continuing S 25° 27' 40" W 91.55 feet to a new iron pipe at the westernmost corner of said Lot 3; thence with the southwest line of Lot 3 S 63° 02' 17" E 72.34 feet to a new iron pipe; thence with the southwest line of Lot 3 S 69° 49' 38" E 147.73 feet to a new iron pipe at the southern corner of Lot 3; thence continuing S 69° 49' 38" E approximately 50 feet, crossing Garden Village Way, to a point on the northwestern line of said Lot 6, said point being on the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northeasterly direction along the northwestern line of Lot 6 approximately 220 feet to the point and place of BEGINNING, and containing approximately 1.69 acres. All plats referred to hereinabove are recorded in the Office of the Register of Deeds of Guilford County.

Section 2. 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 July 17, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 11/12 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, 2018. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Yvonne Johnson

38. [ID 18-0423](#) Ordinance Establishing Original Zoning for Property Located at 5590 Garden Village Way (Amanda Hodierne for MJK Investments LLC)

Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson, to adopt the ordinance and stated that the Greensboro City Council believed that its action to approve the zoning amendment, for the property located at 5590 Garden Village Way from County CU-PDM (Conditional District – Planned Unit Development - Mixed) to City LI (Light Industrial) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with the Comprehensive Plan's Economic Development goal to promote a healthy and diversified economy; and the request is consistent with the Comprehensive Plan's Growth at the Fringe goal to encourage development at the fringe that follows a sound, sustainable pattern 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. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-087 AMENDING OFFICIAL ZONING MAP

5590 GARDEN VILLAGE WAY, GENERALLY DESCRIBED AS ON THE NORTH SIDE OF GARDEN VILLAGE 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 CU-PDM (Conditional Use Planned Development Mixed) to City LI (Light Industrial).

The area is described as follows:

"BEGINNING at a point in the existing Greensboro city limits (as of March 31, 2018), said point being the northern corner of Lot 6 of New Garden Village, Section 1, as recorded at Plat Book 148, Page 69; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a northerly direction, crossing Garden Village Way (private street) approximately 50 feet to the eastern corner of Lot 3 of Recombination Plat for Lot #2 & Lot #3, New Garden Village, as recorded at Plat Book 196, Page 79; thence with the northeastern line of said Lot 3 N 46° 23' 39" W 210.21 feet to an existing iron pipe at the northern corner of Lot 3; thence S 35° 09' 55" W 107.73 feet with the northwest line of Lot 3 to a right-of-way monument; thence with said northwest line S 30° 20' 30" W 127.14 feet to a right-of-way monument; thence with said northwest line S 25° 27' 40" W 7.38 feet to an existing iron pipe; thence continuing S 25° 27' 40" W 91.55 feet to a new iron pipe at the westernmost corner of said Lot 3; thence with the southwest line of Lot 3 S 63° 02' 17" E 72.34 feet to a new iron pipe; thence with the southwest line of Lot 3 S 69° 49' 38" E 147.73 feet to a new iron pipe at the southern corner of Lot 3; thence continuing S 69° 49' 38" E approximately 50 feet, crossing Garden Village Way, to a point on the northwestern line of said Lot 6, said point being on the existing Greensboro city limit line; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northeasterly direction along the northwestern line of Lot 6 approximately 220 feet to the point and place of BEGINNING, and containing approximately 1.69 acres."

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the LI (Light Industrial) 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 July 17, 2018.

(Signed) Tammi Thurm

39. [ID 18-0407](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 3917 Hickory Tree Lane - 1.08-Acres (Michael and Biki Turner)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #39 an Ordinance Annexing Territory into the Corporate Limits for Property Located at 3917 Hickory Tree Lane - 1.08-Acres (Michael and Biki Turner); and item #40 an Ordinance Establishing Original Zoning for Property Located at 3917 Hickory Tree Lane (Michael and Biki Turner).

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Hightower, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-088 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 3917 HICKORY TREE LANE – 1.08 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 (non-contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

Beginning at a point on the eastern right-of-way line of Hickory Tree Lane, said point being the southwest corner of Lot 31 of Young Acres, as recorded in Plat Book 47, Page 77, in the Guilford County Register of Deeds Office; thence with said eastern right-of-way line N 03° 38' 45" E 105 feet to the northwest corner of said lot; thence with

the north line of said lot S 84° 32' 00" E 196.31 feet to the northeast corner of said lot; thence with the north line of Tract 2 of Michael and Biki Turner, as recorded in Deed Book 7508, Page 1841 in the Guilford County Register of Deeds Office, N 81° 02' 04" E 200.82 feet to the northeast corner of said tract; thence with the east line of said tract S 08° 57' 56" E 114.63 feet to a point and S 13° 05' 28" E 10.39 feet to the southeast corner of said tract; thence with the south line of said tract S 81° 02' 04" W 217.12 feet to a new iron pipe in the east line of Lot 32 of Young Acres; thence with said east line N 01° 52' 20" W 20.96 feet to the southeast corner of said Lot 31; thence with the south line of said lot N 84° 45' 10" W 206.27 feet to the point and place of BEGINNING, and containing approximately 1.08 acres.

Section 2. 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 July 17, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 11/12 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, 2018. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Yvonne Johnson

40. [ID 18-0424](#) Ordinance Establishing Original Zoning for Property Located at 3917 Hickory Tree Lane (Michael and Biki Turner)

Moved by Councilmember Hightower, seconded by Councilmember Thurm, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval the zoning amendment, for the properties located at 3917 Hickory Tree Lane from County RS-40 (Residential Single-family) to R-3 (Residential Single-family – 3) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with 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; and the request is consistent with the Growth at the Fringe goal to promote sound and sustainable patterns of land use. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-089 AMENDING OFFICIAL ZONING MAP

3917 HICKORY TREE LANE, GENERLALY DESCRIBED AS EAST AND NORTH OF HICKORY TREE LANE

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 a point on the eastern right-of-way line of Hickory Tree Lane, said point being the southwest corner of Lot 31 of Young Acres, as recorded in Plat Book 47, Page 77, in the Guilford County Register of Deeds Office; thence with said eastern right-of-way line N 03° 38' 45" E 105 feet to the northwest corner of said lot; thence with the north line of said lot S 84° 32' 00" E 196.31 feet to the northeast corner of said lot; thence with the north line of Tract 2 of Michael and Biki Turner, as recorded in Deed Book 7508, Page 1841 in the Guilford County Register of Deeds Office, N 81° 02' 04" E 200.82 feet to the northeast corner of said tract; thence with the east line of said tract S 08° 57' 56" E 114.63 feet to a point and S 13° 05' 28" E 10.39 feet to the southeast corner of said tract; thence with the south line of said tract S 81° 02' 04" W 217.12 feet to a new iron pipe in the east line of Lot 32 of Young Acres; thence with said east line N 01° 52' 20" W 20.96 feet to the southeast corner of said Lot 31; thence with the south line of said lot N 84° 45' 10" W 206.27 feet to the point and place of BEGINNING, and containing approximately 1.08 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 July 17, 2018.

(Signed) Sharon Hightower

41. [ID 18-0406](#) Ordinance Annexing Territory into the Corporate Limits for Property Located at 6029 YY West Gate City Boulevard - 13.68 Acres (Koury Ventures Limited Partnership)

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Annexing Territory into the Corporate Limits for Property Located at 6029 YY West Gate City Boulevard - 13.68 Acres (Koury Ventures Limited Partnership).

Being no one to speak to the item, it was the consensus of Council to close the public hearing.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Kennedy, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-090 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (PROPERTY LOCATED AT 6029 YY WEST GATE CITY BOULEVARD – 13.68 ACRES)

Section 1. Pursuant to G.S. 160A-58.1 (non-contiguous), the hereinafter-described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limits (as of May 31, 2018), said point being the westernmost corner of the "N-1 Tract" annexed effective September 30, 2006 and recorded at Deed Book 6568,

Page 2468; THENCE DEPARTING FROM THE GREENSBORO SATELLITE CITY LIMITS N 34° 39' 21" W 213.54 feet to a point in the eastern line of that January 31, 1994 satellite annexation shown on Greensboro Annexation Drawing D-2259; THENCE PROCEEDING WITH THE GREENSBORO SATELLITE CITY LIMITS N 02° 41' 02" W 128.14 feet to a point; thence N 49° 00' 36" W 23.71 feet to the southernmost corner of that 3.75-acre satellite annexation adopted by Ordinance Number 12-102, said point being on or extremely close to the eastern right-of-way line of Grandover Village Road, as recorded at Plat Book 197, Page 49; thence proceeding with the eastern line of said annexation the following nine courses and distances (all being on or extremely close to said eastern right-of-way line): 1) with a curve to the left a chord bearing and distance of N 16° 05' 15" E 133.55 feet with a radius of 405.00 feet to a point, 2) with a curve to the left a chord bearing and distance of N 02° 42' 47" E 54.88 feet with a radius of 405.00 feet to a point, 3) N 01° 13' 39" W 399.97 feet to a point, 4) with a curve to the left a chord bearing and distance of N 07° 19' 38" W 218.89 feet with a radius of 1,030.00 feet to a point, 5) N 13° 25' 36" W 98.43 feet to a point, 6) with a curve to the right a chord bearing and distance of N 01° 58' 00" E 514.96 feet with a radius of 970.00 feet to a point, 7) N 17° 21' 36" E 121.49 feet to a point, 8) with a curve to the left a chord bearing and distance of N 08° 04' 02" E 64.59 feet with a radius of 200.00 feet to a point, and 9) with a curve to the left a chord bearing and distance of N 02° 04' 25" W 9.89 feet with a radius of 334.00 feet to the southernmost corner of Lot 1of Final Plat for 6017 High Point Road, as recorded at Plat Book 179, Page 87; thence with the southern line of that 4.58-acre satellite annexation adopted by Ordinance Number 10-123 the following three courses and distances: 1) N 87° 07' 40" E 25.25 feet to a point, 2) N 44° 31' 20" E 93.71 feet to a point, and 3) N 55° 43' 31" E 141.92 feet to a point on the western line of that 39.045-acre satellite annexation shown on Greensboro Annexation Drawing D-2395; thence with said western line the following seven courses and distances: 1) S 08° 59' 15" W 314.19 feet to a point, 2) S 12° 47' 36" E 683.77 feet to a point, 3) S 03° 32' 07" E 322.32 feet to a point, 4) S 05° 43' 40" W 333.94 feet to a point, 5) S 44° 11' 05" E 169.21 feet to a point, 6) S 24° 58' 54" W 123.13 feet to a point, and 7) S 04° 27' 46" W 130.06 feet to a point on the western line of the "N-1 Tract"; thence with said line N 62° 32' 27" W 127.12 feet to a point; thence S 45° 32' 46" W 193.16 feet to the point and place of BEGINNING, containing 13.68 acres. All plats and deeds referred to hereinabove are recorded in the Office of the Guilford County Register of Deeds.

Section 2. 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 July 17, 2018, the liability for municipal taxes for the 2018-2019 fiscal year shall be prorated on the basis of 11/12 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, 2018. Municipal ad valorem taxes for the 2019-2020 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.

(Signed) Yvonne Johnson

42. [ID 18-0397](#) Ordinance Rezoning Property Located at 303 College Road - (Juraj Slovak for J&K Builders of NC, Inc.)

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Rezoning Property Located at 303 College Road - (Juraj Slovak for J&K Builders of NC, Inc.).

Councilmember Thurm spoke to a conflict of interest; and requested to be excused from the item.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells to excuse Councilmember Thurm from the item. The motion carried by voice vote.

Speakers in Favor of the item:

Kevin Reeves, 303 College Road recognized his business partner Juraj Slovak; provided a handout and PowerPoint Presentation; outlined the history of the rezoning request; spoke to a conversion to office space; the diversity of the properties; commercial businesses being operated out of homes; outlined the request; spoke to economic and development trends; and referenced communications with neighbors.

