



# City of Greensboro

## Meeting Agenda

### City Council

Tuesday, January 3, 2023, 4:00 p.m.

Katie Dorsett Council Chamber

300 West Washington Street, Greensboro, NC 27401

*This agenda is being reposted to revise item 2023-38.*

~~*This agenda is being reposted to remove items 2023-21 and 2023-22 to be replaced by items 2023-39, 2023-37, 2023-38, and 2023-36.*~~

*The City Council Chamber is open to the public; however, residents are encouraged to continue to participate in the meeting virtually. To submit a comment or to request to speak to agenda items, please complete the [City Council Virtual Comments Form \(jotform.com\)](#). Please confirm if you wish to appear via zoom or in-person. Residents requesting to participate via zoom must submit the request by 5:00 P.M. the day prior to the Council meeting and will receive an email invitation to register with instructions on how to participate, including a unique password that cannot be used by other individuals. Zoom participants will be removed from the call following the conclusion of their item and are invited to observe the remainder of the meeting on the City of Greensboro's YouTube page. Residents may also register in-person on the night of the meeting using an on-site Qminder kiosk. On-Site speaker requests must be entered by 6 p.m.*

*A Qcode is available for scanning onto personal cell phone devices should residents prefer. All comments received are subject to the public records law and will be posted on the City of Greensboro website.*

*The first regular meeting of the month is for Council consideration of public forum comments, ceremonial/presentational, consent, public hearing, and business items as needed.*

*The second regular meeting of the month is for Council consideration of consent, public hearing, and business items.*

*The zoning application hearing process allows proponents and opponents a total of fifteen (15) minutes notwithstanding the number of persons desiring to be heard. Proponents shall be heard first followed by comments from opponents. Each side may speak a total of five (5) minutes rebuttal.*

*This Greensboro City Council meeting will be available via a live stream on the city's YouTube page, <https://www.youtube.com/user/CityofGreensboroNC>.*

*Any individual with a disability who needs additional information or assistance, please contact Gary Canapinno, ADA Coordinator, 336-373-2723 or [gary.canapinno@greensboro-nc.gov](mailto:gary.canapinno@greensboro-nc.gov).*

*The next regular meeting of City Council will be January 17, 2023.*

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Pages

- A. CALL TO ORDER
- B. CLOSED SESSION
- C. MOMENT OF SILENCE

<b>D.</b>	<b><u>PLEDGE OF ALLEGIANCE</u></b>	
<b>E.</b>	<b><u>COUNCIL PROCEDURE FOR CONDUCT OF THE MEETING</u></b>	
<b>F.</b>	<b><u>CEREMONIAL AND/OR PRESENTATION ITEMS</u></b>	
F.1	<u>2023-13 Resolution to Honor the Late Dr. Maurice Kobla Kpeglo</u>	1
F.2	<u>2023-12 Resolution to Honor the Late Dr. Joyce Martin Dixon</u>	3
F.3	<u>2023-25 Resolution Honoring the Memory of the Late Mary Hines Griffin</u>	6
F.4	<u>2023-23 Resolution Supporting 2023 as the “Year of the Trail”</u>	9
F.5	<u>2023-06 Resolution Supporting the Reclassification of Guilford Metro 911 Dispatchers</u> Staff Representative: Trey Davis	12
F.6	<u>2023-04 Recognition of 2022 Shoppers Day Event</u> Staff Representative: Gary Canapinno	15
<b>G.</b>	<b><u>PUBLIC COMMENT PERIOD</u></b>	
	Speakers from the floor will be allowed 3 minutes to address Council.	
<b>H.</b>	<b><u>CONSENT AGENDA (One Vote)</u></b>	
H.1	<u>2023-05 Resolution to Authorize a Contract in the Amount of \$533,970 with Central Carolina Health Network for the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program</u>	16
H.2	<u>2023-15 Ordinance Approving Historic Preservation Grant for Downtown National Register Update</u>	19
H.3	<u>2023-28 Resolution Approving Contract for \$561,500 with HDR Engineering of the Carolinas, Inc. for Megasite</u>	22
<b>I.</b>	<b><u>PUBLIC HEARING</u></b>	
I.1	<u>2023-27 Public Hearing for an Ordinance for Rezoning for a Portion of 3234 Horse Pen Creek Road – BCS Holdings, LLC for Judy and William Aydellette</u> Staff Representative: Mike Kirkman	29
I.2	<u>2023-26 Public Hearing for an Ordinance for Rezoning - Properties on Horse Pen Creek Road and Piermont Drive</u>	55
<b>J.</b>	<b><u>GENERAL BUSINESS AGENDA</u></b>	
J.1	<u>2023-14 - Ordinance Amending Chapter 26, Article XI of the Greensboro Code of Ordinances, titled “Social District”</u> This item was postponed from the November 15, 2022 City Council meeting.  Staff Representative: Trey Davis	87
J.2	<u>2023-20 Ordinance Amending the Equipment Services Fund FY 2022-23 Budget in the Amount of \$1,282,500</u>	95
J.3	<u>2023 - 24 Resolution To Adopt Neighborhood Reinvestment Areas</u> Staff Representative: Michelle Kennedy	98
J.4	<u>2023 - 39 Resolution Authorizing Funding in the Amount of 1,500,000 for American Rescue Plan Enabled Projects - 2023-39</u>	102
J.5	<u>2023 - 37 Ordinance Amending the FY 2022-23 General Fund Budget for American Rescue Plan Enabled Projects in the Amount of \$1,500,000 - 2023-37</u>	105

J.6 2023 - 38 Resolution Authorizing Commitment of Funding in the Amount of \$30,393,056 for American Rescue Plan Enable Projects - 2023-38 108

J.7 2023 - 36 Ordinance Amending the FY 2022-23 General Fund Budget, Employee Insurance Fund, General Insurance Fund, and General Capital Improvements Fund Budget for American Rescue Plan Enabled Projects - 2023-36 113

**K. MATTERS TO BE DISCUSSED BY THE MAYOR AND MEMBERS OF THE COUNCIL (If time permits)**

**L. MATTERS TO BE PRESENTED BY THE CITY MANAGER (If time permits)**

**M. MATTERS TO BE PRESENTED BY THE CITY ATTORNEY (If time permits)**

**N. ADJOURNMENT**

**O. ATTACHMENTS FOR COUNCIL'S INFORMATION: (INFORMATIONAL PURPOSES ONLY)**

There are no attachments for Council information for this agenda.



# City of Greensboro

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

## Agenda Report

File Number: 2023-13

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### Agenda Item# F.1.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council

**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-13 Resolution Honoring the Memory of the Late Dr. Maurice Kobla Kpeglo

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Mayor Pro-Tem Johnson, Ext2396

**Contact 2 and Phone:** Angela Lord, Ext 2396

**PURPOSE:**

Mayor Pro-Tem Johnson has requested a resolution honoring the late Dr. Maurice Kobla Kpeglo.

**BACKGROUND:**

N/A

**BUDGET IMPACT:**

N/A.

**ACCOUNT NUMBER:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt a resolution honoring the late Dr. Maurice Kobla Kpeglo.

RESOLUTION TO HONOR THE MEMORY OF  
THE LATE DOCTOR MAURICE KOBLA KPEGLO

WHEREAS, on October 30, 2022 the Greensboro community lost a treasured physician and community leader with the passing of the late Doctor Maurice Kobla Kpeglo;

WHEREAS, Dr. Kpeglo was born on January 4, 1949 in Ghana, West Africa; in 1962, Dr. Kpeglo entered Mawuli Secondary School in Ho, Ghana; graduating from the General Certificate of Education (GCE), Ordinary Level in 1967; and the GCE, Advanced Level in 1969;

WHEREAS, Dr. Kpeglo pursued higher education at Guilford College in Greensboro, NC, graduating in 1977; continuing his education at the University of North Carolina-Chapel Hill (UNC Chapel Hill) School of Medicine where he graduated in 1983;

WHEREAS, Dr. Kpeglo loved his home country and served as President of the Ghana Piedmont Association; and regularly volunteered to assist the African Services Coalition;

WHEREAS, Dr. Kpeglo worked as an Emergency Room doctor at various hospitals throughout North Carolina for over a decade; ultimately settling in Greensboro, NC where he opened First Aid Emergency Clinic, practicing both pediatrics and general family medicine for over two decades;

WHEREAS, Dr. Kpeglo served his patients in The Ole Asheboro neighborhood with dignity and respect, kindness, care, and knowledge;

WHEREAS, in addition to being a skilled physician, Doctor Kpeglo was also a loyal and devoted family man who will be remembered as a man of medicine; a loving husband, father, and grandfather who enjoyed making others laugh; and will be greatly missed by all who knew him; and

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

1. That the City Council wishes to express its condolences, and offer its sincere appreciation and gratitude for the many years of compassionate service of the late Doctor Maurice Kobla Kpeglo. His legacy will be remembered by the many lives he touched.
2. That a copy of this resolution shall be delivered to the family of the late Doctor Maurice Kobla Kpeglo as a symbol of the gratitude of the people of Greensboro for his dedicated service and contributions to the community.



# City of Greensboro

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Greensboro, NC 27401

## Agenda Report

File Number: 2023-12

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### Agenda Item# F.2.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council  
**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-12 Resolution Honoring the Memory of the Dr. Joyce Martin Dixon

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Mayor Pro-Tem Johnson, Ext2396

**Contact 2 and Phone:** Angela Lord, Ext 2396

**PURPOSE:**

Mayor Pro-Tem Johnson has requested a resolution honoring the late Dr. Joyce Martin Dixon.

**BACKGROUND:**

N/A

**BUDGET IMPACT:**

N/A.

**ACCOUNT NUMBER:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt a resolution honoring the late Dr. Joyce Martin Dixon.

RESOLUTION TO HONOR THE MEMORY OF  
THE LATE DOCTOR JOYCE MARTIN DIXON

WHEREAS, on October 12, 2022, the community lost one of its most generous benefactors with the passing of the late Dr. Joyce Martin Dixon;

WHEREAS, Dr. Dixon was born in Greensboro, NC on March 26, 1934; she graduated from James B. Dudley High School in 1952; and then Bennett College for Women in 1956;

WHEREAS, in 1954, she married her childhood sweetheart, Lt. Colonel Jacob Dixon, Jr.; bore two children; Janice Gail, who passed at five (5) years of age in Germany; and Jacob III, a Captain in the United States Air Force, who perished at the age of 27;

WHEREAS, Colonel and Dr. Dixon created an annual scholarship fund in their daughter's memory;

WHEREAS, in retirement, Dr. Dixon co-founded with her husband Creative Management Technology, Inc.; a government services firm providing integrated operations; maintenance; logistical; and custodial services to government and private clients nationwide;

WHEREAS, Dr. Dixon, through a variety of positions and careers held, became an international leader, leaving a global footprint; she initiated Linkages to Life, an organ, tissue, and bone marrow donation awareness program; assisted with the building of several South African schools; and honored everyday people through such programs and initiatives as: Unsung Heroes; Shirts of Color; Blue Collar Professions; Mama, it's Okay to Stay Home and Raise Your Children;

WHEREAS, Dr. Dixon was an enthusiastic philanthropist with projects and campaigns close to her heart; Dr. Dixon collaborated with a team of nine (9) women to professionally decorate parlors in five residential halls and one academic hall on the property of her alma mater, Bennett College; in 2007, and she coordinated the placement of a fitness center and a beauty shop on the Bennett College campus;

WHEREAS, Dr. Dixon donated the largest alumna bestowment, \$1 million, in the history of Bennett College for the Martin Dixon Intergenerational Center; which was built on the same site where her father had operated a barber shop in the 1940s; and, she continued to fund additional improvements and projects on, around, and on behalf of Bennett College;

WHEREAS, Dr. Dixon was the recipient of numerous awards and honors for her leadership roles from Bennett College which included an honorary Doctorate of Humane Letters, and the Woman of Substance Award; additionally, she was honored with the United Negro's College Fund's Outstanding Alumna Award; and named Brevard County's (Florida) Woman of Distinction;

WHEREAS, Dr. Dixon served on numerous boards and commissions, including; Brevard Community College Board of Trustees; Vice-Chair of The Astronauts Memorial Foundation Board; Director of the Southern Area of The Links, Inc.; President of the Cocoa Beach Women's

Golf Association; and the Hayes-Taylor Memorial Young Men's Christian Association Board of Management;

WHEREAS, Dr. Dixon continued to be active throughout the Greensboro community; and her home church, Providence Baptist Church; and

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

1. That the City Council wishes to express its sense of loss and offer its condolences, sincere appreciation, and gratitude for the many years of dedicated public service and philanthropy by Dr. Joyce Martin Dixon. The legacy she leaves will be remembered by the residents of Greensboro.
2. That a copy of this resolution shall be delivered to the family of the late Dr. Joyce Martin Dixon as a symbol of the gratitude of the residents of the City of Greensboro and the students and alumni of Bennett College for her contributions locally and worldwide.