Speakers in Opposition of the item:

Scott Tippet, 300 North Greene Street representing Joel Moody voiced opposition to the item; concern with structural issues; provided images of the property; spoke to zoning violations; and requested Council to deny the request.

Rebuttal for those in favor:

Mr. Reeves stated photos presented by the opposing party were outdated; provided a status of the construction debris shown in the pictures; spoke to items in storage on the property; stacked firewood; employee parking and vehicles; and spoke to issues that would be addressed with the rezoning.

Rebuttal for those opposed:

Mr. Tippet reiterated the timeframe when the photo's had been taken.

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by voice. vote.

Planning Manager Mike Kirkman made a PowerPoint Presentation; reviewed the request, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the conditions attached to the zoning request, stated that the Zoning Commission had denied the request; and that staff recommended approval of the request.

Discussion ensued regarding storage space; the Zoning Commission's denial of the item; the request being initiated by a complaint; the steps being taken to meet compliance by the applicant; predevelopment discussions; standard procedures to place a hold on the code violations during the proceeding for the rezoning request; parking guidelines; restrictions on equipment and storage of vehicles; and the character of the neighborhood.

Discussion continued regarding appropriate zoning; the proposed land use; Council consideration of the item; staff recommendations; variations of zoning in the area; enforcement of failure to comply options; a timeline for a change of use; the applicant cleaning up the property; and the need for flexibility of business owners in Greensboro.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 16, which is hereby referred to and made a part of these minutes.)

**Moved by Councilmember Outling, seconded by Councilmember Hoffmann,
to adopt the ordinance. The motion FAILED on the following roll call vote:**

Ayes, 3 - Nancy Vaughan, Nancy Hoffmann and Justin Outling

Nays, 5 - Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Michelle Kennedy and Goldie F. Wells

Excused, 1 - Tammi Thurm

43. [ID 18-0433](#) Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at 909 and 911 Woodbrook Avenue

Mayor Vaughan stated this was the time and place set for a public hearing to consider an Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at 909 and 911 Woodbrook Avenue; and that 25 minutes each would be given to speakers in favor and opposition to items #43 through #46.

Mr. Kirkman made a PowerPoint Presentation; reviewed the requests for items #43, #44, #45, and #46, explained the connection between the items, presented maps, aerial photographs and diagrams to illustrate the site and surrounding property, read the additional conditions attached to the zoning request stating (1) all uses in the PI zoning district shall be allowed except shooting ranges; correctional institutions; and auditoriums, coliseums and stadiums (as principal use) and (2) any vehicular connections to Woodbrook Drive shall be through an approved private street or private drive and that any new private street or private drive must be located at least 25 feet from adjacent property lines and will not be open to vehicular traffic earlier than September 1, 2022; stated that the Zoning Commission and staff had recommended approval of the request; spoke to the appeal; and requested Council approval for the additional conditions for item #44.

Moved by Mayor Pro-Tem Johnson, seconded Councilmember Abuzuaiter to adopt the additional conditions as stated for item #44. The motion carried by voice vote.

Councilmember Hightower asked for clarification on the stipulation for the connectivity of the proposed road.

Mr. Kirkman explained the conditions of the proposed private roadway.

Speakers in Favor of the item:

Tom Terrell. 300 North Greene Street representing Friends Home made a PowerPoint Presentation; spoke to the Quaker community; the history of the center; the marketability of the facility; a master planning process; outlined communications with the surrounding neighbors; spoke to concerns regarding a roadway; conditions submitted to the Zoning Commission; low impact and major changes for the different campuses; and to a front porch style living.

Hank Lovvorn, 2109 Sandy Ridge Road, Colfax stated he served as the Vice President of Operations for Friend's Home; spoke to the number of current residents and the waitlist; to a 15 year master plan; properties owned by the applicant; highlighted neighborly relationships; spoke to a focus on connectivity; enhancement of opportunities for residents; a fifty year history; and requested Council support.

Charlotte Hamlin, 925 New Garden Road voiced support for the item; referenced engagement in the planning process; spoke to building community between the campuses; a secure and private road; and asked Council to approve the item.

Joseph Gruendler, 925 New Garden Road stated he had lived in Greensboro for fifty years; spoke to organizing events; referenced a candidates forum; spoke to the need to connect the two campuses; the current route to drive from one campus to the other; and encouraged Council to approve the proposal.

Speakers in Opposition of the item:

Gail Cutter, 801 Woodbrook Avenue referenced a signed petition; spoke to the history of living in the neighborhood; voiced support of the project but opposition to the connecting road; spoke to private development; a secluded area; the potential of traffic noise; and to alternate routes.

Lois Baldwin, 811 Woodbrook Drive spoke to streets in the neighborhood; to historic landmarks; referenced relationships with Friends Home; an integrated area; voiced concerns with communication regarding the project;

with the proposed road; and asked Council to consider the impact to the current neighborhood.

Eric Summers, 916 Woodbrook Drive stated he did not oppose the construction and renovations; spoke to homes being torn down; voiced concerns with the proposed road; communication with Friends Home; and with declining property values.

Dennis Rieth, 5918 Arcadia Drive spoke to attending community meetings; to concepts that were present; unclear communication; questioned and voiced opposition to the benefits of the proposed road; voiced support for the improvements; spoke to the best use of the property; flooding; alternative solutions for transportation of residents; and asked Council to deny the road component of the request.

Sally Watkins, Woodbrook Drive referenced the location of her home in proximity to the proposed project; stated she had not received any correspondence from the applicant; spoke to her request for blueprints; voiced concern with the proposed road; referenced markings on her property; and reiterated the desire to receive information on the project.

Marsh Prause, 516 Woodlawn, attorney representing those in opposition of the project spoke to frustrations of the neighbors; provided photos; spoke to a flood plain; to the potential roadway crossing over a creek; to the capacity of said creek; to the use of golf carts; and voiced concerns to the use of the proposed cut through.

Rebuttal in favor:

Mr. Terrell referenced the difficulties with change; confirmed the one issue had been addressed; spoke to compliance to conditions requested; to a logistical process; to flooding concerns; clarified the stakes on Ms. Watkins property were for a boundary survey; reviewed the proposed projects; and asked for Council support.

Rebuttal in opposition:

Mr. Prause spoke to the roadway impact; confirmed the clients opposition to the road; spoke to City infrastructure; stewardship; campus leverages; requested Council deny the road proposal of the project; and deny the Comprehensive Plan amendment.

Mayor Pro-Tem Johnson requested staff to outline the pros and cons of the project; the dimensions of the road; and inquired about the culture of the neighborhood.

Transportation Director Adam Fischer spoke to the availability of details; confirmed the proposal would be a private road with restricted access; provided examples of other connectivity projects; spoke to the benefits of the street; to a gated roadway; and stated he projected a low impact of traffic.

Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to close the public hearing. The motion carried by voice vote.

Councilmember Outling asked for clarification on what Council could consider; spoke to the highest and best use of land decisions; appropriate rezoning; and to a private agreement.

City Attorney Tom Carruthers confirmed the request was not to approve or deny a roadway; outlined the projected proposal; current uses; stated there had been no need for information regarding the road; spoke to the accepted additional conditions by Council; clarified zoning requirements; spoke to private restrictions; and to the highest and best use of the property.

Planning Director Sue Schwartz explained that the applicant had not finalized plans for a road; spoke to design consideration; the site plan review process; the standards and design manuals; stated, for the record, that the question concerning the Comprehensive Plan amendment, that the map was not a regulatory document; that it was an advisory document; and that the plan reflected how the City wished to grow.

Councilmember Outling asked for clarity as it related to other city policies that would be decided if Council approved the requested use in which Ms. Schwartz confirmed regulations.

Discussion continued regarding the additional conditions; concerns for disruptions to the neighborhood; a potential traffic impact study; staff recommendations for approval based on city policies and standards; possible future amendments; concessions made by Friends Home; a fifteen year project timeline; campus connectivity; the 2020-2025 Comprehensive Plan promoting neighborhood connectivity; biking and walkability; private community streets within the City; meeting development criteria; neighborhood concerns; Quaker values; and the anticipation of additional community conversations as the project progressed.

Councilmember Hightower stated she supported the project but that she would not vote in favor of the road portion of the item.

Councilmembers Abuzuaiter and Hoffmann voiced support of the project.

(A copy of the PowerPoint Presentation is filed in Exhibit Drawer A, Exhibit No. 16 which is hereby referred to and made a part of these minutes)

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Wells, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-091 ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE 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;

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 909 and 911 Woodbrook 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.

(Signed) Yvonne Johnson

44. [ID 18-0427](#) Ordinance Rezoning Property Located at 6010-6100 West Friendly Avenue, 6010 Near-6100 West Friendly Avenue, 1-9999 Friends Home, and 909-911 Woodbrook Drive - (Tom Terrell, on behalf of Friends Homes, LLC)

Mayor Vaughan introduced an Ordinance Rezoning Property Located at 6010-6100 West Friendly Avenue, 6010 Near-6100 West Friendly Avenue, 1-9999 Friends Home, and 909-911 Woodbrook Drive - (Tom Terrell, on behalf of Friends Homes, LLC).

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Thurm, to adopt the ordinance as amended and stated that the Greensboro City Council believed that its action to recommend approval the zoning amendment, for the properties located at 6010-6100 West Friendly Avenue, 6010 Near - 6100 Near West Friendly Avenue, 1-9999 Friends Home, and 909-911 Woodbrook Drive from CD-O (Conditional District – Office), CD-PI (Conditional District – Public and Institutional), and R-3 (Residential Single-family - 3) to CD-PI (Conditional District – Public and Institutional) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with 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; the request 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 carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

18-092 AMENDING OFFICIAL ZONING MAP

6010-6100 WEST FRIENDLY AVENUE, 6010 NEAR-6100 WEST FRIENDLY AVENUE, 1-9999 FRIENDS HOME, AND 909-911 WOODBROOK DRIVE, GENERALLY DESCRIBED AS NORTH OF WEST FRIENDLY AVENUE AND EAST OF ELIZABETHAN DRIVE

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

Section 1. The Official Zoning Map is hereby amended by rezoning from CD-O (Conditional District Office) and R-3 (Residential Single Family) to CD-PI (Conditional District Public and Institutional).

The area is described as follows:

"Being all that certain tract or parcel of land lying and being in the City of Greensboro, Morehead Township, Guilford County, North Carolina, being more particularly described as follows:

BEGINNING at an iron pipe found at the southwesterly corner of Lot 42 of the Arcadia Subdivision, Section Two (Plat Book 23, Page 70, Guilford County Register of Deeds), said iron having North Carolina State Plane Grid coordinates (NAD 83/2011) of N = 853,280.19' and E = 1,734,776.03'; running thence with the southerly line of Lots 42 and 43 of said Arcadia Subdivision, Section Two South 86 deg 33' 11" East a distance of 269.78 feet to an iron pipe found, the southwesterly corner of Lot 44 of said Arcadia Subdivision, Section Two; thence with the southerly line of Lots 44 and 45 of said Arcadia Subdivision, Section Two South 86 deg 22' 29" East a distance of 225.65 feet to a metal rebar found, the northwesterly corner of City of Greensboro Floodplain and Open Space as shown on Plat Book 99, Page 24, Guilford County Register of Deeds; thence with the westerly and southerly line of said Floodplain and Open Space the following two (2) courses and distances: 1) South 11 deg 03' 18" East a distance of 22.69 feet to a point in a creek; and 2) South 86 deg 22' 29" East a distance of 132.00 feet (passing a metal rebar found at a distance of 20.00 feet) to a metal rebar found in the westerly line of Lot 47-A of the Quaker Commons Condominiums (Plat Book 99, Page 24, Guilford County Register of Deeds); thence with the westerly line of said Quaker Commons Condominiums the following two (2) courses and distances: 1) South 15 deg 36' 48" East a distance of 82.73 feet to an iron pipe found; and 2) South 15 deg 36' 48" East a distance of 781.88 feet to an iron pipe found in the northerly right-of-way line of West Friendly Avenue; thence with the northerly right-of-way line of West Friendly Avenue the following eleven (11) courses and distances; 1) South 68 deg 17' 46" West a distance of

536.57 feet to a metal rebar found; 2) South 68 deg 17' 46" West a distance of 214.73 feet to a metal rebar found; 3) South 68 deg 17' 46" West a distance of 41.36 feet to a concrete monument found; 4) with a curve to the right a chord bearing of South 72 deg 46' 42" West a chord distance of 247.58 feet to a metal rebar found, said curve having a radius of 1584.04 feet and an arc length of 247.84 feet; 5) South 75 deg 52' 56" West a distance of 40.87 feet to an iron pipe found; 6) with a curve to the right a chord bearing of South 79 deg 37' 47" West a distance of 96.82 feet to an iron pipe found, said curve having a radius of 1793.46 feet and an arc length of 96.83 feet; 7) with a curve to the right a chord bearing of South 83 deg 07' 43" West a distance of 122.19 feet to a broken concrete monument found, said curve having a radius of 1793.46 feet and an arc length of 122.21 feet; 8) North 49 deg 16' 15" West a distance of 30.98 feet to an iron pipe found; 9) South 84 deg 55' 01" West a distance of 61.04 feet to an iron pipe found; 10) South 41 deg 47' 28" West a distance of 27.15 feet to an iron pipe set; and 11) with a curve to the right a chord bearing of North 88 deg 04' 52" West a distance of 207.47 feet to a metal rebar found in the easterly line of Lot 51 of the Quaker Acres Subdivision (Plat Book 22, Page 35, Guilford County Register of Deeds), said curve having a radius of 1791.15 feet and an arc length of 207.59 feet; thence with the easterly line of said Quaker Acres Subdivision the following five (5) courses and distances: 1) North 01 deg. 47' 29" East a distance of 219.41 feet to an iron pipe set at the southeasterly corner of Lot 49 of said Quaker Acres Subdivision; 2) North 11 deg 30' 40" West a distance of 165.06 feet to an iron pipe found at the southeasterly corner of Lot 48 of said Quaker Acres Subdivision; 3) North 11 deg 34' 23" West a distance of 125.13 feet to an iron pipe found at the southeasterly corner of Lot 47 of said Quaker Acres Subdivision; 4) North 10 deg 03' 42" West a distance of 363.75 feet to an iron pipe found at the southeasterly corner of Lot 62 of said Quaker Acres Subdivision; and 5) North 01 deg 25' 13" East a distance of 198.18 feet to an iron pipe found in the southerly right-of-way line of Roblyn Drive; thence with the right-of-way line of Roblyn Drive the following nine (9) courses and distances: 1) North 01 deg 25' 13" East a distance of 4.99 feet to an iron pipe set; 2) with a curve concave to the southwest a chord bearing of South 44 deg 36' 53" East a chord distance of 14.14 feet to an iron pipe set, said curve having a radius of 10.00 feet and an arc length of 15.70 feet; 3) South 00 deg 23' 07" West a distance of 10.00 feet to an iron pipe set; 4) South 89 deg 36' 53" East a distance of 30.00 feet to an iron pipe set; 5) North 00 deg 23' 07" East a distance of 10.00 feet to an iron pipe set; 6) with a curve concave to the southeast a chord bearing of North 45 deg 23' 07" East a chord distance of 14.14 feet to an iron pipe set, said curve having a radius of 10.00 feet and an arc length of 15.70 feet; 7) South 89 deg 36' 53" East a distance of 14.75 feet to an iron pipe set; 8) North 00 deg 23' 07" East a distance of 25.00 feet to an iron pipe set; and 9) South 89 deg 36' 21" East a distance of 8.85 feet to an iron pipe set; thence North 01 deg 07' 56" East, falling in line with the easterly line of Tract Two of that property owned, now or formerly, by Walter M. Brown and wife, Bambi B. Brown (Deed Book 3784, Page 1758, Guilford County Register of Deeds), a distance of 229.79 feet to an iron pipe found in the northerly line of Lot 37 of said Quaker Acres Subdivision; thence with the northerly line of Lots 37 to 39 of said Quaker Acres Subdivision North 88 deg 52' 49" West a distance of 209.57 feet to an iron pipe found, the southeasterly corner of Lot 23 of the Marlee Subdivision, Section 2 (Plat Book 49, Page 65, Guilford County Register of Deeds); thence with the easterly line of Lots 23 to 28 of said Marlee Subdivision, Section 2 North 05 deg 10' 35" West a distance of 592.66 feet (passing an iron pipe found at a distance of 276.95 feet) to a point in a stump pile, the southwesterly corner of Coble Farms II, Section A, Map 6 (Plat Book 157, Page 129, Guilford County Register of Deeds); thence with the southerly line of said Coble Farms II, Section A, Map 6 North 66 deg 03' 47" West a distance of 487.44 feet (passing iron pipes set at distances of 181.31 feet and 409.92 feet) to an iron pipe found in the southerly line of Coble Farm II, Section A, Map 2 (Plat Book 152, Page 133, Guilford County Register of Deeds); thence with southerly line of said Coble Farm II, Section A, Map 2 and the southerly line of Coble Farm II, Section A, Map 4 (Plat Book 156, Page 29, Guilford County Register of Deeds) South 67 deg 44' 24" East a distance of 576.64 feet to a pinched-top iron pipe found at the northwesterly corner of Lot 39 of the Arcadia Subdivision, Section Two (Plat Book 23, Page 70, Guilford County Register of Deeds); thence with the line of said Lot 39 the following two (2) courses and distances: 1) South 00 deg 53' 29" West a distance of 129.87 feet to an iron pipe set; and 2) North 69 deg 35' 25" East a distance of 220.26 feet to a pinched-top iron pipe found in the easterly right-of-way line of Woodbrook Drive; then with the easterly right-of-way line of Woodbrook Drive the following two (2) courses and distances: 1) South 21 deg 16' 36" East a distance of 88.68 feet to an iron pipe found; and 2) South 34 deg 12' 48" East a distance of 88.88 feet to a metal rebar found, the northwesterly corner of Lot 42 of said Arcadia Subdivision, Section Two; thence with the line of said Lot 42 the following two (2) courses and distances: 1) South 46 deg 35' 17" West a distance of 404.92 feet to an iron pipe set; and 2) South 00 deg 53' 29" West a distance of 104.63 feet to the point and place of BEGINNING, containing 56.594 acres, more or less."

Section 2. That the zoning amendment from CD-O (Conditional District Office) and R-3 (Residential Single Family) to CD-PI (Conditional District Public and Institutional) is hereby authorized subject to the following use limitations and conditions:

1. All uses in the PI zoning district shall be allowed except shooting ranges; correctional institutions; and auditoriums, coliseums and stadiums (as principal use).
2. Any vehicular connections to Woodbrook Drive shall be through an approved private street or private drive. Any new private street or private drive must be located at least 25 feet from adjacent property lines and will not be open to vehicular traffic earlier than September 1, 2022.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-PI (Conditional District Public and Institutional) 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 July 17, 2018.

(Signed) Yvonne Johnson

45. [ID 18-0446](#) Ordinance Rezoning Property Located at 910-1004 Ridgecrest Drive, 5901-5903 Arcadia Drive, and 903-1017 New Garden Road - (Tom Terrell, on behalf of Friends Homes, LLC)

Mayor Vaughan introduced an Ordinance Rezoning Property Located at 910-1004 Ridgecrest Drive, 5901-5903 Arcadia Drive, and 903-1017 New Garden Road - (Tom Terrell, on behalf of Friends Homes, LLC).

Moved by Councilmember Hoffmann, seconded by Councilmember Thurm, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval the zoning amendment, for the properties located at 910-1004 Ridgecrest Drive, 5901-5903 Arcadia Drive, and 903-1017 New Garden Road from CD-O (Conditional District – Office), CD-PI (Conditional District – Public and Institutional), and R-3 (Residential Single-family - 3) to CD-PI (Conditional District – Public and Institutional) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with 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; the request 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 carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-093 AMENDING OFFICIAL ZONING MAP

910-1004 RIDGECREST DRIVE, 5901-5903 ARCADIA DRIVE, AND 903-1017 NEW GARDEN ROAD, GENERALLY

DESCRIBED AS EAST OF RIDGECREST DRIVE, SOUTH OF ARCADIA DRIVE, AND WEST OF NEW GARDEN ROAD

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

Section 1. The Official Zoning Map is hereby amended by rezoning from CD-O (Conditional District Office), R-3 (Residential Single Family) and CD-PI (Conditional District Public and Institutional) to CD-PI (Conditional District Public and Institutional).

The area is described as follows:

"Being all that certain tract or parcel of land lying and being in the City of Greensboro, Morehead Township, Guilford County, North Carolina, being more particularly described as follows:

BEGINNING at a metal rebar found at the intersection of the westerly right of way line of New Garden Road and the southerly right-of-way line of Arcadia Drive, said rebar having North Carolina State Plane Grid coordinates (NAD 83/2011) of N = 854,820.12' and E = 1,736,609.99'; running thence with the westerly right of way line of New Garden Road the following nine (9) courses and distances: 1) South 14 deg 12' 08" East a distance of 70.82 feet to an iron pipe found; 2) South 27 deg 34' 10" East a distance of 56.17 feet to an iron pipe set; 3) with a curve concave to the northeast a chord bearing of South 24 deg 28' 32" East a chord distance of 196.47 feet to an iron pipe set, said curve having a radius of 1303.24 feet and an arc length of 196.66 feet; 4) South 28 deg 40' 02" East a distance of 44.29 feet to an iron pipe found; 5) North 88 deg 31' 28" West a distance of 9.70 feet to an iron pipe set; 6) South 28 deg 09' 57" East a distance of 220.22 feet to an iron pipe found; 7) South 28 deg 07' 35" East a distance of 167.16 feet to an X mark set in a concrete driveway; 8) South 28 deg 09' 57" East a distance of 28.00 feet to an iron pipe found; and 9) South 28 deg 20' 26" East a distance of 105.61 feet to an iron pipe found, the northeasterly corner of property owned, now or formerly, by New Garden Monthly Meeting of Friends (Deed Book 1921, Page 690, and Deed Book 1903, Page 691, Guilford County Register of Deeds); thence with the northerly line of New Garden Monthly Meeting of Friends South 71 deg 38' 03" West a distance of 92.12 feet to an iron pipe set, the northeasterly corner of New Garden Cemetery Association (Deed Book 644, Page 459, Deed Book 646, Page 346, and Deed Book 2663, Page 847, Guilford County Register of Deeds); thence with the northerly line of New Garden Cemetery Association the following four (4) courses and distances: 1) North 87 deg 21' 34" West a distance of 310.91 feet to an iron pipe found; 2) North 00 deg 33' 31" East a distance of 27.04 feet to an iron pipe found; 3) North 87 deg 13' 17" West a distance of 527.07 feet (passing an iron pipe found at a distance of 288.10 feet) to an iron pipe found; and South 01 deg 13' 16" West a distance of 10.16 feet to a stone found, the northeasterly corner the Arcadia Subdivision, Section Three (Plat Book 26, Page 60, Guilford County Register of Deeds); thence with the northerly line of Lots 78 and 79 of said Arcadia Subdivision, Section Three South 89 deg 24' 33" West a distance of 222.24 feet (passing an iron pipe found at a distance of 147.91 feet) to a pinched-top iron pipe found, the southeasterly corner of Lot 58 of the Arcadia Subdivision, Section Two (Plat Book 23, Page 70, Guilford County Register of Deeds); thence with the line of said Lot 58 the following two (2) courses and distances: 1) South 59 deg 52' 57" West a distance of 12.11 feet to a pinched-top iron pipe found; and 2) North 47 deg 38' 42" West a distance of 297.35 feet to a metal rebar found in the easterly right-of-way line of Ridgecrest Drive; thence with the easterly right-of-way of Ridgecrest Drive the following nine (9) courses and distances: 1) North 39 deg 15' 56" East a distance of 124.85 feet to a pinch-top iron pipe found; 2) North 45 deg 38' 01" East a distance of 160.88 feet to an iron pipe found; 3) North 46 deg 20' 13" East a distance of 59.30 feet to an iron pipe found; 4) North 45 deg 21' 07" East a distance of 48.28 feet to an iron pipe found; 5) North 42 deg 22' 33" East a distance of 102.15 feet to an iron pipe found; 6) North 35 deg 22' 09" East a distance of 118.50 feet to a point, said point lying South 08 deg 50' 54" West a distance of 1.15 feet from an iron pipe found; 7) North 27 deg 34' 59" East a distance of 108.00 feet to an iron pipe found; 8) North 19 deg 19' 21" East a distance of 130.71 feet to a pinched-top iron pipe found; and 9) North 15 deg 04' 42" East a distance of 29.55 feet to an iron pipe found in the southerly right-of-way line of Arcadia Drive; thence with the southerly right-of-way line of Arcadia Drive the following three (3) courses and distances: 1) South 75 deg 04' 07" East a distance of 121.89 feet to an iron pipe set; 2) South 75 deg 17' 45" East a distance of 103.20 feet to an iron pipe found; and 3) South 75 deg 10' 22" East a distance of 276.38 feet to the point and place of BEGINNING, containing 17.893 acres, more or less.."