# City of Greensboro

Melvin Municipal  
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## Agenda Report

File Number: 2023-25

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### Agenda Item# F.3.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council

**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-25 Resolution Honoring the Memory of the Late Mary Hines Griffin

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Councilmember Hightower, Ext 2396

**Contact 2 and Phone:** Angela Lord, Ext 2396

**PURPOSE:**

Councilmember Hightower has requested a resolution honoring the memory of the late Mary Hines Griffin.

**BACKGROUND:**

N/A

**BUDGET IMPACT:**

N/A.

**ACCOUNT NUMBER:**

N/A.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt a resolution honoring the memory of the late Mary Hines Griffin.

RESOLUTION TO HONOR THE MEMORY OF  
THE LATE MARY HINES GRIFFIN

WHEREAS, on November 5, 2022, this community lost one of its outstanding community leaders with the passing of the late Mary Hines Griffin;

WHEREAS, Mrs. Griffin was born in High Point, NC on December 12, 1935; graduated from William Penn High School; earned a Bachelor's of Science (B.S.) degree in History Education; a Master's of Science (M.S.) degree in History from North Carolina Agricultural and Technical State University (NC A&T).; and a M.S. degree in Vocational Education from North Carolina State University in Raleigh, NC;

WHEREAS, she was a Special Education instructor in Alamance County at Western Alamance High School; and a Vocational Special Needs/Industrial Education Coordinator at Southeast High School in Guilford County; after retirement, she continued to work as a consultant to the Special Needs Division, NC Department of Instruction; and also volunteered in reading programs for elementary school-aged children;

WHEREAS, with 46 consecutive years of membership, Mrs. Griffin earned Silver Star status in the Beta Iota Omega Chapter of Alpha Kappa Alpha (AKA) Sorority; served as the chapter's scholarship chairperson; worked on the annual cotillion; and dedicated several years to being a graduate advisor to NC A&T State University, Bennett College, and the University of North Carolina at Greensboro;

WHEREAS, Mrs. Griffin received copious awards during her tenure as an educator and counselor within the Guilford County school system; assisted in the collection of over 1 million books to be shipped to South Africa; received the Leah Kay Frazier Award, the highest AKA Sorority honor for "Service with a Global Perspective";

WHEREAS, Mrs. Griffin was deeply devoted to religious, social, and educational programs; as demonstrated by her commitment and leadership within the African Methodist Episcopal (AME) Zion church; participation in the Sanctuary Choir, the Usher Board, and the Women's Home and Overseas Missionary Society; she was influential in leadership roles such as Youth Director, Advisor to the Teenage Missionary Society (TAMS), Sunday School Teacher, and Director of Christian Education;

WHEREAS, Mrs. Griffin, with other church historians, organized the writing and publishing of the first history book of the 100 churches in the West Central North Carolina AME Zion Conference, which is on file at the Library of Congress; established a subsidiary of the Department of Christian Education, which raised thousands of dollars for the Dr. Frank White Scholarship; and helped appoint AME church positions within both the Greensboro District and the Western Central North Carolina Conference;

WHEREAS, Mrs. Griffin served a variety of professional and civic organizations, including; the North Carolina Association of Educators; the North Carolina Vocational Association; the Board of Directors and President of the North Carolina Vocational Advisor Counsel; a lifetime member

of Jack and Jill of America; Mid-Atlantic Regional Associates Chairperson; and charter member of Top Ladies of Distinction, Guilford County Chapter; and

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

1. That the City Council wishes to express its sense of loss and offer its condolences, sincere appreciation, and gratitude for the many years of unwavering public service by Mrs. Mary Hines Griffin. The legacy she leaves continues to reverberate throughout the communities of Greensboro.
2. That a copy of this resolution shall be delivered to the family of the late Mrs. Mary Hines Griffin as a symbol of the gratitude of the residents of the City of Greensboro and the members of the AME Church for her contributions locally and nationally.



# City of Greensboro

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

## Agenda Report

File Number: 2023-23

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### Agenda Item# F.4.

**Agenda Date:** 1/3/2023. **Department:** Parks & Recreation  
**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-23 Resolution Supporting 2023 as the “Year of the Trail”

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

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
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**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Phillip Fleischmann, 433-7360

**Contact 2 and Phone:** Shawna Tillery, 373-7808

**PURPOSE:**

This resolution affirms the support of the City of Greensboro for 2023 as the “Year of the Trail.”

**BACKGROUND:**

On August 16, 2021, NC General Assembly approved the designation of 2023 as the Year of the Trail, led by the Great Trails State Coalition. The designation celebrates North Carolina’s vast network of trails, greenways, and blueways, and showcases the state’s diverse landscapes – grand mountain vistas, quiet rivers, vibrant urban greenways, coastal forests, and the rolling hills across the Piedmont region. Specific to Greensboro, the City has over 100 miles of trails and greenways, including garden trails, expansive paved greenways, and hiking and mountain biking trails around the watershed parks.

The Year of the Trail campaign will reach communities with the message of how and where to experience trails that showcase North Carolina’s beautiful landscapes, provide healthy recreation, and stimulate local economies.

The Great Trails State Coalition is a broad-based group of diverse organizations, agencies, and supporters advocating for increased state investment in all types of trails statewide: hiking, paddle, mountain biking, equestrian, and paved. Piedmont Legacy Trails is a member of the Great Trails State Coalition and is coordinated by Piedmont Land Conservancy (PLC) and the Piedmont Triad Regional Council (PTRC). The City of Greensboro has been as supporter of the Piedmont Legacy Trails since the adoption of a resolution of support by City Council on May 15, 2018.

In collaboration with members of the Great Trails State Coalition, Greensboro Parks and Recreation will serve as the City's lead coordinator of Year of the Trail promotional efforts throughout 2023.

**BUDGET IMPACT:**

None.

**ACCOUNT NUMBER:**

None

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council approve the resolution supporting 2023 as the NC Year of the Trail in collaboration with the members of the Great Trails State Coalition.

RESOLUTION SUPPORTING 2023 AS THE YEAR OF THE TRAIL

WHEREAS, the City of Greensboro’s natural beauty is critical to its residents’ quality of life, health, and economic wellbeing;

WHEREAS, the trails that span across our community are an integral part of the recreational and transportation possibilities of our area and promote an enjoyment of scenic beauty by our residents and our visitors;

WHEREAS, the parks, greenways, trails and natural areas in our community are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources;

WHEREAS, the City of Greensboro’s natural assets and resources are integral to disaster recovery and resiliency to climate change for future generations;

WHEREAS, there are more 100 miles of trails and greenways available in Greensboro including garden trails, to our expansive paved greenways, or hiking and mountain biking trails around the city's lakes;

WHEREAS, trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events;

WHEREAS, the North Carolina General Assembly designated 2023 as the Year of the Trail in North Carolina to promote and celebrate the state’s extensive network of trails that showcase our state’s beauty, vibrancy and culture;

WHEREAS, North Carolina is known as the “Great Trails State;” and

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

That the City of Greensboro supports the 2023 as the Year of the Trail in collaboration with the members of the Great Trails State Coalition.



# City of Greensboro

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

## Agenda Report

File Number: 2023-06

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### Agenda Item# F.5.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council

**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-06 Resolution Supporting the Reclassification of Guilford Metro 911 Dispatchers

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
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**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Melanie Jones, 336-373-2646

**Contact 2 and Phone:** Andrea Harrell, 336-373-7787

**PURPOSE:**

911 dispatchers are the first line of response during an emergency, and they deserve to be classified in a way that recognizes their work is on par with the work of other public servants classified as first responders. Senator Richard Burr introduced a reclassification bill in the United States Senate, and 911 dispatchers are working with elected officials to re-introduce this legislation with the next Congress. Local support will assist this effort.

**BACKGROUND:**

In September of 2021, U.S. Representatives Norma J. Torres and Brian Fitzpatrick announced that their 9-1-1 SAVES Act passed the House as part of the Fiscal Year 2022 National Defense Authorization Act. The 9-1-1 SAVES Act is bipartisan legislation to reclassify 911 dispatchers from "Office and Administrative Support" to "Protective Service Occupations" in the Office of Management and Budget's Standard Occupational Classification (SOC) catalog. 911 dispatchers are working with elected officials to re-introduce this legislation with the next Congress, and local support will assist this effort.

**BUDGET IMPACT:**

N/A

**ACCOUNT NUMBER:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the Mayor and City Council adopt a Resolution supporting the reclassification of Guilford Metro 911 dispatchers.



RESOLUTION SUPPORTING THE RECLASSIFICATION  
OF GUILFORD METRO 911 DISPATCHERS

WHEREAS, in September of 2021, U.S. Representatives Norma J. Torres and Brian Fitzpatrick announced that their 9-1-1 SAVES Act passed the House as part of the Fiscal Year 2022 National Defense Authorization Act. The 9-1-1 SAVES Act is bipartisan legislation to reclassify 911 dispatchers from “Office and Administrative Support” to “Protective Service Occupations” in the Office of Management and Budget’s Standard Occupational Classification (SOC) catalog;

WHEREAS, 911 dispatchers are the first line of response during an emergency, and they deserve to be classified in a way that recognizes their work is on par with the work of other public servants classified as first responders;

WHEREAS, Senator Richard Burr introduced the reclassification bill in the United States Senate, where it remained;

WHEREAS, 911 dispatchers are working with elected officials to re-introduce this legislation with the next Congress, and local support will assist this effort;

WHEREAS, the Greensboro City Council is in support of such a legislative change; and

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

That the Greensboro City Council is in support of bipartisan legislation to reclassify 911 dispatchers from “Office and Administrative Support” to “Protective Service Occupations” in the Office of Management and Budget’s Standard Occupational Classification (SOC) catalog.



# City of Greensboro

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## Agenda Report

File Number: 2023-04

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### Agenda Item# F.6.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council  
**Meeting Type:** Council Meeting **Category:** Ceremonial/Presentations

**Title:** 2023-04 Recognition of 2022 Shoppers Day Event

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Chris Wilson, Ext 2002

**Contact 2 and Phone:** Gary Canapinno, Ext 2723

**PURPOSE:**

To recognize the 2022 Shoppers Day event.

**BACKGROUND:**

N/A

**BUDGET IMPACT:**

N/A.

**ACCOUNT NUMBER:**

N/A.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council recognize the 2022 Shoppers Day event.



# City of Greensboro

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

## Agenda Report

File Number: 2023-05

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### Agenda Item# H.1.