Section 2. That the zoning amendment from CD-O (Conditional District Office), R-3 (Residential Single Family) and CD-PI (Conditional District Public and Institutional) to CD-PI (Conditional District Public and Institutional) is hereby authorized subject to the following use limitations and conditions:

1. All uses in the PI zoning district shall be allowed except shooting ranges; correctional institutions; and auditoriums, coliseums and stadiums (as principal use).

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-PI (Conditional District Public and Institutional) 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 July 17, 2018.

(Signed) Nancy Hoffmann

46. [ID 18-0447](#) Ordinance Rezoning Property Located at 905-1003 Ridgecrest Drive - (Tom Terrell, on behalf of Friends Homes, LLC)

Mayor Vaughan introduced an Ordinance Rezoning Property Located at 905-1003 Ridgecrest Drive - (Tom Terrell, on behalf of Friends Homes, LLC).

Moved by Councilmember Thurm, seconded by Councilmember Abuzuaiter, to adopt the ordinance and stated that the Greensboro City Council believed that its action to recommend approval the zoning amendment, for the properties located at 910-1004 Ridgecrest Drive, 5901-5903 Arcadia Drive, and 903-1017 New Garden Road from CD-O (Conditional District – Office), CD-PI (Conditional District – Public and Institutional), and R-3 (Residential Single-family - 3) to CD-PI (Conditional District – Public and Institutional) to be consistent with the adopted Connections 2025 Comprehensive Plan and considered the action taken to be reasonable and in the public interest for the following reasons: the request is consistent with 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; the request 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 carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-094 AMENDING OFFICIAL ZONING MAP

905-1003 RIDGECREST DRIVE, GENERALLY DESCRIBED AS NORTHWEST OF RIDGECREST DRIVE AND SOUTH OF ARCADIA DRIVE

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

Section 1. The Official Zoning Map is hereby amended by rezoning from R-3 (Residential Single Family) to

CD-RM-5 (Conditional District Residential Multifamily)

The area is described as follows:

““Being all that certain tract or parcel of land lying and being in the City of Greensboro, Morehead Township, Guilford County, North Carolina, being more particularly described as follows:

BEGINNING at an iron pipe found at the northeasterly corner of Lot 32 of the Arcadia Subdivision, Section Two (Plat Book 23, Page 70, Guilford County Register of Deeds), said iron pipe having North Carolina State Plane Grid coordinates (NAD 83/2011) of N = 853,806.24' and E = 1,735,469.84'; running thence with the northerly line of Lot 32 North 61 deg 56' 29" West a distance of 239.28 feet to an iron pipe found, the southeasterly corner of Lot 37 of the Arcadia Subdivision, Section Two; thence with the easterly line of said Arcadia Subdivision, Section Two and the easterly line of the Arcadia Subdivision, Section One (Plat Book 22, Page 71, Guilford County Register of Deeds) North 26 deg 03' 47" East a distance of 178.18 feet (passing a pinched-top iron pipe found at a distance of 108.89 feet) to an iron pipe set at the southernmost corner of Lot 15 of the Arcadia Subdivision, Section One; thence with the easterly line of the Arcadia Subdivision, Section One, Lots 15-19 North 47 deg 49' 18" East a distance of 523.85 feet to a metal rebar found at the southernmost corner of Lot 20 of the Arcadia Subdivision, Section One; thence with the easterly line of Lot 20 North 38 deg 16' 24" East a distance of 71.79 feet to a pinched-top iron pipe found, the southwesterly corner of Lot 24 of the Arcadia Subdivision, Section Two; thence with the southerly line of Lot 24 South 52 deg 01' 07" East a distance of 199.27 feet to a metal rebar found in the westerly right-of-way line of Arcadia Drive; thence with the westerly right-of-way line of Arcadia Drive the following nine (9) courses and distances: 1) South 40 deg 56' 19" West a distance of 116.75 feet to an iron pipe set; 2) South 45 deg 47' 59" West a distance of 6.30 feet to an X mark set in an asphalt driveway; 3) South 46 deg 03' 59" West a distance of 97.70 feet to a 2" iron pipe found; 4) South 46 deg 03' 59" West a distance of 99.95 feet to a 2" iron pipe found; 5) South 46 deg 03' 59" West a distance of 24.50 feet to a point in a tree; 6) South 43 deg 40' 35" West a distance of 81.45 feet to an iron pipe found; 7) South 38 deg 27' 45" West a distance of 99.95 feet to a pinched-top iron pipe found; 8) South 32 deg 06' 25" West a distance of 100.17 feet to an iron pipe found; and 9) South 26 deg 19' 47" West a distance of 99.67 feet to the point and place of BEGINNING, containing 3.717 acres, more or less..”

Section 2. That the zoning amendment from R-3 (Residential Single Family) to CD-RM-5 (Conditional District Residential Multifamily) is hereby authorized subject to the following use limitations and conditions:

1. Uses shall be limited to a maximum 14 residential dwelling units

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-RM-5 (Conditional District Residential Multifamily) 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 July 17, 2018.

(Signed) Tammi Thurm

- 47.** [ID 18-0317](#) Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at 6701, 6707, and 6709 West Friendly Avenue. (Panorama Companies, LLC for Greensboro Korean Baptist Church, Inc. and Wesley S. and Carolyn C. Brogan)

Mayor Vaughan stated this was the time and place set for a public hearing to consider item #47 an Ordinance Amending the Future Land Use Map of the Greensboro Connections 2025 Future Land Use Plan for Property at

6701, 6707, and 6709 West Friendly Avenue. (Panorama Companies, LLC for Greensboro Korean Baptist Church, Inc. and Wesley S. and Carolyn C. Brogan); item #48 an Ordinance Rezoning Property Located at 6707 & 6709 West Friendly Avenue - (Panorama Companies, LLC for Greensboro Korean Baptist Church, Inc. and Wesley S. and Carolyn C. Brogan); and recognized Attorney Marc Isaacson in attendance should Council have any questions.

Ms. Schwartz spoke to the need for additional conditions to be read into the record.

Mr. Kirkman outlined the proposed additional conditions for item #48 stating (1) Maximum building height shall be no more than 4 stories, building height shall be limited to 3 stories for any portion of building located within 50 feet of the western property line; (2) Maximum number of dwelling units shall be 154; (3) Where permitted, an opaque fence no shorter than 6 feet shall be installed along all property lines adjacent to single-family residential uses; (4) Use limit to Multi-family (Elderly); and (5) to ensure year round screening along the western boundary line adjacent to single family uses, required vegetative buffers shall include a minimum of 50% evergreen species; and Shrubs shall be a minimum of 3 feet tall at the time of planting.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Kennedy to adopt the amended conditions as stated for item #48. The motion carried by voice vote.

Tommy Starnes, 6714 Forsythia Drive spoke in favor of the item; voiced concern with communications; with a request for site plans; spoke to the property owners; and stated he would speak with Mr. Isaacson during the break.

It was the consensus of Council to close the public hearing.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-095 ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE 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;

WHEREAS, an amendment has been proposed as shown on the attached map to change the land use classifications for properties located at 6701, 6707, and 6709 West Friendly 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.

(Signed) Marikay Abuzuaiter

- 48. [ID 18-0396](#)** Ordinance Rezoning Property Located at 6707 & 6709 West Friendly Avenue - (Panorama Companies, LLC for Greensboro Korean Baptist Church, Inc. and Wesley S. and Carolyn C. Brogan)

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, to adopt the ordinance as amended. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-096 AMENDING OFFICIAL ZONING MAP

6707 AND 6709 WEST FRIENDLY AVENUE, GENERALLY DESCRIBED AS SOUTH OF WEST FRIENDLY AVENUE AND WEST OF POMPANO DRIVE

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

Section 1. The Official Zoning Map is hereby amended by rezoning from CD-R-3 (Conditional District Residential Single Family) and R-3 (Residential Single Family) to CD-RM-18 (Conditional District Residential Multifamily).

The area is described as follows:

“BEGINNING at an existing iron pipe, a Control Corner, in the southern margin of the right-of-way of West Friendly Avenue (S.R. 2147), said point also being the northwest corner of Greensboro Korean Baptist Church, Inc. (Deed Book 6993, Page 806, Guilford County Registry); THENCE with said southern margin of West Friendly Avenue South 81 degrees 20 minutes 42 seconds East 130.18 feet to a new iron rod, said point being the northwest corner of Linda Shaw, Deed Book 3987, Page 1938, (Guilford County Registry); THENCE with the Shaw's western line the following three (3) calls, 1) South 11 degrees 12 minutes 07 second West 177.85 feet to a point; THENCE 2) South 37 degrees 05 minutes 36 seconds West 153.75 feet to a point; THENCE 3) South 60 degrees 44 minutes 39 seconds East 130.84 feet to a point, said point being in the western line of Greensboro Korean Baptist Church, Inc.; THENCE with the eastern line of Greensboro Korean Baptist Church, Inc., the following three (3) calls, 1) South 36 degrees 21 minutes 27 seconds West 198.14 feet to a point; THENCE 2) South 00 degrees 36 minutes 33 seconds East 188.68 feet to a point; THENCE 3) South 08 degrees 19 minutes 30 seconds West 564.04 feet to an existing iron pipe. Said point also being in the northern line of Guilford County Board of Education (Deed Book 2341, Page 535, Guilford County Registry); THENCE with the northern line of Guilford County Board of Education South 80 degrees 30 minutes 13 seconds West 303.10 feet to an existing iron pipe, said point also being the southwest corner of Greensboro Korean Baptist Church, Inc.; THENCE with the western line of Greensboro Korean Baptist Church, Inc., the following four (4) calls; THENCE 1) North 16 degrees 12 minutes 35 seconds East 241.37 feet to an existing iron pipe; THENCE 2) North 17 degrees 23 minutes 08 seconds East 99.53 feet to an existing iron pipe; THENCE 3) North 15 degrees 29 minutes 38 seconds East 99.92 feet to an existing iron pipe; THENCE 4) North 15 degrees 39 minutes 05 seconds East 503.20 feet to an existing iron pipe, said point also being the southeast corner of Wesley and Carolyn Brogan (Deed Book 3395, Page 553, Guilford County Registry); THENCE with the southern line of Wesley and Carolyn Brogan North 80 degrees 32 minutes 06 seconds West 191.59 feet to existing iron rod; Thence with the western line of Wesley and Carolyn Brogan North 02 degrees 39 minutes 02 seconds West 497.98 feet to a point, said point being the center of West Friendly Avenue (S.R. 2147); THENCE with the Centerline of West Friendly Avenue South 80 degrees 30 minutes 53 seconds East 349.59 feet to a point; THENCE South 15 degrees 47 minutes 57 seconds West 43.60 feet to an existing iron pipe in the southern right-of-way of West Friendly Avenue, said point being the POINT and PLACE of BEGINNING containing 8.926 acres more or less together with and subject to easements and restrictions of record.”