**Agenda Date:** 1/3/2023 **Department:** Housing and Neighborhood Development  
**Meeting Type:** Council Meeting **Category:** Consent Agenda

**Title:** 2023-05 Resolution to Authorize a Contract in the Amount of \$533,970 with Central Carolina Health Network for the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Michelle Kennedy, Ext 2509

**Contact 2 and Phone:** Cynthia Blue, Ext 7376

**PURPOSE:**

The City of Greensboro is the grantee for the federal Housing Opportunities for Persons with AIDS (HOPWA) grant for the Eligible Metropolitan Statistical Area which serves Guilford, Randolph and Rockingham Counties. Central Carolina Health Network (CCHN) has been selected by the State of North Carolina to coordinate the network of care services for persons living with HIV/AIDS for the Piedmont-Triad region. City Council approval is requested to execute a Subrecipient agreement in the amount of \$533,970 with CCHN for HOPWA program administration and services.

**BACKGROUND:**

The U.S. Department of Housing and Urban Development (HUD) allocates annual awards based on HIV/AIDS incidence data from the Center for Disease Control. The HOPWA program addresses the housing needs of low-income persons (below 80% Area Median Income) living with HIV/AIDS and their families. Eligible Housing-related services include supportive services,

tenant-based rental assistance, short-term rent, mortgage and utility assistance, permanent housing placement assistance, housing information assistance and resource identification services.

CCHN was selected by the State of North Carolina, through a Request for Applications for HIV Patient Management Model Networks, to lead the network of services for persons living with HIV/AIDS in the Piedmont-Triad region through June 30, 2023. The agency has been the Project Sponsor on behalf of the City of Greensboro since 2012 and has demonstrated the organizational capacity to continue providing services without disruption in 2022-2023.

**BUDGET IMPACT:**

Federal HOPWA funds in the amount of \$533,970, will be used to fund recommended Subrecipient agreement.

**ACCOUNT NUMBER:**

220-2102-07.5931

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council authorize the City Manager to execute a Subrecipient agreement with Central Carolina Health Network for \$533,970.

RESOLUTION AUTHORIZING TO CONTRACT WITH CENTRAL CAROLINA HEALTH NETWORK IN THE AMOUNT OF \$533,970 FOR ADMINISTRATION OF THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANT

WHEREAS, the City of Greensboro is the grantee for the federal Housing Opportunities for Persons with AIDS (HOPWA) program grant serving Guilford, Randolph, and Rockingham Counties;

WHEREAS, the State of North Carolina issued a Request for Applications for HIV Patient Management Model Networks of Care asking for regional HIV/AIDS services agencies to align themselves in a services network under one administrative organization for HIV/AIDS pass through funding;

WHEREAS, Central Carolina Health Network was selected by the state as the administrative organization for the Region 4 network of HIV/AIDS services agencies through fiscal year 2023;

WHEREAS, it is in the City's interest to maintain the collaborative network model established by the State of North Carolina and utilize Central Carolina Health Network as the Project Sponsor in the network administrator role for the HOPWA funds for fiscal year 2023;

WHEREAS, City Council is requested to approve a professional services agreement with Central Carolina Health Network for \$533,970 in HOPWA grant funds, with administration limited to 7 percent of the grant and with a contract start date of June 1, 2022; and

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

That the City Manager is hereby authorized to enter into a professional services agreement with the aforementioned agency subject to the terms outlined above.



# City of Greensboro

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

## Agenda Report

File Number: 2023-15

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### Agenda Item# H.2.

**Agenda Date:** 1/3/2023. **Department:** Planning

**Meeting Type:** Council Meeting **Category:** Consent Agenda

**Title:** 2023-15 Ordinance Approving a Budget Ordinance for Historic Preservation Grant for Downtown National Register Update

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** 3 and 4

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Sue Schwartz 2149

**Contact 2 and Phone:** Mike Cowhig 2755

**PURPOSE:**

Budget ordinance for City match for Historic Preservation Fund grant. The grant funded the update of the Downtown Greensboro Historic District National Register nomination. The original nomination was 40 years old and difficult to use. Developers and property owners who use historic rehab investment tax credits had requested the update.

**BACKGROUND:**

A budget ordinance has not been taken to council previously.

**BUDGET IMPACT:**

A budget ordinance is needed for the City's match and it will come from 101-2203-01.5413..

**ACCOUNT NUMBER:**

220-2265-04.7100

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council approve the budget ordinance.

ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND  
BUDGET FOR THE APPROPRIATION OF FY 2021 HISTORIC PRESERVATION  
FUND GRANT

Section 1

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:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2265-04.5413	Consultant Services	<u>\$20,000</u>
TOTAL		\$20,000

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-2265-04.7100	Federal Grant	\$14,000
220-2265-04.9101	Transfer from General Fund	<u>\$ 6,000</u>
TOTAL		\$20,000

Section 2

And, that this ordinance should become effective upon adoption.





# City of Greensboro

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

## Agenda Report

File Number: 2023-28

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### Agenda Item# H.3.

**Agenda Date:** 1/3/2023. **Department:** Water Resources

**Meeting Type:** Council Meeting **Category:** Consent Agenda

**Title:** 2023 – 28 Resolution Approving Contract in the Amount of \$561,500 with HDR Engineering of the Carolinas, Inc. for Professional Services Connected to the Sandy Creek Lift Station Redesign and Limited Construction Administration Services for Phase IV of the Greensboro Randolph Megasite Project

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

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Michael Borchers, 336-373-2494

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

**PURPOSE:**

The Water Resources Department is requesting approval of a contract to support the Sandy Creek Lift Station Redesign and Limited Construction Administration Services for Phase IV of the Greensboro-Randolph Megasite (GRMS) Project. City Council approval of the contract with HDR Engineering of the Carolinas, Inc. in the amount of \$561,500 is requested.

**BACKGROUND:**

HDR Engineering Inc. of the Carolinas designed the Sandy Creek Lift Station based on predicted wastewater flows in December 2021 when Toyota Battery Manufacturing of North Carolina (TBMNC) selected the Greensboro-Randolph Megasite. Anticipated sewer flows have changed since the lift station construction contract was awarded in July 2022. Based on current flow allocations for the Megasite, capacity increases were needed for the Sandy Creek Lift Station.

HDR has been redesigning the lift station to meet the capacity and sewer basin needs while still maintaining the timelines necessary to meet TBMNC's utility service deadline.

HDR Engineering of the Carolinas, Inc. is on the City of Greensboro Water Resources on-call list for professional services. The M/WBE team HDR has assembled for the Sandy Creek Lift Station redesign and limited construction administration project includes a WBE, Westcott Small and Associates, for 2.1% of the contract value.

**BUDGET IMPACT:**

Funding in the amount of \$561,500 is budgeted in the Water Resources Revenue Bond Fund.

**ACCOUNT NUMBER:**

517-7011-09.5410

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council approve the Professional Services Contract with HDR Engineering of the Carolinas, Inc. for \$561,000 to support the Sandy Creek Lift Station Redesign and Limited Construction Administration Services for Phase IV of the Greensboro-Randolph Megasite Project.

• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

## Business Corporation

### Legal Name

HDR Engineering, Inc. of the Carolinas

### Prev Legal Name

B. O. Vannort Engineers, Inc.

### Prev Legal Name

Hdr Engineering, Inc. of North Carolina

### Prev Legal Name

Hdr Infrastructure, Inc. of North Carolina

### Prev Legal Name

Henningson, Durham & Richardson, Inc. of North Carolina

## Information

**SosId:** 0067574

**Status:** Current-Active ⓘ

**Date Formed:** 7/20/1948

**Citizenship:** Domestic

**Fiscal Month:** December

**Annual Report Due Date:** April 15th

**CurrentAnnual Report Status:**

**Registered Agent:** CT Corporation System

## Addresses

### Reg Office

160 Mine Lake Ct Ste 200  
Raleigh, NC 27615-6417

### Reg Mailing

160 Mine Lake Ct Ste 200  
Raleigh, NC 27615-6417

### Mailing

1917 S. 67th Street  
Omaha, NE 68106

### Principal Office

1917 S. 67th Street  
Omaha, NE 68106

# Officers

## **Assistant Secretary**

Elizabeth C. Buell  
1917 S. 67th Street  
Omaha NE 68106

## **Assistant Treasurer**

Joseph R. Cox  
1917 S. 67th Street  
Omaha NE 68106

## **Secretary**

Jody K. Debs  
1917 S. 67th Street  
Omaha NE 68106

## **Senior Vice President**

Jeffrey S Douglas  
555 Fayetteville Street, Ste 900  
Raleigh NC 27601

## **Senior Vice President**

Glen E. Ellmers  
555 Fayetteville Street, Ste 900  
Raleigh NC 27601

## **President**

Neil A. Graff  
4401 West Gate Blvd., Ste 400  
Austin TX 78745

## **Treasurer**

Kathleen M P Heaney  
1917 S. 67th Street  
Omaha NE 68106

## **Senior Vice President**

Jonathan R. Henderson  
555 Fayetteville Street, Ste 900  
Raleigh NC 27601

## **Senior Vice President**

Kip C. Kalisiak  
555 Fayetteville Street, Ste 900  
Raleigh NC 27601

## **Senior Vice President**

David A. Kinard  
4400 Leeds Avenue, Ste 450  
Charleston SC 29405

## **Senior Vice President**

Edwin C. Luttrell  
440 S. Church Street, Stes 900 & 1000  
Charlotte NC 28202

## **Senior Vice President**

Paul A. Meehan  
555 Fayetteville Street, Ste 900  
Raleigh NC 27601

## **Senior Vice President**

Lewis K. Mosteller  
440 S. Church Street, Stes 900 & 1000  
Charlotte NC 28202

## **Senior Vice President**

Jared C. Reiter  
440 S. Church Street, Stes 900 & 1000  
Charlotte NC 28202

## **Senior Vice President**

Robert J. Rella  
440 S. Church Street, Stes 900 & 1000  
Charlotte NC 28202

## **Senior Vice President**

Lee P. Sisco  
440 S. Church Street, Stes 900 & 1000  
Charlotte NC 28202

## **Assistant Secretary**

Laurie S. Vik  
1917 S. 67th Street  
Omaha NE 68106

## **Assistant Treasurer**

Troy L. White  
1917 S. 67th Street  
Omaha NE 68106

## **Senior Vice President**

Stephen R Whitley

555 Fayetteville Street, Ste 900

Raleigh NC 27601

## **Stock**

**Class:** COMMON

**Shares:** 3000

**No Par Value:** Yes



DATE: November 30, 2022

TO: Jay Guffey, Water Resources Engineering Supervisor

FROM: Allison Staton, M/WBE Compliance Officer

SUBJECT: M/WBE Memo for Phase IV Sandy Creek Lift Station Redesign & Limited Construction Administration Services

The M/WBE Office reviewed the request and documentation submitted for a supplemental agreement with HDR Engineering, Inc. of the Carolinas to provide redesign and limited construction for Phase IV Sandy Creek Lift Station to determine compliance with the Greensboro M/WBE Program Plan. M/WBE goals were not established for this project.

HDR Engineering, Inc. of the Carolinas (HDR) was requested to solicit and make an effort to utilize certified M/WBE firms capable of providing services to fulfill the agreement. The firm will subcontract 2.14% (\$12,000.00) of the total contract amount of \$561,500.00 to an MBE firm. HDR commits to utilizing the following firm:

ID	Firm Name	County	Description of Work	Contract Amount	Contract Percentage
WBE	Westcott, Small & Associates, PLLC	Guilford	Erosion Control/Site Revision	\$12,000.00	2.14%

Please be reminded that during the performance of the contract, if there are any changes including subcontractor replacement; the Department and Prime Contractor must contact the M/WBE Office for approval, before making any such changes or substitutions.

Thank you

Cc: Timothy Jackson III, M/WBE Coordinator

RESOLUTION APPROVING CONTRACT 2022-0060 IN THE AMOUNT OF \$561,500 WITH  
HDR ENGINEERING INC. OF THE CAROLINAS FOR THE PHASE IV SANDY CREEK  
LIFT STATION REDESIGN AND LIMITED CONSTRUCTION ADMINISTRATION  
SERVICES PROJECT

WHEREAS, HDR Engineering Inc. of the Carolinas designed the Sandy Creek Lift Station based on wastewater flows in December 2021;

WHEREAS, since December 2021, flow requirements have changed for the Greensboro-Randolph Megasite and that in turn required a capacity increase to Sandy Creek Lift Station;

WHEREAS, HDR Engineering Inc. of the Carolinas has been redesigning the lift station to meet capacity while maintaining the utility service timelines necessary to meet Toyota's needs; and

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

That the City Manager is authorized to execute on behalf of the City of Greensboro, a Professional Services Contract for \$561,500 with HDR Engineering Inc. of the Carolinas for the Sandy Creek Lift Station redesign and limited construction administration for Phase IV of the Greensboro-Randolph Megasite Project.



# City of Greensboro

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

## Agenda Report

File Number: 2023-27

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### Agenda Item# I. 1.

**Agenda Date:** 1/3/2023. **Department:** Planning

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

**Title:** 2023-27 Public Hearing for an Ordinance for Rezoning for a portion of 3234 Horse Pen Creek Road – BCS Holdings, LLC for Judy and William Aydellette

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

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** District 3

**Public Hearing:** Yes

**Advertising Date/By:** 12/24/2022/by City Clerk

**Contact 1 and Phone:** Sue Schwartz, Ext 2149

**Contact 2 and Phone:** Mike Kirkman, Ext 4649

### **PURPOSE:**

BCS Holdings, LLC, for Judy and William Aydellette, is requesting rezoning from **CD-PI** (Conditional District Public and Institutional) and **R-3** (Residential Single Family - 3) to **PI** (Public and Institutional) for a portion of 3234 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Piermont Drive.

As the Planning and Zoning Commission’s approved this request with less than 6 favorable votes, the City Council will conduct a public hearing to consider and take action on this request at its **January 3, 2022** meeting.

### **BACKGROUND:**

Following a public hearing on October 17, 2022, the Planning and Zoning Commission voted 5-0 to recommend approval of this request. There were three speakers in favor and three in opposition. (See minutes of the October 17, 2022 Planning and Zoning Commission meeting). Since the



Planning and Zoning Commission approved this request with less than 6 favorable votes, City Council held an additional public hearing at their December 20, 2022 meeting to consider the request. Due to an error with required advertising for that hearing, City Council must hold an additional publicly advertised hearing on January 3, 2023 to take official action on this request.

**BUDGET IMPACT:**

This item will have no budget impact.

**ACCOUNT NUMBER:**

N/A.

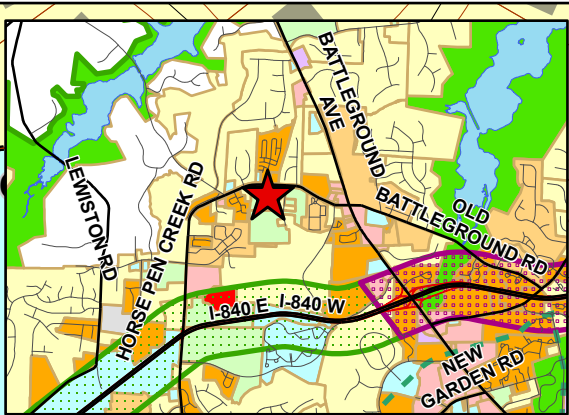
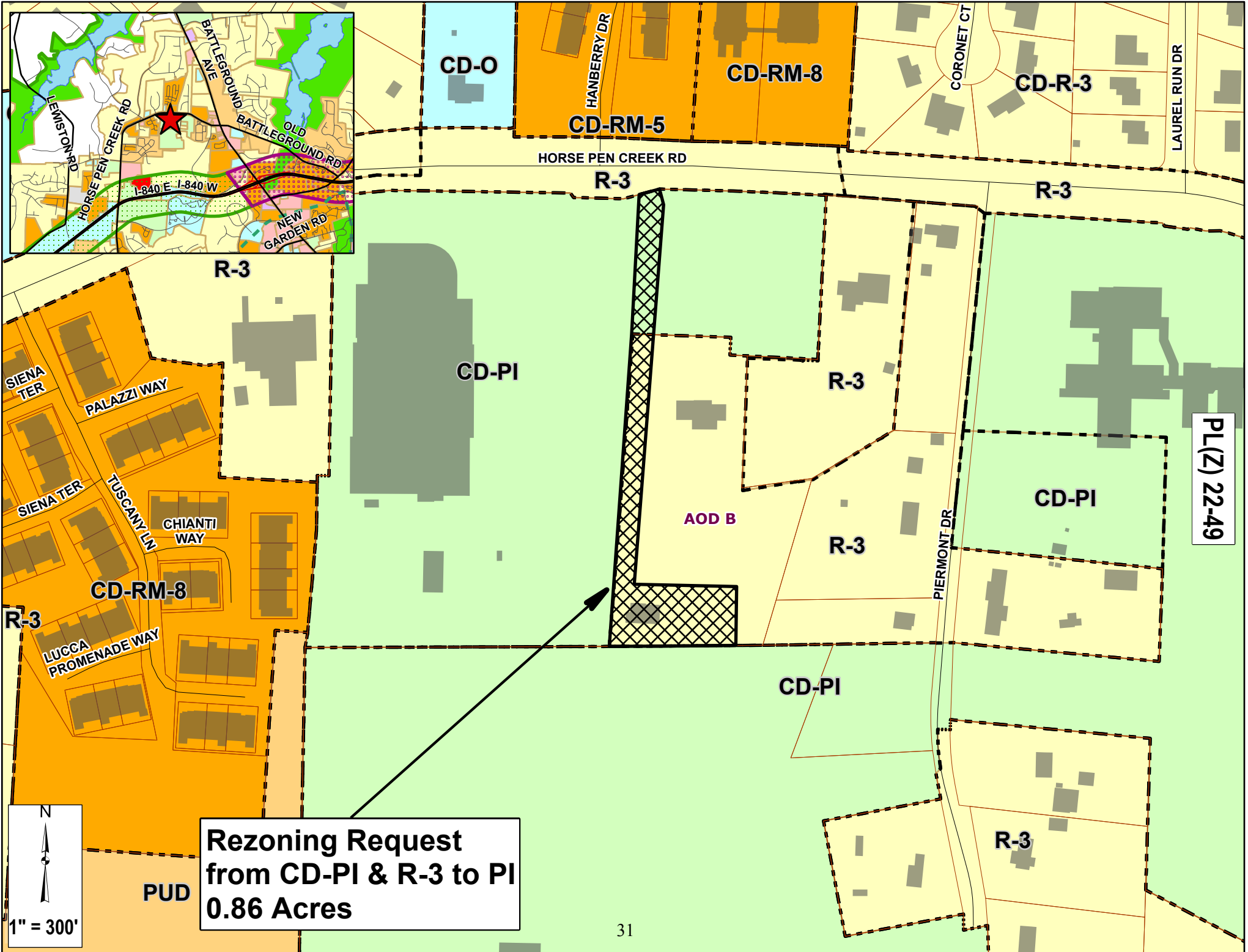
**RECOMMENDATION / ACTION REQUESTED:**

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

The Planning and Zoning Commission recommended **approval** of this request 5-0.

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

- Request is consistent with the **Filling in Our Framework** Big Idea to arrange land uses to create a more vibrant and livable Greensboro.
- Request is consistent with Strategy 2 of the **Creating Great Places** Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.