Section 2. That the zoning amendment from CD-R-3 (Conditional District Residential Single Family) and R-3 (Residential Single Family) to CD-RM-18 (Conditional District Residential Multifamily) is hereby authorized subject to the following use limitations and conditions:

1. Maximum building height shall be no more than 4 stories. Building height shall be limited to 3 stories for any portion of building located within 50 feet of the western property line.
2. Maximum number of dwelling units shall be 154.

3. Where permitted, an opaque fence no shorter than 6 feet in height shall be installed along all property lines adjacent to single-family residential uses.

4. Use limit to Multi-family (Elderly).

5. To ensure year round screening along the western boundary line adjacent to single family uses, required vegetative buffers shall include a minimum of 50% evergreen species. Shrubs shall be a minimum of 3 feet tall at the time of planting.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the CD-RM-18 (Conditional District Residential Multifamily) 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 July 17, 2018.

(Signed) Marikay Abuzuaiter

Mayor Vaughan declared a recess at 8:17 p.m. Council reconvened at 8:47p.m. with all members in attendance.

III. GENERAL BUSINESS AGENDA

49. [ID 18-0399](#) Boards and Commissions Listing for July 17, 2018

Councilmember Hightower spoke to the need to remove a committee member from the Historic Preservation Committee at a future Council meeting.

Mayor Vaughan referenced that terms for a number of boards expired in August.

Moved by Councilmember Hightower, seconded by Councilmember Thurm to appoint Leslie Crumb to the Participatory Budgeting (PB) Committee. The motion carried by voice vote. Moved by Councilmember Hightower, seconded by Councilmember Thurm to appoint Allen Jones to PB. The motion carried by voice vote.

Moved by Councilmember Thurm, seconded by Mayor Vaughan to appoint Liz Grimes to PB. The motion carried by voice vote. Moved by Councilmember Thurm, seconded by Mayor Pro-Tem Johnson to appoint Willie Taylor to PB. The motion carried by voice vote.

Moved by Councilmember Outling, seconded by Mayor Vaughan to appoint Jeff Lail and Jose Sandoval to PB. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to appoint Vaughn Ramsey to the Board of Adjustment. The motion carried by voice vote. Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter to reappoint Jeff Olaynik to the War Memorial Commission. The motion carried by voice vote.

Moved by Mayor Vaughan, seconded by Mayor Pro-Tem Johnson to appoint Barry Harris to PB. The motion carried by voice vote.

Councilmember Kennedy asked for clarification on board and commission appointments.

Mayor Pro-Tem Johnson inquired about an appointment for Dana Madison Lowe to the Human Relations Commission.

City Clerk Betsey Richardson explained the procedures; outlined the remaining available appointments for PB; and

spoke to the residence of Ms. Lowe.

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Abuzuaiter to appoint Dana Madison Lowe to the Human Relations Commission. The motion carried by voice vote.

Councilmember Abuzuaiter requested interest forms for the Minimum Housing and Redevelopment Commissions; spoke to low meeting attendance for Human Relations meetings; and made a motion to reduce of board members to approximately nine.

Discussion ensued regarding vacancies; guidelines for the number of board members; appointment eligibility; information provided in the agenda packet; the revamping of the board and commissions in 2016; representation for each district; and vacated positions.

Councilmember Abuzuaiter amended the motion to reduce the number of board members to twelve; and spoke to District representation.

Councilmember Kennedy requested a future meeting to discuss Boards and Commissions.

City Attorney Carruthers provided an overview of the available Human Relations Commission membership; and suggested the Clerk provide information to Council for clarity.

Mayor Vaughan requested City Clerk Richardson provide attendance records.

Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson to appoint Kevin Williams to PB. The motion carried by voice vote. Moved by Councilmember Wells, seconded by Mayor Pro-Tem Johnson to appoint Gayland Oliver to PB. The motion carried by voice vote.

Moved by Councilmember Kennedy, seconded by Councilmember Hightower to reappoint Ron Mack to the Tourism Board. The motion carried by voice vote. Moved by Councilmember Kennedy, seconded by Mayor Pro-Tem Johnson to appoint Amy Catiglio to the Parks and Recreation Board. Councilmember Kennedy asked for clarification on the vacancy for Parks and Recreation.

City Clerk Richardson confirmed the availability for Councilmember Kennedy to reappoint Bob Kollar or to appoint Ms. Catiglio.

Councilmember Kennedy withdrew her motion for the appointment; stated she would hold the appointment for a future meeting; and inquired about a Minimum Housing appointment.

City Clerk Richardson confirmed the availability of appointments for Councilmember Kennedy and Mayor Vaughan; and voiced the need for a quorum for Minimum Housing.

Mayor Vaughan stated she had contacted Andrew Young in reference to serving.

Moved by Councilmember Kennedy, seconded by Councilmember Hightower to appoint Heidi Fleshman to the Minimum Housing Board. The motion carried by voice vote.

Moved by Councilmember Hoffmann, seconded by Mayor Pro-Tem Johnson to appoint Wayne Abraham to PB. The motion carried by voice vote. Moved by Councilmember Hoffmann, seconded by Councilmember Thurm to appoint Amy Murphy to the Human Relations Commission. The motion carried by voice vote.

50. [ID 18-0282](#) Resolution Approving Bid in the Amount of \$8,241,000 and Authorizing Contract with Shelco Construction for Construction of the GAC Fourth Pool

Mayor Vaughan introduced items #50 and #51 together.

Councilmember Hightower requested confirmation on the expansion project; voiced concern with the Minority/Women Business Enterprise (M/WBE) participation; with goal percentages; and stated she would not support the item.

Coliseum Director Matt Brown outlined the history of the project with Shelco Construction for the fourth pool at the Greensboro Aquatic Center; spoke to a general bid; confirmed the project was not a Construction Manager at Risk project (CMAR); spoke to an increase in percentages; to the inclusion of a M/WBE business owner for plumbing supplies; commended the work of staff for M/WBE participation opportunities; spoke to providers within the ten county area; to being competitive; referenced a previous item with high M/WBE participation; spoke to reaching realistic goals on a consistent basis; and recognized the work of Coliseum Aquatic Center Manager Susan Braman.

Councilmember Hightower spoke to the recent Disparity Study percentages.

Councilmember Outling referenced Council's stated goals for participation; spoke to governing laws; restrictions; commended Shelco for the efforts to increase the percentages; and for compliance to City policies.

Ted Oliver, 600 Waycross Drive representing the War Memorial Commission spoke to the pool construction history; to a child that had participated in 2009 winning a diving scholarship; to the success of the aquatic center; commended the work of Mr. Brown and Ms. Braman; outlined events at the center; referenced Greensboro residents competing for Olympic medals; and requested Council support the item.

Moved by Councilmember Abuzuaiter, seconded by Mayor Pro-Tem Johnson, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

183-18 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT WITH SHELCO CONSTRUCTION FOR THE GAC FOURTH POOL

WHEREAS, after due notice, bids have been received for the GAC Fourth Pool project.

WHEREAS, Shelco Construction, a responsible bidder, has submitted the lowest base bid, and after value engineering, the total amount of the contract would be \$8,241,000, which includes two add alternates, as general contractor for the contract, which this 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 findings above are hereby adopted and the Contract between the City of Greensboro and Shelco Construction is hereby formally approved and the 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 \$8,241,000.

(Signed) Marikay Abuzuaiter

51. [ID 18-0464](#) Ordinance in the Amount of \$4,476,496 Amending the Coliseum Improvements Bond Fund

Moved by Councilmember Hoffmann, seconded by Councilmember Kennedy, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-097 ORDINANCE AMENDING COLISEUM IMPROVEMENTS BOND FUND

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

Section 1

That the Coliseum Capital Improvements Bond Fund of the City of Greensboro is hereby amended, and:

That the appropriations be increased as follow:

Account	Description	Amount
528-7501-05.6013	Buildings	\$4,476,496

and, that the following revenue finance these appropriations:

Account	Description	Amount
528-7501-01.9206	Transfer from Hotel/Motel Tax Fund	\$4,476,496

Section 2

And, that the appropriations of the Hotel/Motel Tax Fund are increased, as follows

Account	Description	Amount
206-1001-02.6528	Transfer to Coliseum Capital Project Fund	\$4,476,496

and, that the following revenue finance these appropriations:

Account	Description	Amount
206-1001-02.9000	Installment Financing Agreement	\$4,476,496

Section 3

And, that this ordinance should become effective upon adoption.

(Signed) Nancy Hoffmann

- 52. [ID 18-0408](#)** Resolution Approving Bid in the Amount of \$3,612,000.00 and Authorizing Execution of Contract 2017-014A with Laughlin-Sutton Construction Company for the T.Z. Osborne Water Reclamation Facility Improvements Project

Councilmember Hightower voiced concerns regarding M/WBE goals.

Moved by Councilmember Hoffmann, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 8 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 1 - Sharon M. Hightower

184-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$3,612,000.00 AND AUTHORIZING EXECUTION OF CONTRACT 2017-014A WITH LAUGHLIN-SUTTON CONSTRUCTION COMPANY FOR THE T.Z. OSBORNE WATER RECLAMATION FACILITY IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the T.Z. Osborne Water Reclamation Facility Improvements project;

WHEREAS, Laughlin-Sutton Construction Company, a responsible bidder, has submitted the low base bid in the total amount of \$3,612,000.00 as general contractor for Contract 2017-014A 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 Laughlin-Sutton Construction Company is hereby accepted, and the City is authorized to enter into a contract with Laughlin-Sutton Construction Company for the T.Z. Osborne Water Reclamation Facility 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 in the amount of \$3,612,000.00 from account 503-7028-06.6019.

(Signed) Nancy Hoffmann

- 53. [ID 18-0419](#)** Resolution Approving Bid in the amount of \$1,169,510.00 and Authorizing Execution of Contract 2018-013 with Yates Construction Company for the Construction of the Old Battleground Road 24-inch Waterline Extension Project.

Discussion took place regarding minority goals; and market availability.

Moved by Councilmember Wells, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 6 - Nancy Vaughan, Marikay Abuzuaiter, Nancy Hoffmann, Justin Outling, Tammi Thurm and Goldie F. Wells

Nays, 3 - Yvonne J. Johnson, Sharon M. Hightower and Michelle Kennedy

185-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$1,169,510.00 AND AUTHORIZING EXECUTION OF CONTRACT 2018-013 WITH YATES CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE OLD BATTLEGROUND ROAD 24-INCH WATERLINE EXTENSION PROJECT

WHEREAS, after due notice, bids have been received for 24inch waterline extension for the Old Battleground Road project;

WHEREAS, Yates Construction Company, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,169,510.00 as general contractor for Contract No. 2018-013, 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 Yates Construction Company is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Company for the 24-inch waterline extension for the Old Battleground Road 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 \$1,169,510.00 from account 503-7028-01.6016 and the associated budget adjustment.

(Signed) Goldie Wells

- 54. [ID 18-0395](#)** Resolution Approving Bid in the Amount of \$1,164,881.76 and

Authorizing Execution of Contract 2017-006 with Yates Construction Company for the Construction of the Downtown Greenway Phase 3C

Councilmember Hightower requested staff follow up on payment to vendors.