STONE BLUFF CT

GRAY BLUFF CT

HANBERRY DR

CORONET CT

LAUREL RUN DR

HORSE PEN CREEK RD

PIERMONT DR

PALAZZI WAY

SIENA TER

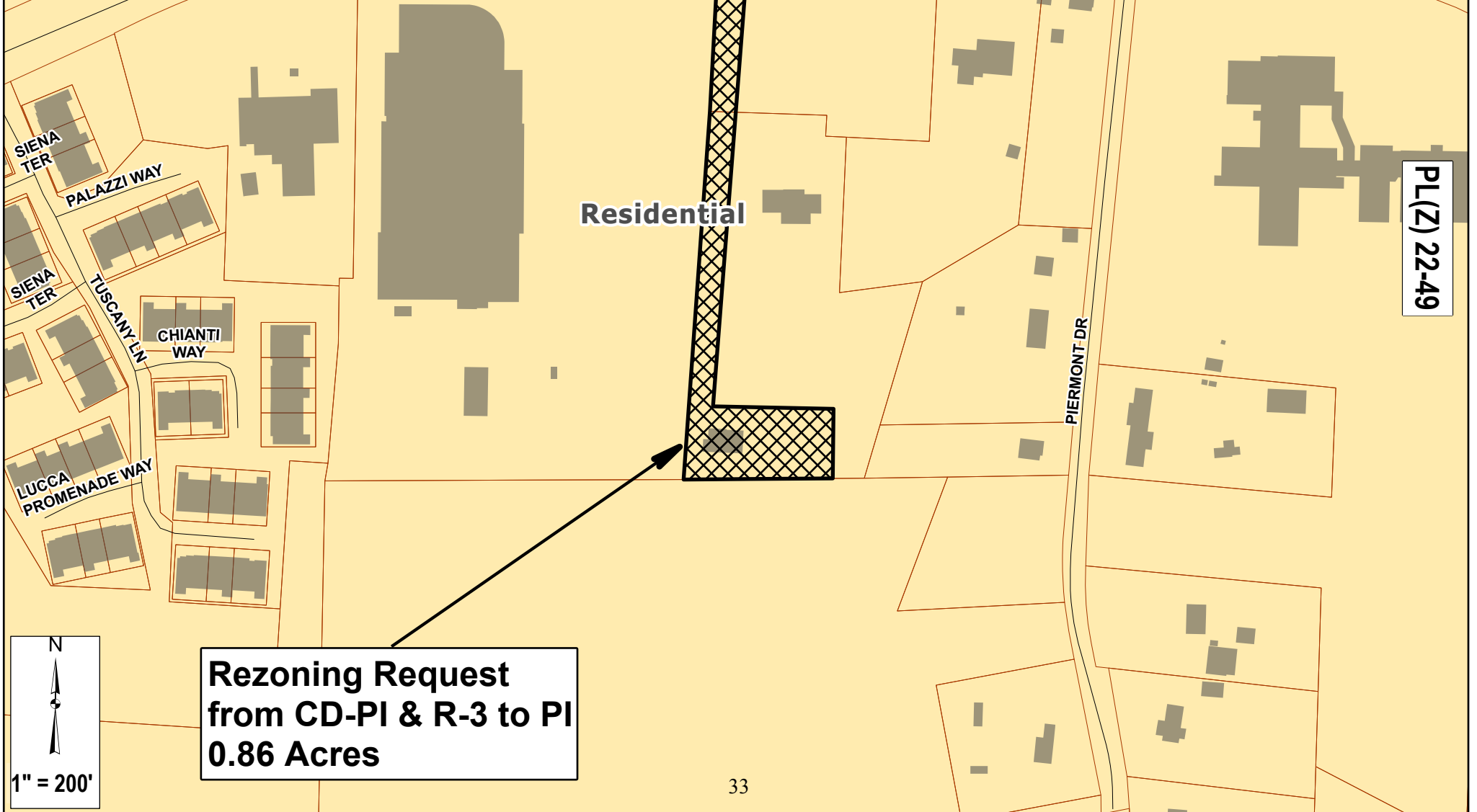
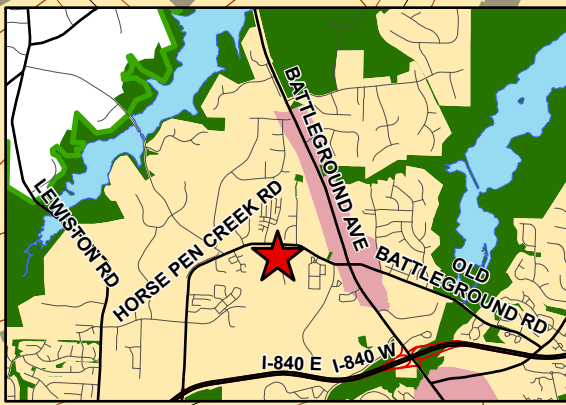
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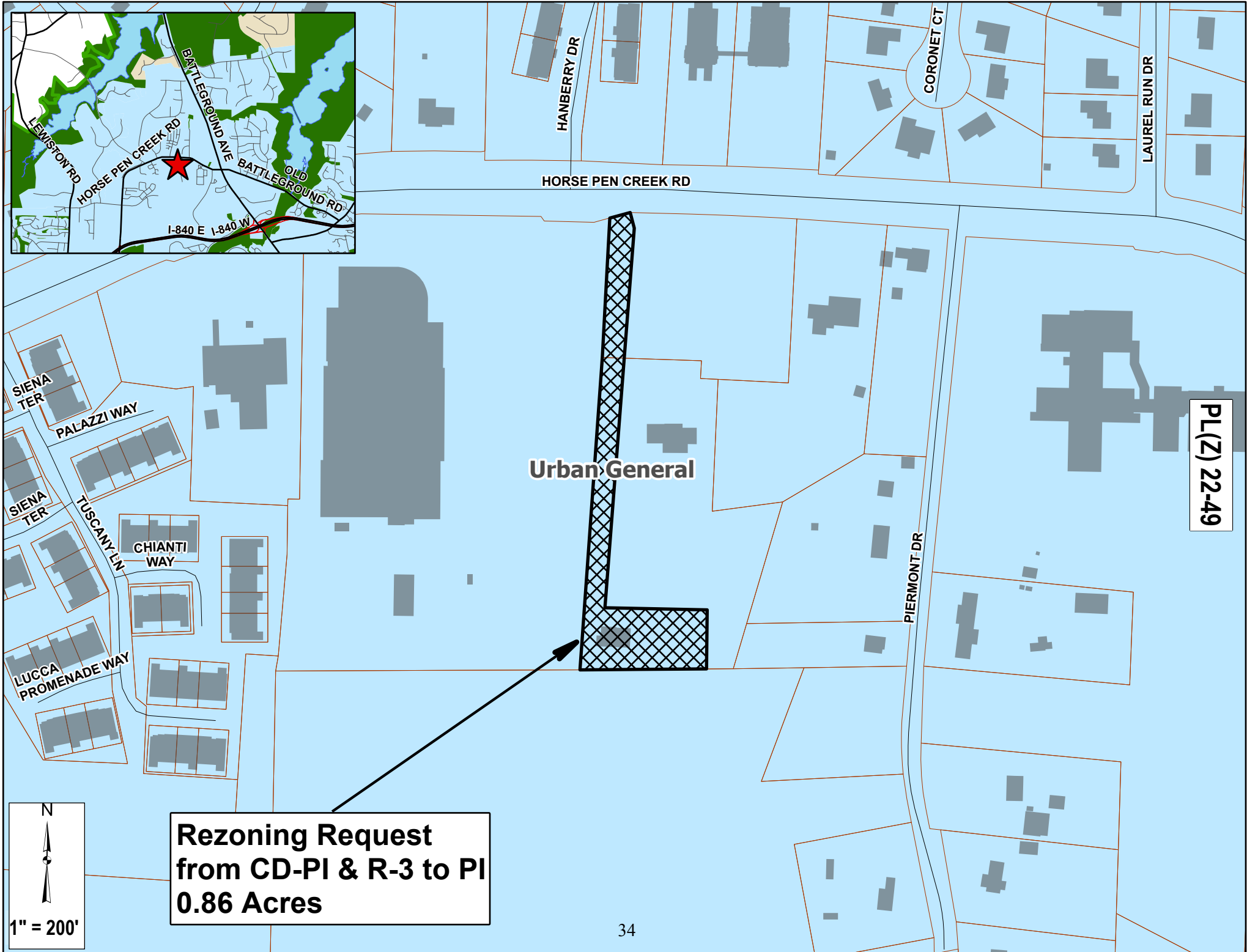
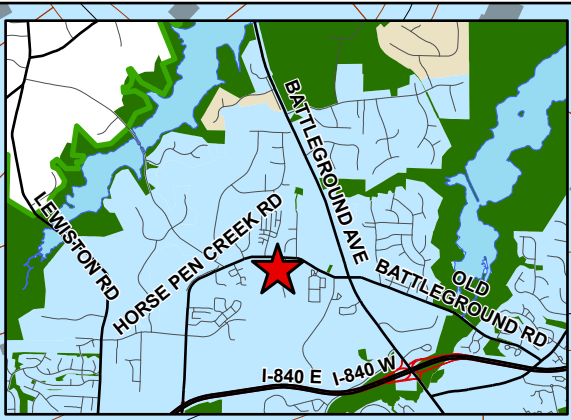
**Rezoning Request  
from CD-PI & R-3 to PI  
0.86 Acres**





**Rezoning Request  
from CD-PI & R-3 to PI  
0.86 Acres**

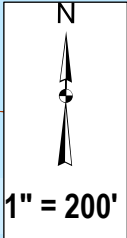
**PL(Z) 22-49**



PL(Z) 22-49

Urban General

**Rezoning Request  
from CD-PI & R-3 to PI  
0.86 Acres**





# PLZ-22-49

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

City Council Hearing Date: January 3, 2023

### GENERAL INFORMATION

<b>APPLICANT</b>	BCS Holdings, LLC for Judy and William Aydellette
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	R-3 (Residential Single-family - 3) to PI (Public and Institutional)
<b>CONDITIONS</b>	N/A
<b>LOCATION</b>	A portion of 3234 Horse Pen Creek Road
<b>PARCEL ID NUMBER(S)</b>	7847039334
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>120</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	0.56 acres
<b>TOPOGRAPHY</b>	Generally flat
<b>VEGETATION</b>	Sparsely wooded

### SITE DATA

<b>Existing Use</b>	Single-family dwelling	
	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-PI (Conditional District-Public and Institutional)	Indoor and outdoor recreation facility (YMCA)
E	R-3 (Residential Single-family-3)	Single-family dwellings
S	CD-PI (Conditional District-Public and Institutional)	Outdoor recreation (YMCA)
W	CD-PI (Conditional District-Public and Institutional)	Indoor and outdoor recreation (YMCA)

**Zoning History**

Case #	Date	Request Summary
2008-12	June 30, 2008	The subject property is currently zoned R-3 (Residential Single-family - 3). This has been the zoning on this property since June 30, 2008. Prior to the adoption of the LDO, this property were zoned County RS-12 (Residential Single Family-12)

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing	Requested
	<b>(R-3)</b>	<b>(PI)</b>
Max. Density:	3 dwellings per acre	N/A
Typical Uses:	Typical uses in the R-3 district include single family residential of up to 3 dwelling units per acre.	Typical uses in the PI district include various mid and larger scale institutional uses such as medical campuses, colleges/universities and large religious assembly uses.

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

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation  
Airport Overlay District & Noise Cone**

The subject site is located within the Airport Overlay District B (AOD B) / 60 decibel level noise cone of the Piedmont Triad International Airport. The Airport Overlay District is intended to be limited to industrial and other uses that are compatible with airport operations, and to limit residential uses to very low densities near the Piedmont Triad International Airport in order to minimize the negative effects of aircraft noise on homes. Recent updates to the Airport Overlay continue to prohibit any residential uses on lots less than 40,000 square feet in size in AOD-A, but does allow new residential uses of greater intensities in AOD-B with specific development standards. All development within the Airport Overlay District must comply with the following:

1. All permit applications, site plans and other plans proposing buildings, signs and other structures with a height of 50 feet or more must be accompanied by written documentation from the Piedmont Triad Airport Authority indicating that the proposal complies with all applicable airport regulations. No permit or other plan approval may be granted without such written documentation.

New Residential uses within AOD-B must also meet the following standards:

**a. Public Notification of Potential Aircraft Noise Impacts**

Public notification of the potential aircraft noise impacts made to prospective purchasers of property within the Airport Overlay District shall be made in accordance with the following requirements

- i. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the Airport Overlay

District and is subject to both day and nighttime aircraft overflights and to aircraft noise that may increase in the future and that you may find to be objectionable dependent upon the use and location of the property.

- ii. In accordance with the N.C. Residential Property Disclosure Act in Section 47E of the North Carolina General Statutes, all landowners and their agents shall provide a public notification statement to all prospective purchasers through a written disclosure statement.
- iii. A public notification statement shall appear on the recorded final plat for all subdivisions of land within the district. In addition, the subdivision owner shall provide public notice to all prospective lot purchasers through a written disclosure statement.

**b. Noise Level Reduction Design**

New residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials, construction standards or other industry accepted measures so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the Planning Department shall certify that the measures used to construct the residential use will achieve at least a 30 dB noise level reduction

**Environmental/Soils**

Water Supply Watershed Site currently drains to Greensboro WS-III, Watersupply Watershed, site drains to Horse Pen Creek

Floodplains: N/A

Streams: N/A

Other: Site must address current watershed requirements for Water Quality and Water Quantity Control. Maximum BUA per watershed is 70%BUA with sewer and Low Density is 24%BUA with sewer. Site is within the 5 statute mile radius of the PTI airport. No SCM/BMP is allowed that holds a normal pool elevation unless supporting engineering documentation is provided. All new BUA must be treated by a State approved water quality BMP/SCM.

**Utilities (Availability)**

Water is available on Horse Pen Creek Road. Sewer is available approximately 630 feet south of the property. Private developer will need to extend water and sewer to City of Greensboro’s Water and Sewer Design Standards.



**Airport Overlay District & Noise Cone**

The subject site is located within the Airport Overlay District B (AOD B) / 60 decibel level noise cone of the Piedmont Triad International Airport. The Airport Overlay District is intended to be limited to industrial and other uses that are compatible with airport operations, and to limit residential uses to very low densities near the Piedmont Triad International Airport in order to minimize the negative effects of aircraft noise on homes. Recent updates to the Airport Overlay continue to prohibit any residential uses on lots less than 40,000 square feet in size in AOD-A, but does allow new residential uses of greater intensities in AOD-B with specific development standards. All development within the Airport Overlay District must comply with the following:

- 2. All permit applications, site plans and other plans proposing buildings, signs and other structures with a height of 50 feet or more must be accompanied by written documentation from the Piedmont Triad Airport Authority indicating that the proposal complies with all applicable airport regulations. No permit or other plan approval may be granted without such written documentation.

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**Landscaping & Tree Conservation Requirements**

**Landscaping:**

**Street Yards:**

Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

**Buffer Yards:**

Adjacent to Single-Family residential uses: Type B buffer yard, with an average width of 25', a minimum width of 20', and a planting rate of 3 canopy trees, 5 understory trees, and 25 shrubs per 100 linear feet.

Adjacent to Public or Institutional uses: Vehicular Use Area buffer yard (see below).

**Parking Lots:**

When a parking lot or other vehicular use area abuts a vacant site or a site with the same land use classification as the subject site, a planting yard with a minimum width of 5 feet must be provided between the parking lot/vehicular use area and the abutting (interior) property line. This required planting area must be landscaped with at least 2 understory trees and 18 evergreen shrubs per 100 linear feet.

Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

**Tree Conservation:**

For .56 acres, 1% of parcel size to be dedicated in critical root zone for Tree Conservation.

**Transportation**

Street Classification: Horse Pen Creek Road –Minor Thoroughfare.  
Piermont Drive – Local Street.

Site Access: All access(es) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None Available.

Trip Generation: N/A.

Sidewalks: Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does currently exist along the frontage of this property.

Transit in Vicinity: Yes. GTA Route 8 (Battleground Avenue, is within ½ mile of the subject site, along Battleground Avenue).

Traffic Impact Study: No TIS required per TIS Ordinance.  
(TIS)

Street Connectivity: N/A.

Other: N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **PI (Public and Institutional)** zoning district would allow land uses that are compatible with the general character of the area.

**GSO 2040 Comprehensive Plan Policies**

The GSO 2040 Future Land Use Map designates this location as **Residential**. The requested **PI (Public and Institutional)** zoning district would allow uses that are generally consistent with those described in the **Residential** Future Land Use designation. When located in areas designated by the Future Land Use Map as Residential, uses other than single family residential and multi-family residential should generally be in the scale of a **Neighborhood-** or a **District-Scaled Activity Center** as described in the Future Built Form Map, in a form that is appropriate to the character of the area. The GSO 2040 Future Built Form Map designates this location as **Urban General**.

**GSO 2040 Written Policies**

**Filling In Our Framework** - How we arrange our land uses for where we live, work, attend school, shop and enjoy our free time can create a more vibrant and livable Greensboro.

**Goal A** – Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

**Strategy 1** – Encourage higher density, mixed-use, walkable infill development.

**Strategy 2** – Ensure mixed use projects both strengthen and add value to the Community.

**Goal B** – Greensboro attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings.

**Strategy 2** – Establish infill development guidelines that ensure revitalized sites will be of high quality and complement existing neighborhood character.

**Creating Great Places** – Creating interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro, in downtown and with our historic resources.

**Goal A** – Greensboro’s citywide network of unique neighborhoods offer residents of all walks of life a variety of quality housing choices.

**Strategy 2** – Meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

**Becoming Car Optional** - Expand quality transportation options beyond cars and maintain an efficient transportation system that allows people and goods to travel throughout Greensboro.

**Goal A** - Greensboro has unrivaled pedestrian, biking, transit and road networks that provide safe, comfortable, and convenient transportation options.

**Strategy 2** - Encourage new development that is compatible with the intended use of the adjacent roadway.

**Goal B** - Everyone loves our interconnected green spaces, which provide recreation and transportation opportunities, promote active living, and protect our natural environment.

**Strategy 1** - Expand the greenway network to connect all parts of the city as a key element of the transportation system.

**Prioritizing Sustainability** - Greensboro has a strong leadership role in environmental stewardship, social equity, and a resilient economy

**Goal A** - Greensboro advances environmental stewardship, taking care of our natural resources and the natural systems that support all living things.

**Strategy 1** - Promote resilient, efficient and environmentally beneficial patterns of land use.

**Goal B** - Greensboro embraces social equity, ensuring all residents benefit from fair and just treatment in the distribution of public services and have a voice in governance.

**Strategy 2** – Work to ensure that all Greensboro residents have meaningful opportunities to participate in public decision-making processes.

**Strategy 3** - Promote a just, ethical, and respectful community.

**Goal C** - Greensboro builds economic resilience, expanding the local economy’s ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

**Strategy 1** – Consider the impact that growth and development patterns and infrastructure investments have on the City’s fiscal health.

**Building Community Connections** – Greensboro is unique and memorable based on our quality of life, culture, arts and places and the ties that bind us together as a community.

**Goal E** – Everyone does their part to maintain stable, attractive, and healthy places to live and raise families.

**Strategy 1** – Build upon successful community initiatives to improve housing conditions while encouraging community involvement and participation.

**Strategy 3** – Improve the city’s housing through effective use of code enforcement and the strategic leveraging of resources.

**Growing Economic Competitiveness** - Greensboro will build a prosperous, resilient economy that creates equitable opportunities to succeed.

**Goal C** - Investment in cutting edge communications technology enhances the quality of life for all residents and helps businesses thrive.

**Strategy 1** - Encourage fiber-ready infrastructure to reduce the need for costly future upfits, increase property values and promote economic growth.

**GSO 2040 Map Policies**

**Future Land Use Map**

**Future Land Uses:** Broad areas based on the main character of land uses that we want to see in the future. These are not intended to be exclusive; it is assumed that there are a variety of uses in each area, but the designation reflects the area’s predominant character.

Residential: Includes both single-and multi-family residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

**Future Built Form Map**

**Place Types:** Areas that have a consistency of character, identity or purpose and that are most often bounded by corridors, natural features, or parks that create transition or separation from other neighborhoods that may not share the same characteristics.

Urban General should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

**Activity Centers:** Ranging in size from a corner business at the intersection of two collector roads to regional shopping centers, activity centers attract people and are often the focus of community, civic, and social or commercial activity. Location, accessibility, size, and the extent and diversity of activities within an activity center influence the nature of economic development opportunities, potential impacts on nearby uses, and the way in which it is enjoyed by the community.

Neighborhood and District Scaled Activity Centers should reflect these characteristics:

1. Development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.
2. Development adjacent to residential neighborhoods, parks, or other low intensity uses gives consideration to light, traffic, noise, and other potential impacts of the development.
3. Buildings and uses are easy to access on foot or by bike. These Centers include safe paths, bike racks, benches and other amenities for non-motorized travelers.
4. These Centers coordinate adjacent site designs and public improvements to provide comfortable sidewalk space for pedestrian movement, curb “bump-out” extensions, street trees/lighting/furniture, sidewalk cafés, and an active pedestrian-friendly environment.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

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

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

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

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

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

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

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

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

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

**Element 6)** Education and Outreach:

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

**Other Plans**

N/A

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of the Laurel Run Neighborhood (the boundaries of which, as identified by said neighborhood, the subject site is located adjacent to).

**Staff's Rezoning Analysis**

The approximately 0.56 of an acre subject property currently contains a single-family dwelling. North and south of the property is used for indoor and outdoor recreation (YMCA), zoned CD-PI. East of the property are single-family dwellings, zoned R-3. West of the property is indoor and outdoor recreation (YMCA), zoned CD-PI.

The proposed rezoning request supports the Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro. The request also supports the Building Community Connections goal with everyone doing their part to maintain stable, attractive, and healthy places to live and raise families.

The GSO 2040 Comprehensive Plan's Future Land Use Map designates these properties as Residential which includes both single-and multi-family residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

The subject properties are currently designated Urban General on the Future Built Form Map which should reflect characteristics such as some of the following:

- Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
- Cut-through traffic is minimized.
- New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.

- The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting. New sidewalks contribute to the completion of a sidewalk network.

The Neighborhood and District Scaled Activity Centers should reflect such characteristics as development (site and buildings) is properly scaled to the needs of residents in the appropriate market area. The scale and types of activities accommodated match the service area. A District Scaled Activity Center is physically larger, serves a wider market area, and has a greater breadth of businesses, services, and activities than a Neighborhood Activity Center, and draws vehicular traffic from a larger area, requiring more space for parking, loading, and greater spacing between vehicular access driveways.

The proposed PI zoning district generally allows mid and larger scale institutional uses such as medical campuses, colleges/universities and large religious assembly uses. This request is intended to facilitate parking for the adjacent YMCA facility.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO2040) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **PI (Public and Institutional)** zoning district.

- File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

## Business Corporation

### Legal Name

Bsc Holdings, Inc.

## Information

**SosId:** 0289233

**Status:** Current-Active ⓘ

**Date Formed:** 6/18/1991

**Citizenship:** Domestic

**Fiscal Month:** December

**Annual Report Due Date:** April 15th

**Current Annual Report Status:**

**Registered Agent:** Siegal, Barry

## Addresses

### Mailing

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Principal Office

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Reg Office

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Reg Mailing

4425 Monument Trace STE 107  
Greensboro, NC 27409

## Officers

### President

Barry Siegal  
219 Shadowlawn Drive  
Jamestown NC 27282



**MINUTES OF THE  
PLANNING AND ZONING COMMISSION  
OCTOBER 17, 2022**

**Z-22-10-006:** A rezoning request from CD-PI (Conditional District – Public and Institutional) and R-3 (Residential Single-family – 3) to PUD (Planned Unit Development) and consideration of the required Unified Development Plan for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road, all of 3238 and 3240 Horse Pen Creek Road, and all of 4209 and 4213 Piermont Drive, generally described as south of Horse Pen Creek Road and west of Piermont Drive (9.37 acres). (RECOMMENDED DENIAL)

**Z-22-10-007:** A rezoning request from R-3 (Residential Single-family – 3) to PI (Public and Institutional) for the property identified as a portion of 3234 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Piermont Drive (0.56 acres). (RECOMMENDED APPROVAL)

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro, and the Comprehensive Plan’s Creating Great Places Big Idea’s strategy of meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed PUD zoning district would permit a variety of uses inclusive of multi-family housing and recreational uses complementary to the existing recreational and residential uses on adjacent and nearby properties. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Amanda Williams, 4425 Monument Trace on behalf of BSC Holdings, stated that the applicant is requesting split zoning due to their work with the neighboring Spears YMCA. They are conducting a land swap to add parking for the YMCA. The development will not add access directly off Horse Pen Creek Road, but they will instead work with the YMCA to improve the traffic flow around the new signal at the existing intersection. She stated they feel this is a logical land use given the proximity of other multi-family residential and PI uses in the area. Their foreseen market segment is unlikely to create significant additional traffic as in some multi-family residential developments. Ms. Williams stated they spoke with neighbors and conducted a neighborhood meeting to hear the community’s concerns and that traffic on Horse Pen Creek Road was the primary concern. She introduced the applicant’s traffic engineer to discuss the project.

Ms. Skenes stated the TIA displayed three access points into the YMCA property for access to the existing intersection at Horse Pen Creek Road and asked Mr. Kirkman if the YMCA parking lot was a public street. He stated it was not, and that access would require a shared access easement. Ms. Skenes expressed concern about adding traffic to the YMCA property given that the intersection backs up in peak hours. She stated the density and vehicular access bothers her. Ms. Williams stated that their agreement with the YMCA states they will be improving the parking lot, and that their current plan moves the first entrance to the intersection under guidance

from GDOT. She stated that their anticipated density might be lower than the maximum required and that in their experience, the tenants they typically attract tend to drive less.

Ms. Skenes asked to confirm that the applicant did not present the request as an over-55 community, and Ms. Williams stated that was correct. Ms. Skenes stated the Commission has to consider the request as presented, and the density proposed in this request is almost double that of nearby developments.

Ms. Magid stated she was also concerned with the number of dwelling units per acre. Ms. Williams stated that they have done similar developments in Greensboro and that their final density would be below the theoretical maximum.

Dionne Brown, 4600 Marriott Drive, Raleigh on behalf of Davenport, stated that their TIA used traffic counts during peak hours according to GDOT standards. She stated that questions involving the intersection would require coordination with GDOT, but that their models use a worst-case scenario to determine level of service. She stated that if neighboring communities increase traffic flow, there would likely be a need for changes to the intersection.

Barry Siegal, 4425 Monument Trace, stated that they have negotiated access to Piermont Drive for the YMCA, which will create cross access from their parking lot. While they are adding additional trips, he believes they are improving the traffic situation in the area with these changes to the YMCA parking lot.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request.

Margaret Scott, 4703 Hanberry Drive on behalf of the Montebello Homeowners Association, stated that her neighborhood's concern is about the concentration of traffic at the intersection. The applicant's proposal would add significant traffic to the area, and the applicant's traffic engineer states the level of service in the area would be very low. She stated that while this level of service may be common, it is unacceptable to the residents in the area, and that they are requesting specific signalization improvements for safety to support any additional development like this.