Moved by Councilmember Outling, seconded by Councilmember Abuzuaiter, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

186-18 RESOLUTION APPROVING BID IN THE AMOUNT OF \$1,164,881.76 AND AUTHORIZING EXECUTION OF CONTRACT 2017-006 WITH YATES CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF THE DOWNTOWN GREENWAY PHASE 3C

WHEREAS, after due notice, bids have been received for the Downtown Greenway Phase 3C construction project;

WHEREAS, Yates Construction Company a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,164,881.76 as general contractor for Contract No. 2017-006, 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 Yates Construction Company is hereby accepted, and the City is authorized to enter into a contract with Yates Construction Company for the Downtown Greenway Phase 3C construction 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 \$1,164,881.76 from:

GDOT Account #:	471-4502-18.6015	A17123	\$1,089,371.76
Water Resources Account #:	503-7028-01.6016		\$75,510.00

(Signed) Justin Outling

55. [ID 18-0439](#) Resolution Authorizing Execution of Amended Agreement with NC Department of Transportation for EL-5101 DL Sidewalk Improvement Projects

Mayor Vaughan introduced items #55 and #56 together.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

187-18 RESOLUTION AUTHORIZING EXECUTION OF AMENDED AGREEMENT WITH NC DEPARTMENT OF TRANSPORTATION FOR EL-5101 DL SIDEWALK IMPROVEMENT PROJECTS

WHEREAS, the Greensboro Urban Area Metropolitan Planning Organization directed federal funds to project EL-5101 in cooperation with North Carolina Department of Transportation; and

WHEREAS, consistent with that action, the North Carolina Department of Transportation agreed to amend the project to reimburse the City for 80% of construction costs up to \$4,426,000 and,

WHEREAS, the City of Greensboro will implement the project and provide the necessary local match amount of \$1,106,500.

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

That said project is hereby formally approved by the City Council of the City of Greensboro and 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 EL-5101 DL.

(Signed) Marikay Abuzuaiter

- 56. [ID 18-0440](#)** Ordinance in the Amount of \$5,532,500 Increasing the Budget for Amended Agreement with NC Department of Transportation for EL-5101 DL Sidewalk Improvement Projects

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-098 ORDINANCE AMENDING THE STREET AND SIDEWALK CAPITAL PROJECT
FUND TO AMEND THE BUDGET FOR PROJECT EL-5101 DL: GREENSBORO SIDEWALK PROJECT

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

Section 1

That the appropriation for the Project EL-5101 DL: Greensboro Sidewalk Project budget be increased as follows:

Account	Description	Amount
401-4546-01.6015	Sidewalk Construction	\$5,532,500
Total		\$5,532,500

And, that this appropriation be financed by establishing the following revenue accounts:

Account	Description	Amount
401-4546-01.7100	Federal Funds	\$4,426,000
401-4546-01.9471	Local Matching Funds	\$1,106,500
Total		\$, 5,532,500

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Marikay Abuzuaiter

- 57. [ID 18-0383](#)** Ordinance Amending Chapter 4 of the Greensboro Code of Ordinances with Respect to Alcoholic Beverages, Chapter 16 of the Greensboro Code of Ordinances with Respect to Motor Vehicles and Traffic, Chapter 26 of the Greensboro Code of Ordinances with Respect to Streets and Sidewalks, and Chapter 28 of the Greensboro Code of Ordinances with Respect to Taxicabs and Buses

Moved by Councilmember Outling, seconded by Councilmember Hoffmann, to adopt the ordinance. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

18-099 ORDINANCE TO AMEND CHAPTER 4 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ALCOHOLIC BEVERAGES, CHAPTER 16 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO MOTOR VEHICLES AND TRAFFIC, CHAPTER 26 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO STREETS AND SIDEWALKS, AND CHAPTER 28 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO TAXICABS AND BUSES

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

Section 1. Section 4-7 of Chapter 4, Alcoholic Beverages, is hereby amended as follows:

Sec. 4-7. – Possession and consumption of malt beverages and unfortified wine.

(a) Except as provided by this chapter, it shall be unlawful to possess an open container of, or to consume a malt beverage or unfortified wine, on any public street, sidewalk or any property owned, occupied, or controlled by the city.

Exception: Subsection (a) does not apply to an occupant of a motor vehicle while on a public street, when served at sidewalk cafes permitted in accordance with Chapter 26, or when consumed on pedal cars permitted in accordance with Chapter 26.

Section 2. Section 16-53 of Chapter 16, Motor Vehicles and Traffic, is hereby amended as follows:

Sec. 16-53. – Traffic schedules.

The following traffic schedules, compiled under the direction of the city manager, and inserted in official traffic records and kept on file in the office of the city clerk are adopted and made a part of this chapter:

No. 1.—Intersection control.

No. 2.—Speed control.

No. 3.—Turn control.

No. 4.—Curb restrictions.

No. 5.—Pedestrian signal lights.

No. 6.—Flashing lights.

No. 7.—One-way streets.

No. 8.—Truck routes.

No. 9.—Public off-street parking lots.

No. 10.—Bicycle-sidewalk lanes.

No. 11.—Bicycle-street lanes.

No. 12.—Low speed vehicle (LSV) taxi and alternative passenger vehicle routes.

Section 3. Chapter 26, Streets and Sidewalks, is hereby amended by adding a new article as follows:

ARTICLE IV. – ALTERNATIVE PASSENGER VEHICLES

Sec. 26-282. - Purpose and intent.

(a) The transportation of people within and around the downtown business district and high density urban areas by means of vehicles is a matter which affects the public interest. Due to the high volume of pedestrian, bicycle and vehicular traffic in Greensboro, it is necessary to regulate the operation of select types of passenger vehicles not classified as taxicabs, buses, or low speed vehicle taxicabs on city streets. The public interest requires operators of alternative passenger vehicles be properly qualified persons, that the vehicles, themselves, be fit for their intended purpose, that vehicle use be limited to designated areas, and that the safety and welfare of passengers and the general public be adequately protected.

(b) The purpose of this chapter, therefore, is to establish an Alternative Passenger Vehicle (APV) ordinance, which:

- (1) defines which alternative vehicular modes utilized for the commercial purpose of transporting passengers may operate on city streets;
- (2) defines requirements for permitting of alternative passenger vehicle businesses and drivers of such vehicles;
- (3) regulates the operations of alternative passenger vehicles on city streets;
- (4) restricts the streets on which the vehicles may operate within and adjacent to the Central Business District;
- (5) establishes standards that the vehicles, owners, and operators must meet; and,
- (6) promotes the safety and welfare of passengers and the general public.

Sec 26-283. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alternative passenger vehicle means any pedal car providing transportation services within or adjacent to the Central Business district.

Alternative passenger vehicle business means the business of operating one (1) or more alternative passenger vehicle(s) for profit or not-for-profit.

Owner means any person engaged in an alternative passenger vehicle business and holding legal right to possession and management, to one (1) or more vehicles being operated as an alternative passenger vehicle.

Driver or operator means any person who actually drives or operates an alternative passenger vehicle on the streets of the city and who is responsible for the safe operation of the vehicle, including but not limited to the steering and braking and maintaining compliance with all state and local traffic regulations.

Alternative passenger vehicle permit means the right and privilege granted by the City of Greensboro for the operation of an alternative passenger vehicle business incorporating the use of one (1) or more alternative passenger vehicles within the corporate limits of the city.

Driver's permit means the written authority granted by the city for a driver to operate an alternative passenger vehicle in the City of Greensboro.

Pedal car means a non-motorized four (4) or more wheeled bicycle-like vehicle that transports passengers on saddle type seats with designated room for storage and is either human powered by five or more passengers not including the operator or by a motor capable of propelling the vehicle in the absence of human power.

Sec 26-284. - Alternative passenger vehicle permit application.

(a) No permit for the operation of an alternative passenger vehicle business may be issued unless the application is complete.

(b) If the applicant is a corporation, limited liability company, partnership or such other business entity, the person who will be acting as principal in charge of the business to be licensed shall sign the application and all owners of the business entity shall meet all of the requirements for individual applicants.

(c) The application shall be submitted to the city manager or his designee.

(d) The applicant shall truthfully and fully provide the information requested on the application, including but not limited to:

- (1) The applicant's full name and residence address;
- (2) The applicant's date of birth;
- (3) The applicant's driver's license and number;
- (4) The name of the business entity applying for an alternative passenger vehicle permit;
- (5) A list of each authorized driver, including name, address date of birth, and driver's license number;
- (6) Certification that all drivers shall complete a training program as required by Sec. 26-289;
- (7) A photograph of each alternative passenger vehicle to be operated by the alternative passenger vehicle business;
- (8) Proof of a comprehensive general liability insurance policy or comparable pedicab liability insurance policy, issued by an insurance company licensed to do business in the State of North Carolina, protecting the permittee and the city from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with the permit. Such insurance shall name the city as additional insured and shall provide that the policy shall not terminate or be cancelled prior to the expiration date without thirty (30) days advance written notice to the city. The policy shall provide coverage in an amount not less than \$1,000,000 per occurrence.
- (9) Such additional information as may be requested by the city manager or his designee to determine compliance

with this section.

Sec 26-285. - Issuance of alternative passenger vehicle permit.

(a) Within thirty (30) days after the filing of a completed application for an alternative passenger vehicle permit, the applicant shall be notified by the city manager, or his designee, of the decision on the issuance or denial of the permit. The manager, or his designee, shall consider the standards set forth in this article in determining whether to grant a permit. If the permit is denied, the applicant shall be provided with a statement of the reasons therefore, which reasons shall be entered in writing on the application.

(b) Upon payment of the applicable fee, alternative passenger vehicle permits issued pursuant to this article shall expire on June 30th of the subsequent year. Applications approved after the expiration of eleven (11) months of the current fiscal year shall be issued permits for the upcoming fiscal year.

(c) No permit fee shall be abated, nor shall a refund of any part thereof be made, in any case where the permittee discontinues his business before the end of the period for which the permit was issued.

(d) Fees.

(1) The fee for an alternative passenger vehicle business is fifty dollars (\$50.00) which shall be paid on an annual basis.

(2) The fee for an alternative passenger vehicle is fifteen dollars (\$15.00) per vehicle which shall be paid on an annual basis.

(e) A permit decal will be issued for each approved alternative passenger vehicle. The alternative passenger vehicle permit decal shall be displayed at all times during the operation of the alternative passenger vehicle where it can be inspected at any time by any proper city official.

(f) Permits and decals are non-transferable.

Sec 26-286. - Alternative passenger vehicle permit denial, suspension and revocation.

(a) Any alternative passenger vehicle permit may be denied, suspended or revoked for fraud or misrepresentation in the application for the permit or in the conduct of the business, for conduct of the business in such a manner as to create a public nuisance, or constitute a danger to the public health, safety, welfare, or morals, or for conduct which is contrary to the provisions of this chapter.

(b) Any alternative passenger vehicle business whose permit is denied, suspended or revoked pursuant to this section shall not be granted a new permit for a period of thirty (30) days for the first offense and twelve (12) months for the second offense.

Sec 26-287. - Driver's permit required.

A pedal car driver shall apply for and secure a driver's permit in accordance with the requirements and procedures, including but not limited to those pertaining to denial, suspension, and revocation of Chapter 28, Article II, Division 4, Taxicab Drivers' Permit. For the purposes of this section, the references to "taxicab" in Sec. 28-66 through Sec. 28-76 shall be deemed to refer to "pedal car". Pedal car drivers are exempt from the taxicab driver's dress code requirements of Sec. 28-67.

Sec 26-288. - Areas of operation.

(a) Alternative passenger vehicles shall be permitted to operate only on streets or portions of streets designated in traffic schedule 12B in accordance with Sec. 16-53. Requests to operate on streets not designated in traffic schedule 12B must be approved by the city transportation director.

(b) Operation of alternative passenger vehicles shall be specifically prohibited:

(1) On any street, highway, or thoroughfare with a posted speed limit greater than thirty-five miles per hour (35 mph);

(2) On any sidewalk, pedestrian walkway, greenway or City park except as otherwise specified;

(3) In any spaces upon the streets that have been established as taxicab stands or other prohibited areas;

(4) On any street closed in connection with an approved special event permit unless approved to operate in conjunction with the event by the city and permit holder; and

(5) When weather conditions are sufficiently adverse or inclement as to endanger passengers or the public.

(c) Alternative passenger vehicles are not permitted to stop, stand, or park on public property except as follows:

(1) At a traffic light/signal;

(2) In a legal parking space, provided that the fee for occupying said space is paid, if applicable;

(3) In loading/unloading zones; or

(4) On any portion of a public street, alley, plaza, park, or similar public place that may be designated as parking for alternative passenger vehicles.

(d) Designated areas, routes, parking, and loading/unloading zones may be established, modified, or prohibited by the city manager as deemed necessary for the protection of the public safety, health, and welfare.

Sec 26-289. - Standard operating regulations.

No person shall drive or operate an alternative passenger vehicle upon the streets of the City of Greensboro and no owner shall permit it to be so driven or operated unless the vehicle is operated in compliance with all of the requirements of this section.

(a) No owner shall operate an alternative passenger vehicle business without an alternative passenger vehicle permit.

(b) All alternative passenger vehicles shall conspicuously display a valid alternative passenger vehicle permit decal on the windshield or other prominent location on the vehicle body.

(c) An alternative passenger vehicle business shall prepare a training program for its drivers covering at minimum, the safe operation of alternative passenger vehicles, customer service policies, and the requirements of this article. All drivers must complete the training program before operating an alternative passenger vehicle.

(d) No driver under the age of 18 shall operate an alternative passenger vehicle.

(e) No driver shall operate an alternative passenger vehicle unless that person has a current valid North Carolina driver's license.

(f) No driver shall drive an alternative passenger vehicle without first having obtained a driver's permit from the City's taxicab inspector in accordance with Sec. 26-287.

(g) An alternative passenger vehicle driver shall at all times, while operating the vehicle, prominently post and display in such vehicle, so as to be visible to the passengers therein, his or her driver's permit to drive or operate an alternative passenger vehicle. Such permit shall contain a photograph of the driver. The driver's permit shall be and remain the property of the city. In the event such permit is lost or stolen, such loss shall be immediately reported to the chief of police or his designee and a new permit obtained.

(h) No driver shall operate, or cause to be operated, an alternative passenger vehicle in an unsafe condition.

(i) No driver shall operate an alternative passenger vehicle in excess of fifteen miles per hour (15 mph).

(j) Alternative passenger vehicles are only permitted to be driven or operated in the city on designated streets or thoroughfares. No alternative passenger vehicle may be driven or parked on a sidewalk.

(k) A driver shall not stop to load or unload passengers or their belongings in travel lanes, intersections of any street, crosswalks, or in any manner or other location that would be considered unsafe. No driver shall load or unload in any such manner that will in any way impede or interfere with the orderly flow of traffic on the streets.

(l) Alternative passenger vehicles shall stay to the far right of the traveled portion of the road and yield the right-of-way to overtaking motor vehicles.

(m) A driver shall have in his or her possession proof of insurance and a valid state driver's license. These documents shall be made available upon request of law enforcement, an authorized city license inspector, or traffic control agent.

(n) A driver shall operate the alternative passenger vehicle in compliance with all applicable federal, state, and local traffic laws, ordinances, or other applicable regulations and in a manner so as to assure the safety of persons and property.

(o) A driver shall not consume any alcoholic beverages while on duty or operate an alternative passenger vehicle while impaired in any manner to any threshold.

(p) All alternative passenger vehicles shall be maintained by the alternative passenger vehicle business so as to be well painted and have an appearance free of damage or deterioration, and a safe operational condition.

(q) An owner, operator, or driver shall inspect on a daily basis all alternative passenger vehicles and all equipment at the time of departure from and return to the alternative passenger vehicle business' place of vehicle storage.

(r) Alternative passenger vehicles shall be subject to inspection by the City Department of Transportation or the Greensboro Police Department.

(s) All alternative passenger vehicles shall have the trade name and phone number of the business conspicuously displayed on the vehicle.

(t) A driver shall obey and comply with any lawful order or direction of any police officer, traffic control agent, or license inspector, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.

- (u) No driver shall allow a passenger or other individuals to drive their alternative passenger vehicle.
- (v) No driver shall operate an alternative passenger vehicle unless all passengers are seated in a seat designated for that purpose.
- (w) No driver shall permit more passengers to be carried in an alternative passenger vehicle than the vehicle's normal seating capacity.
- (x) No driver shall permit any passenger twelve (12) years of age or younger to ride in an alternative passenger vehicle unaccompanied by an adult.
- (y) A driver shall actively and affirmatively manage the behavior of the passengers of the alternative passenger vehicle so that their behavior remains law-abiding during the excursion, both while the vehicle is in motion and at a stop. Behavior which shall be prohibited and prevented includes specifically, but is not limited to, indecent exposure, disorderly conduct, public urination, and littering.
- (z) No music or amplified sound shall be played, nor yelling or conversation be conducted, in such a manner that it would violate Chapter 18, Article IV, Offenses of Unreasonable or Disturbing Sound.
- (aa) An alternative passenger vehicle business shall adopt and operate a system for the collection, storage, and return of personal property left on-board an alternative passenger vehicle.
- (bb) Advertisements shall only be allowed on or affixed to the manufactured body of the alternative passenger vehicle. No banners, poles, flags, detached signs, or any other addition or object may be attached to an alternative passenger vehicle.
- (cc) The driver of a alternative passenger vehicle shall remain on the vehicle or immediately adjacent to the vehicle at all times when such vehicle is upon the public streets; except that, when reasonably necessary, a driver may be absent from the vehicle for not more than ten consecutive minutes when the vehicle is in a legal parking space.
- (dd) The operator or owner of any alternative passenger vehicle shall immediately report to the police any accident arising in connection with the operation of the vehicle, which report shall be in writing and shall contain full information as to the time and place of the accident, the name of the driver of the vehicle, the owner of the vehicle, the name or names of persons injured or killed, the names and addresses of witnesses, the approximate amount of property damage done and a further report of the cause of such accident.

Sec. 26-290. - Additional operating conditions for pedal cars.

- (a) All pedal car passengers consuming alcohol shall be of legal age.
- (b) No glassware of any kind, except that which is secured in a designated storage area, shall be allowed on a pedal car including but not limited to bottles, receptacles or drinking glasses.
- (c) No alcoholic beverages other than beer, wine, hard cider, or malt-based beverages may be consumed by passengers of a pedal car.
- (d) Alcoholic beverages as defined in this section may only be consumed in plastic or foam cups.
- (e) Only alcohol supplied by passengers shall be permitted on a pedal car. A driver may not provide an alcoholic beverage to a passenger for a fee or as part of the passenger transport service.
- (f) A driver shall not permit passengers to exit the pedal car with an open container of alcoholic beverage.
- (g) No pedal car passenger shall exit the pedal car with an open container of alcoholic beverage.
- (h) The pedal car driver shall properly dispose of all trash.
- (i) No pedal car driver shall permit more than two (2) persons in addition to the driver to be in the center aisle while the vehicle is in motion.
- (j) All passengers not in the center aisle must remain seated and strapped into a seat while the pedal car is in motion.
- (k) Operating hours of pedal cars shall be specifically prohibited between the hours of 12 a.m. and 8 a.m. all days of the week and between 4 p.m. and 6 p.m. on weekdays, excluding national holidays. Upon the approval of a written request made to the City Department of Transportation, the prohibition of hours of operation may be waived for special events.
- (l) Pedal cars shall not be operated within designated bicycle lanes, but shall instead move with traffic like motor vehicles.
- (m) The primary location of the pedal car business, passenger meeting area, loading, and vehicle storage shall be located on private property in a designated area zoned for commercial uses and must not impede any drive aisles or required parking spaces.
- (n) Rides must be prearranged and fares agreed prior to the commencement of each tour. Pedal cars are prohibited from picking up additional passengers after a tour has departed from its point of origin.

Sec. 26-291. - Pedal car safety and equipment standards.

(a) All pedal cars must meet the following equipment and safety standards:

- (1) A maximum length of twenty (20) feet, a maximum width of eight (8) feet six (6) inches, and a maximum height of twelve (12) feet;
 - (2) Unibody frame construction;
 - (3) Four (4) or more wheels;
 - (4) Rubber on all wheels;
 - (5) Seatbelts for passengers, sufficient to securely tether passengers to their seats;
 - (6) A fully operational horn or bell;
 - (7) A standard, functional speedometer, exposed to view;
 - (8) Easily accessible emergency equipment, including a multi-functional fire extinguisher and a fully stocked first-aid kit;
 - (9) Headlights that have a beam of at least three hundred (300) feet;
 - (10) Flashing taillights that are visible from at least five hundred (500) feet;
 - (11) Mirrors affixed to the pedal car to reflect to the driver a view of at least two hundred (200) feet from the rear of the pedal car;
 - (12) Brake lights affixed to the rear of the pedal car that must be visible at a distance of at least two hundred (200) feet from that rear of the pedal car and must be illuminated at all times during darkness;
 - (13) Turn signals affixed to the front and rear of the vehicle;
 - (14) Working running lights along the outermost parts of the front, sides, and rear of the vehicle so as to make the vehicle clearly visible to motorists at night;
 - (15) Hydraulic, mechanical disk, or drum brakes that are unaffected by wet conditions and that control the front and rear of the pedal car;
 - (16) Body painted with bright, reflective paint;
 - (17) If electric motor assistance is installed, it must meet all manufacturer standards and be inspected by a certified mechanic on an annual basis.
- (b) Trailers are prohibited from being attached to pedal cars.
- (c) Any pedal car not in compliance with the minimum requirements of this section may be cited and placed immediately out of service. Any vehicle which has been so removed from service shall not be returned to service until such vehicle has been approved by the City's taxicab inspector for resumption of service.

Sec. 26-292 – 26-299. - Reserved.

Section 4. Chapter 28, Taxicabs and Buses, Article II, Taxicabs, is hereby amended by adding a new division as follows:

DIVISION 6. DOWNTOWN LOW SPEED VEHICLE TAXICABS

Sec. 28-104. - Low speed vehicle taxicabs business licenses and vehicle permits.

(a) Business Licenses.

- (1) Unless otherwise stated herein, low speed vehicle (LSV) taxicabs shall comply with articles I and II of this chapter.
- (2) A person shall not operate a LSV taxicab company in the city without having first obtained a business license from the city.
- (3) Each applicant for a business license to operate a LSV taxicab company shall comply with the requirements of this article and pay an annual business license fee.
- (4) A LSV taxicab company business license is a privilege and not a right. A LSV taxicab business license shall be subject to suspension or revocation of its business license for failing to comply with the requirements of this article.

(b) Vehicle Permits.

- (1) Upon the payment of a fifteen dollar (\$15.00) fee per LSV taxicab, a permit decal will be issued for each approved LSV taxicab.
- (2) The permit decal shall be displayed at all times during the operation of the LSV taxicab where it can be

inspected at any time by any proper city official.

(3) Permits and decals are non-transferable.

Sec. 28-105. - Area of operation.

LSV taxicabs shall be permitted to operate only on streets or portions of streets designated in traffic schedule 12A.

Sec. 28-106. - Storage of low speed vehicle taxicabs.

The storage site for LSV taxicabs must comply with all applicable zoning regulations and restrictions.

Sec. 28-107. - Fare charged for services.

Any fare charged by a LSV taxicab shall be on a per person, per ride basis and shall be clearly posted.

Sec. 28-108. - Driver's permit.

No person shall operate a LSV taxicab unless they have obtained a driver's permit issued pursuant to Division 4, Taxicab Driver's Permit, of this chapter.

Sec. 28-109. - Low speed vehicle identification and equipment.

(a) Each LSV taxicab shall bear on each side in letters of not less than two-inches in height, the name of the company, phone number of the company, a unit number, and may, in addition, include an identifying design which has been approved by the police chief or his designee.