Ron Kohler, 3231-35 Horse Pen Creek Road on behalf of Northwest Day School, stated his concern is also about density and the safety of the children at his school. He has been in discussion with the applicant and their traffic engineers, and that while he supports allowing rezoning for the subject properties, he finds the requested density unacceptable. Displaying a land use map of the area, he indicated the multi-family residential developments in the area, some of which are very dense and have yet to be open for lease. He then displayed a photograph of the YMCA and a full parking lot with more vehicles entering it, and stated that his understanding of the site plan is that it would tie into traffic of the YMCA, which is already unacceptable. U-Turns at the intersection require serious situational awareness given the complexity of traffic flow in the area, and given the speeds vehicles travel there, it is extremely difficult to maintain safety. Mr. Kohler stated he would be comfortable with 18 dwelling units per acre, but 325 units is unacceptable for this neighborhood, and asked for the applicant to prepare a new proposal which is mutually beneficial.

With opposition speaking time expired, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Amanda Williams stated that the density of their comparable projects they previously developed is 25 dwelling units per acre at New Garden Road and 39.2 dwelling units per acre in Winston-Salem, a property that has traffic access through an adjacent commercial property. She stated that the site plan calls for over 500 parking spots for the residents of the development in addition to the new parking for the YMCA.

Barry Segal stated that this project would create direct two-line access to Piermont Drive and ease into Horse Pen Creek Road with a right turn, which will reduce the traffic impact through the YMCA property. Other projects they have developed maintain reasonable traffic access with roughly this density level, and the TIA states this development will maintain current levels of service. He stated that they believe the density requested is reasonable given the improvements they intend to make and the work GDOT has done in the area.

Mr. Bryson asked if the other developments Ms. Williams had been referencing have similar arrangements of neighbors with dense activity and sensitive concerns about traffic. Ms. Williams stated that the New Garden development has adjacent office and medical uses, and the Winston-Salem development is in a heavily commercial area with a shared traffic flow and uses shared commercial parking lots with common access easements similar to what they are proposing here. Mr. Bryson asked Ms. Williams to confirm the level of traffic of neighboring parcels for the other developments she mentioned, and Ms. Williams stated there was substantial traffic around those areas but she did not have the traffic counts available.

Vice Chair Bryson then advised anyone speaking in opposition had 5 minutes for rebuttal.

Sophia de Vries, 3110 Horse Pen Creek Road on behalf of Noble Academy, stated that the requested density is unreasonable for this area. More multi-family residential housing in the area would be sensible, but not at this level of intensity. Adding traffic to Piermont Drive and turning it into a cut-through for YMCA traffic makes them concerned about the safety of their students. She stated the school is grade levels 1-12 and many of the students have learning disabilities, and asked the City to consider this and make changes to the flow of traffic in the area.

Ron Kohler displayed a photograph of Horse Pen Creek Road around his school during the evening and stated that he did not see how a cut-through of a highly dense multi-family development's parking lot would improve traffic flow. Davenport conducted the TIA in February and June during the widening of Horse Pen Creek Road, with workers limiting it to a one-way road, and this may make the results not indicative of the true state of traffic on Horse Pen Creek Road now. He stated that the density of this request would make traffic unmanageable in the community.

Ms. Skenes stated that the TIA material she had available shows a date of July and September and asked when the applicant conducted the TIA. Mr. Kohler stated he learned from conversations with Davenport that the studies happened in February and June and the facts compiled and presented in July and amended in September. Mr. Kohler asked the applicant to conduct a new TIA. Ms. Skenes asked Mr. Kirkman to confirm if that was accurate, and Mr. Kirkman stated that GDOT has specific information about the traffic counts.

Deniece Conway, on behalf of GDOT, confirmed that the engineers conducted TIA counts while construction was underway and that when a road is under construction they will sometimes add historical data with adjustment formulas but she is unsure of their use in this case. Ms. Skenes stated that if the TIA counts are from while Horse Pen Creek Road was under construction, the levels of service would be unacceptable.

Dionne Brown stated that they conducted the counts while school was in session in February for a different development, and in June. They completed the report in July and updated it in September after a request from GDOT regarding the planned access to the YMCA parking lot. She stated that to account for the construction on Horse Pen Creek, they applied adjustment factors based on historical data, and that a 2% or more growth rate is also always applied for future build volume scenarios.

Ms. Magid asked Mr. Segal if the plan called for the additional YMCA parking on the strip of land in request Z-10-007 and if it this would be complete before their project begins. Mr. Segal stated that the additional parking would be two additional rows down the length of the strip. Ms. Magid asked if the cars would be departing past the current rows of cars to turn right on Hanberry Drive and Horse Pen Creek. Mr. Segal stated that access from the YMCA's current drive would have access to their development and give the YMCA access to Piermont. Ms. Magid asked if all of the new parking for the YMCA would be on that new piece of land, and Mr. Segal stated that was correct. Ms. Magid asked if entry and egress from his development would be directly through the parking, and Mr. Segal stated that was correct, but they have not finalized the site plan yet. He stated that the development would not require all parking to go through the YMCA property, and that much of it would likely go through Piermont Drive. Ms. Magid asked about the applicant's development on New Garden Road, and Mr. Segal stated it would be very similar using the site's slope, but with additional access points.

Sophia de Vries stated that her school's students were not at school in June, so the TIA did not account for the full impact of their traffic.

Ms. Skenes asked about the plan associated with this request. Mr. Carter stated that staff distributed the UDP to Commissioners following TRC approval, and Mr. Kirkman displayed the UDP. Ms. Skenes stated the UDP showed the three access points on the parking lot side, very close to the traffic lanes around the YMCA parking.

Mr. Kohler stated that there has been no discussion of the impact on the schools in the area.

Mr. Buansi reminded the Commissioners that the Planning and Zoning Commission is required to make decisions solely based on land use and impact on surrounding properties. Ms. Magid asked if this would only be a recommendation given the number of Commissioners, and Mr. Buansi said that was correct. Ms. Magid asked if the Commission could offer a continuance. Mr. Kirkman stated that could not be offered by Staff, but the applicant could request a continuance.

Ms. Skenes asked to clarify that density applies to Commission decisions, and Mr. Buansi stated she was correct that density could always be a consideration of the Commission.

With opposition rebuttal time expired, Vice Chair Bryson closed the public meeting.

Mr. Bryson stated he was familiar with that area, and was uncomfortable with the proposed density given the variety of uses surrounding the subject property and new multi-family development in the area. He stated that given that neighbors were under a misconception during the applicant's outreach, more discussion should take place, and he cannot support the request as presented.

Mr. Egbert stated that he has lived on Horse Pen Creek Road and visited that YMCA regularly. The City has many busy streets, and the density proposed is reasonable given the sustained increased activity in the area. He stated he supports the request.

Ms. Skenes noted the density bothers her, and that she cannot remember the Commission approving anything with a “D”, “E” and “F” level of service. She also stated that the PUDs the Commission has approved in the area previously are of a much lower density than this request.

Ms. Magid then stated regarding agenda item Z-22-10-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road; all of 3238 and 3240 Horse Pen Creek Road; and all of 4209 and 4213 Piermont Drive from CD-PI (Conditional District – Public and Institutional) and R-3 Residential Single-family – 3) to PUD (Planned Unit Development) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Egbert seconded the motion. The Commission began a vote, which Ms. Skenes and Ms. Magid voted against and Mr. Kirkman asked Ms. Magid to clarify if she meant to use the motion language to approve the request. Realizing the mistake the Commission abandoned this motion.

Ms. Magid then stated the request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area; (3.) The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detriment to the neighbors and surrounding community, and denial is in the public interest. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert).

Mr. Buansi stated this was not a final action, and was a recommended denial for the City Council.

Ms. Magid then made a motion to deny the associated UDP. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert). Vice Chair Bryson advised the denial constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

Ms. Skenes asked if the Commission could vote on Z-22-10-007, given that they seem to be related. Mr. Buansi stated they were related, but separate requests.

Ms. Skenes then stated regarding agenda item Z-22-10-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as a portion of 3234 Horse Pen Creek Road from R-3 (Residential Single-family - 3) to PI (Public and Institutional) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The

request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford, Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approval constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

**Item**  
**Item: Portion of 3234 Horse Pen Creek Road**  
**Rezoning**

Date: January 3, 2023

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

The **Greensboro City Council** believes that its action to **approve/deny** the rezoning request for the property identified as **a portion of 3234 Horse Pen Creek Road** from **R-3 (Residential Single-family - 3) and CD-PI (Conditional District Public and Institutional) to PI (Public and Institutional)** to be **consistent** with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map.</li> <li>2. The proposed PI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties.</li> <li>3. The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest.</li> <li>4. <b>Other factors raised at the public hearing, if applicable (describe)</b></li> </ol>	<ol style="list-style-type: none"> <li>1. The request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map.</li> <li>2. The proposed PI zoning district does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area.</li> <li>3. The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detriment to the neighbors and surrounding community, and denial is in the public interest.</li> <li>4. <b>Other factors raised at the public hearing, if applicable (describe)</b></li> </ol>

## AMENDING OFFICIAL ZONING MAP

PORTION OF 3234 HORSE PEN CREEK ROAD, GENERALLY DESCRIBED AS SOUTH OF ERWIN STREET AND WEST OF PIERMONT 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 - 3)** to **PI (Public and Institutional)**.

The area is described as follows:

Being a portion of William M. and Judy P. Aydelette, described in Deed Book 6106, Page 1792, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina.

Being a portion of the property of Young Men's Christian Association described in Book 8170, Page 392 and Book 8163, Page 2516 and Book 5148, Page 1765, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina. BEGINNING at a point running with the right-of-way of Horse Pen Creek Road, the following 3 calls: South 89°09'11" East 73.77 feet to an existing iron pipe, South 88°51'47" East 60.20 feet to an existing iron pipe, South 87°51'02" East 150.00 feet to a point and said point also being the northeast corner of Young Men's Christian Association described in Book 8163, Page 2516, Guilford County Registry (GCR), and the northwest corner of William M. and Judy P. Aydelette, as described in Book 4252 Page 1761 (GCR). Thence a line South 02°23'14" West 279.74 feet through the property of the Young Men's Christian Association as recorded in Book 8163 Page 2516 and William M. and Judy P. Aydelette as recorded in Book 4252 Page 1761 to an existing iron pipe, thence a line North 87°43'12" West 119.85 feet through the property of the Young Men's Christian Association as recorded in Book 8163 Page 2516 and William M. and Judy P. Aydelette as recorded in Book 4252 Page 1761 to an existing iron rod, thence a line North 87°41'22" West 30.02 feet through the property of the Young Men's Christian Association as recorded in Book 8163 Page 2516 and William M. and Judy P. Aydelette as recorded in Book 6106 Page 1792 to an existing iron pipe, thence a line North 02°20'13" East 30.19 feet through the property of the Young Men's Christian Association as recorded in Book 8163 Page 2516 and William M. and Judy P. Aydelette as recorded in Book 6106 Page 1792 to an existing iron pipe, thence North 88°34'56" West 130.24 feet through the property of the Young Men's Christian Association as recorded in Book 8170 Page 392 and William M. and Judy P. Aydelette as recorded in Book 6106 Page 1792 to a point, thence a line through the property of the Young Men's Christian Association as recorded in Book 8170 Page 392 North 03°43'00" East 17.80 feet to a point, thence a line through the property of the Young Men's Christian Association as recorded in Book 8170 Page 392 North 03°56'21" East 203.29 feet to a point, thence a line through the



properties of the Young Men's Christian Association as recorded in Book 8170 Page 392 and Book 5148 Page 1765 North 17°22'14" West 28.79 feet to a point and place of the BEGINNING and being approximately 1.69 +/- acres according to a survey prepared by Jeffery Caison, PLS.

Section 2. This property will be perpetually bound to the uses authorized and subject to the development standards of the **PI (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 January 3, 2023.



# City of Greensboro

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

## Agenda Report

File Number: 2023-26

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### Agenda Item# I. 2.