(b) Each LSV taxicab must registered with the North Carolina Department of Motor Vehicles and shall comply with the safety standards in 49 C.F.R. § 571.500 and shall be equipped with:

- (1) Headlamps;
- (2) Turn signal lamps (front and rear);
- (3) Tail lamps;
- (4) Stop lamps;
- (5) Reflex reflectors;
- (6) Mirrors on the driver's side and either exterior on passenger's side or interior;
- (7) A parking brake;
- (8) A windshield;
- (9) A Vehicle Identification Number (VIN);
- (10) Seat belts; and
- (11) An alert sound.

Sec. 28-110. - Conduct of drivers.

A driver of LSV taxicabs shall at all times:

- (1) Act in a reasonable, prudent, safe and courteous manner;
- (2) Not permit a person not possessing a vehicle for hire license to operate the LSV taxicab or exercise control over the LSV taxicab;
- (3) Not permit more passengers to be carried in an LSV taxicab than the number of approved seatbelts installed in the LSV taxicab, and at no time shall the driver allow passengers to ride in any area of the LSV taxicab not specifically designed or designated as a seat;
- (4) Not permit any passenger twelve (12) years of age or younger to ride in the LSV taxicab unaccompanied by an adult;
- (5) Travel only roads with speed limits that do not exceed thirty-five (35) miles per hour as shown on Traffic Schedule 12A;
- (6) Not operate an LSV taxicab in excess of the posted speed limit;
- (7) Not operate an LSV taxicab while under the influence of intoxicating beverages or drugs;
- (8) Observe and obey all state and local traffic laws and regulations;
- (9) Not permit a passenger to stand or ride on any part of the LSV taxicab other than the designated seating area while the LSV taxicab is motion, and to advise the passengers that they must be seated with seat belts fastened except when loading or unloading;
- (10) Wear a seatbelt at all times the LSV taxicab is operation;
- (11) Not permit the consumption of alcohol, or possession of open containers by passengers.

Secs. 28-111—28-120. - Reserved.

Section 5. That all sections not amended herein shall remain in full force and effect.

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

(Signed) Justin Outling

58. [ID 18-0456](#) Resolution to Rescind Resolutions #98-17 and #352-17 Regarding the Downtown Development Agreement and Project Involvement and Cost Sharing Construction Agreement with CHI Greensboro LLC

Mayor Vaughan introduced items #58, #59, #60, and #61 together.

Hester Petty, 3402 Canterbury Street voiced concerns regarding the time in which information had been provided to the public; with funding allocations for properties; spoke to a building on the property currently occupied by Guilford County; and to the need for affordable housing.

Councilmember Outling referenced closed session motions; spoke to a summary of transactions; and to the availability of agenda information.

Mayor Vaughan confirmed public hearing items were publicized approximately ten days in advance of a hearing.

City Manager Parrish provided the history of the items; spoke to private public partnerships; property acquisition and appraisal; Council authorization to move forward with design; a pour-in-place structure; and to the demand for additional parking.

Discussion took place regarding occupancy of the building on the property.

Moved by Councilmember Hoffmann, seconded by Councilmember Kennedy, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

188-18 RESOLUTION TO RESCIND RESOLUTIONS #98-17 AND #352-17 REGARDING THE EUGENE DOWNTOWN DEVELOPMENT PROJECT

WHEREAS, pursuant to N.C.G.S. 160A-458.3, on May 2, 2017, City Council adopted Resolution #98-17 which authorized the City Manager to enter into a Downtown Development Agreement (DDA) with CHI Greensboro, LLC to design a public/private parking structure in the Eugene/Bellemeade area with a cost not to exceed \$2 million;

WHEREAS, on September 19, 2017, City Council adopted Resolution # 264-17 which authorized the City Manager to execute a Downtown Development Project and Parking Agreement with Downtown Slugger, LLC regarding its development of a new office tower adjacent to the First National Bank Field (the Grasshoppers Stadium) and the City's commitment to provide 265 parking spaces at market rates;

WHEREAS, on December 19, 2017, City Council adopted Resolution #352-17 which authorized the City Manager to negotiate and execute a project involvement and cost sharing agreement with CHI Greensboro, LLC regarding the construction of the Eugene Parking Deck;

WHEREAS, the City and CHI Greensboro, LLC have agreed to terminate the Downtown Development Agreement;

WHEREAS, the City and CHI Greensboro, LLC have not executed the project involvement and cost sharing

agreement authorized by Resolution #352-17;

WHEREAS, the City intends to construct the Eugene Parking Deck in a new location still in the Eugene/Bellemeade area and to fulfill its commitment to Downtown Slugger, LLC;

WHEREAS, rescission of Resolutions #98-17 and #352-17 will allow the City to recommit the funds for design and construction of the Eugene Parking Deck;

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

It is in the best interest of the City to rescind Resolution #98-17 and Resolution #352-17 and to authorize the City Manager or his designee to unencumber and to utilize the funds for other public purposes effective upon adoption.

(Signed) Nancy Hoffmann

59. [ID 18-0450](#) Resolution Authorizing the Purchase of Property Located at 201 North Eugene Street from Guilford County for the Eugene Street Parking Deck Facility

Council discussed the history of the project; parking in other municipalities; engagement with Guilford County for cost sharing; affordable housing; City and County functions; the need for economic development; the need for jobs; ownership of the parking deck; college graduate job opportunities; and potential revenue for the City.

Mayor Pro-Tem Johnson called the question.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Hoffmann, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

189-18 RESOLUTION AUTHORIZING THE PURCHASE OF THE ENTIRE PROPERTY LOCATED AT 201 NORTH EUGENE STREET FROM GUILFORD COUNTY FOR THE EUGENE STREET PARKING DECK FACILITY

WHEREAS, the entire property located at 201 North Eugene Street, Parcel 0001799 is required by the City for the planned City Eugene Street Parking Deck Facility said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$6,020,000.

WHEREAS, the property owner has agreed to settle for the price of \$5,500,000, which settlement, in the opinion of City Council, is a fair and reasonable alternative to condemnation;

WHEREAS, the owner has agreed to convey said property to the City at the agreed price and it is deemed in the best interest of the City to acquire said property.

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

That the agreed price of the above mentioned portion of property in the amount of \$5,500,000 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 546-4520-01.6011.

(Signed) Marikay Abuzuaiter

60. [ID 18-0459](#) Resolution to Negotiate Exchange of Portions of Parcel Number

0001799 Consisting of Approximately 1.724 Acres of Property for a Portion of Parcel Number 0223649 Consisting of Approximately 0.456 Acres and Other Consideration in the Amount of \$2,300,000

Moved by Councilmember Outling, seconded by Councilmember Thurm, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

190-18 RESOLUTION TO NEGOTIATE EXCHANGE OF A PORTION OF PARCEL NUMBER 0001799 CONSISTING OF APPROXIMATELY 1.815 ACRES OF PROPERTY FOR A PORTION OF PARCEL NUMBER 0223649 CONSISTING OF APPROXIMATELY 0.518 ACRES AND OTHER CONSIDERATION IN THE AMOUNT OF \$2,300,000

WHEREAS, by adoption of Resolution #264-17, the City Council authorized the Eugene Downtown Development Project;

WHEREAS, the City of Greensboro executed a Downtown Development Project and Parking Agreement with Downtown Slugger, LLC, in which Downtown Slugger, LLC agrees to invest at least \$17 million to construct a new office building at the corner of Bellemeade and Eugene Streets and the City agrees to lease up to 265 parking spaces in a new parking deck to serve the office building;

WHEREAS, the City intends to design and construct a new parking deck on a portion of Parcel Number 0001799, also known as 201 N. Eugene Street, which the City intends to acquire from Guilford County;

WHEREAS, the reconfiguration of Parcel Number 0001799 with the adjacent Parcel Number 0223649, also known as 415 Bellemeade Street, owned by Park Lot, LLC will improve development opportunities in the area;

WHEREAS, contingent on the purchase of Parcel Number 0001799 by the City, the City will negotiate to convey the portions of Parcel Number 0001799, excluding improvements, not necessary for the construction and access to a public parking deck comprising approximately 1.815 acres and valued at One Million Nine Hundred Seventy Five Thousand Seven Hundred Forty Four Dollars (\$1,975,744) to Park Lot LLC in exchange for a portion of Parcel Number 0223649 necessary for the construction of a public parking deck and access easement to Eugene Street comprising approximately 0.518 acres and valued at Five Hundred Sixty Three Thousand Eight Hundred Seventy Six Dollars (\$563,876) along with additional consideration in the amount of Two Million Three Hundred Thousand Dollars (\$2,300,000);

WHEREAS, the City would receive full and fair consideration in exchange of its property; and

WHEREAS, the City's interests in the Eugene Downtown Development Project will be best served by the recombination of the property to be acquired by the City with the property owned by Park Lot, LLC in order to promote revitalization of the City's central business district and to promote development in this area of the City;

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

That, in substantial accordance with the recitals above, the City Manager is authorized to negotiate a property exchange agreement with Park Lot, LLC subject to final Council approval.

(Signed) Justin Outling

61. [ID 18-0463](#) Resolution Authorizing City Manager to Enter into Agreement with Kimley-Horn and Associates, Inc. for Design Services Associated with the Construction of the Eugene Street Parking Deck

Councilmember Hightower inquired about M/WBE and mentor/portege opportunities.

City Manager Parrish spoke to percentages; professional services; and to providing additional information in the future.

Moved by Councilmember Abuzuaiter, seconded by Councilmember Thurm, to adopt the resolution. The motion carried on the following roll call vote:

Ayes, 9 - Nancy Vaughan, Yvonne J. Johnson, Marikay Abuzuaiter, Sharon M. Hightower, Nancy Hoffmann, Michelle Kennedy, Justin Outling, Tammi Thurm and Goldie F. Wells

191-18 RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR DESIGN SERVICES ASSOCIATED WITH CONSTRUCTION OF EUGENE STREET PARKING DECK

WHEREAS, the City of Greensboro has identified a need to provide up to 850 additional parking spaces around First National Bank Field due to recent and projected development; and

WHEREAS, the City is in the process of purchasing property located at 201 North Eugene Street for a new parking structure; and

WHEREAS, the City proposes to utilize the on-call Engineering Consultant contract with Kimley Horn and Associates for design services; and

WHEREAS, the contract will be for an amount up to \$1,500,000; and

WHEREAS, the City will direct Kimley Horn to sub-contract up to 15% of design services to one or more MWBE design firms; and

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

That, the City Manager is authorized to enter into an agreement with Kimley-Horn and Associates, Inc. for design services associated with construction of the Eugene Street Parking Deck.

(Signed) Marikay Abuzuaiter

Matters to be discussed by the Mayor and Members of the Council

Councilmember Hightower spoke to a community garden ground breaking ceremony; and to the M/WBE summary provided for informational purposes.

Councilmember Kennedy congratulated Parks and Recreation on the Boat Launch ribbon cutting.

Councilmember Thurm spoke to the New Garden Road Plan open house; and commended the Planning Department for their work.

Councilmember Wells spoke to the Town Hall meeting last week; and to meeting with the International Advisory Committee at the Cultural Arts Center.

Councilmember Outling invited the community to a coffee shop hour to discuss upcoming council agendas; and spoke to Council priorities for M/WBE.

Mayor Pro-Tem Johnson voiced appreciation to staff for work done; and voiced staff was not celebrated enough.

Councilmember Abuzuaiter spoke to the New Garden corridor plan; to an open forum; and recognized Parks and

Recreation month.

Matters to be presented by the City Manager

There were no items for discussion by the City Manager.

Matters to be presented by the City Attorney

There were no items for discussion by the City Attorney.

Adjournment

Moved by Mayor Pro-Tem Johnson, seconded by Councilmember Outling, to adjourn the meeting. The motion carried by voice vote.

THE CITY COUNCIL ADJOURNED AT 10:05 P.M.

ANGELA R. LORD
DEPUTY CITY CLERK

NANCY VAUGHAN
MAYOR