**Agenda Date:** 1/3/2023. **Department:** Planning

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

**Title:** 2023-26 Public Hearing for an Ordinance for Rezoning for a portion of 3216 and 3234 and all of 3238 and 3240 Horse Pen Creek Road and all of 4209 and 4213 Piermont Drive – BCS Holdings, Inc for Rhonda Anderson on behalf of the Young Men’s Christian Association of Greensboro, Inc.; Don Cato on behalf of Cato Investment Properties, LLC; Judy and William Aydellette; and Carol Sellars

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

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** District 3

**Public Hearing:** Yes

**Advertising Date/By:** 12/24/2022/by City Clerk

**Contact 1 and Phone:** Sue Schwartz, Ext 2149

**Contact 2 and Phone:** Mike Kirkman, Ext 4649

**PURPOSE:**

BCS Holdings, Inc for Rhonda Anderson on behalf of the Young Men’s Christian Association of Greensboro, Inc.; Don Cato on behalf of Cato Investment Properties, LLC; Judy and William Aydellette; and Carol Sellars, is requesting rezoning from **CD-PI** (Conditional District Public and Institutional) and **R-3** (Residential Single Family - 3) to **PUD** (Planned Unit Development) for a portion of 3216 and 3234 and all of 3238 and 3240 Horse Pen Creek Road and all of 4209 and 4213 Piermont Drive, generally described as south of Horse Pen Creek Road and west of Piermont Drive.

As the decision of the Planning and Zoning Commission was appealed, the City Council will conducted a public hearing to consider and take action on this request at its January 3, 2022 meeting.

**BACKGROUND:**

Following a public hearing on October 17, 2022, the Planning and Zoning Commission voted 4-1 to deny this request. There were three speakers in favor and three speakers in opposition. (See minutes of the October 17, 2022 Planning and Zoning Commission meeting). The decision of the Planning and Zoning Commission was subsequently appealed within the required 10 day appeal period so City Council hold a public hearing at their December 20, 2022 meeting to consider the request. Due to an error with required advertising for that hearing, City Council must hold an additional publicly advertised hearing on January 3, 2023 to take official action on this request

This rezoning request includes the following condition:

1. Uses limited to a maximum of **250** dwelling units.
2. **There shall only be one vehicular access point to the eastern portion of the property with parcel number 80395 (currently addressed as 3216 Horse Pen Creek Road).**
3. **3. There shall be two pedestrian cross-access points to the property with parcel number 80395 (currently addressed as 3216 Horse Pen Creek Road).**
4. **4. There shall be a maximum of two vehicular access points on Piermont Drive with the northern most access point being a minimum of 180 feet from Horse Pen Creek Road.**

Note: the new conditions shown in bold were added by the applicant after the Planning and Zoning Commission hearing and advertised for the Council hearing

**BUDGET IMPACT:**

This item will have no budget impact.

**ACCOUNT NUMBER:**

N/A

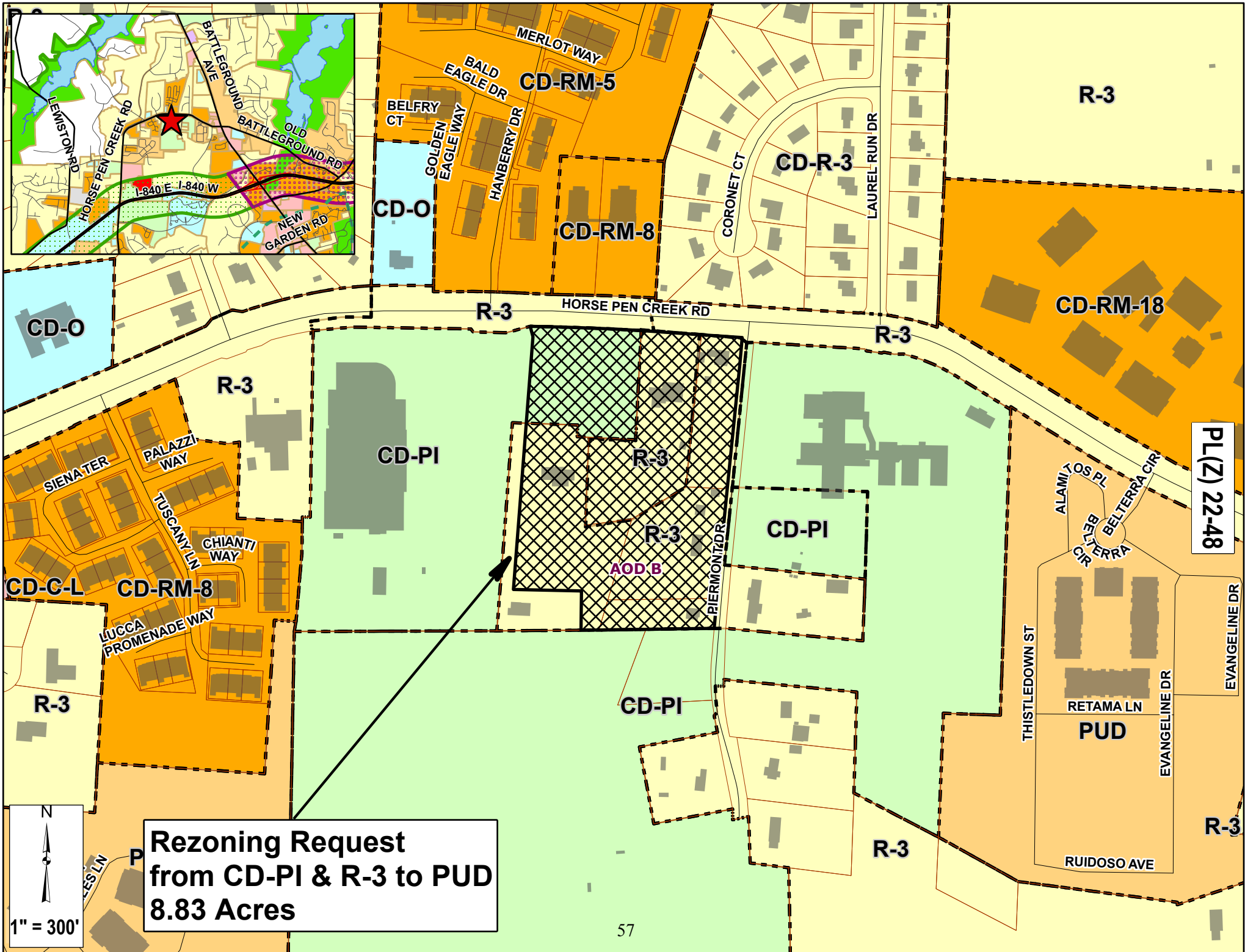
**RECOMMENDATION / ACTION REQUESTED:**

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

The Planning and Zoning Commission recommended **denial** of this request 4-1.

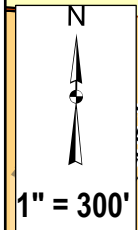
Planning recommends **approval** of the **PUD** zoning request based on:

- Request is consistent with the **Filling in Our Framework** Big Idea to arrange land uses to create a more vibrant and livable Greensboro.
- Request is consistent with Strategy 2 of the **Creating Great Places** Big Idea to meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations



**Rezoning Request  
from CD-PI & R-3 to PUD  
8.83 Acres**

**PL(Z) 22-48**



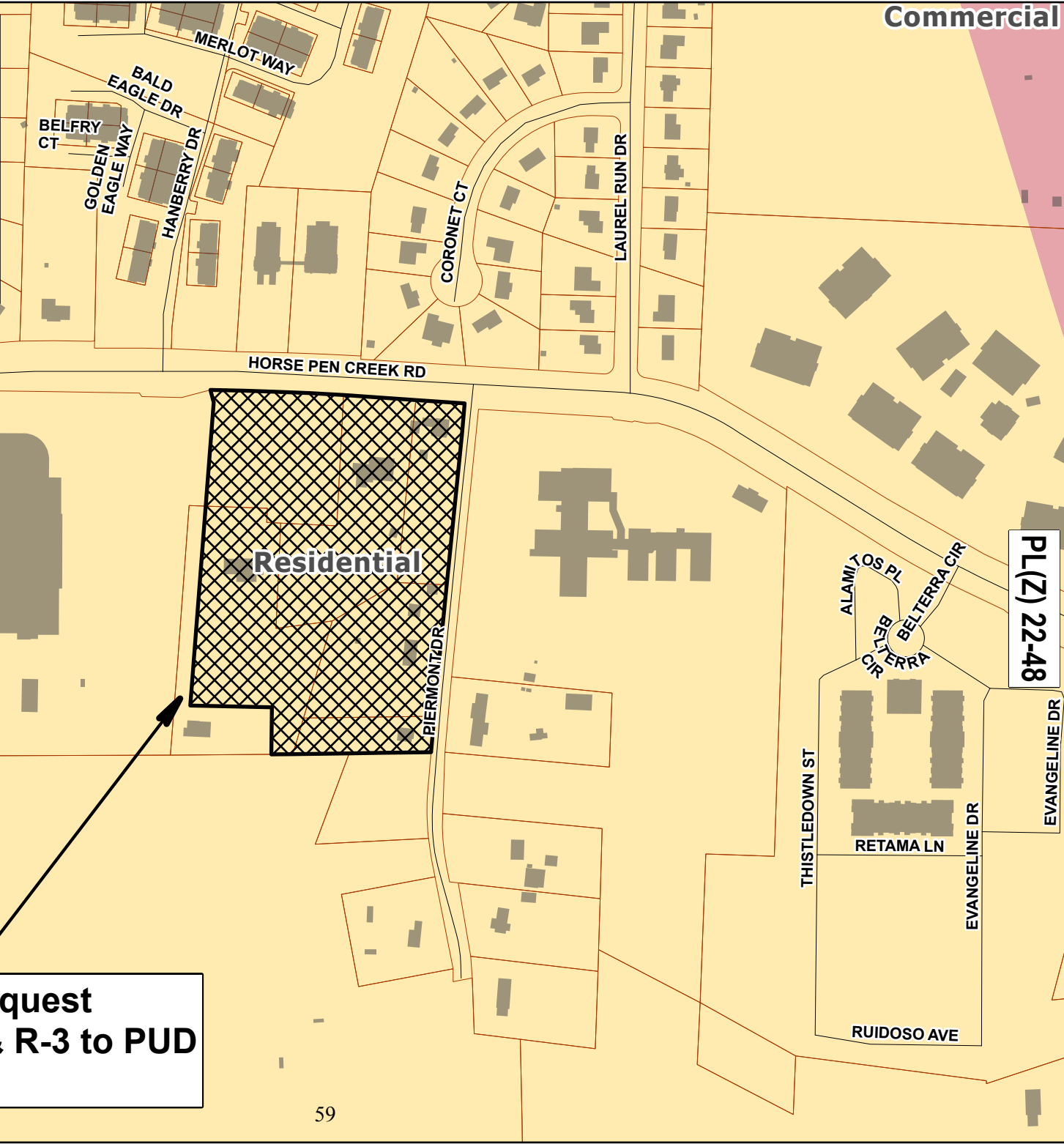
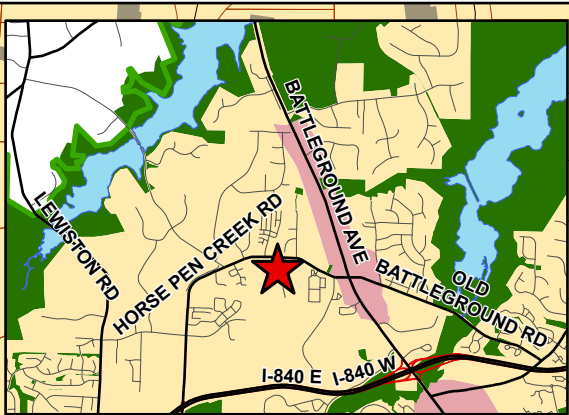


PL(Z) 22-48

Rezoning Request  
from CD-PI & R-3 to PUD  
8.83 Acres

1" = 300'

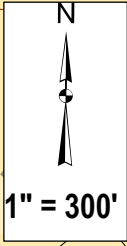


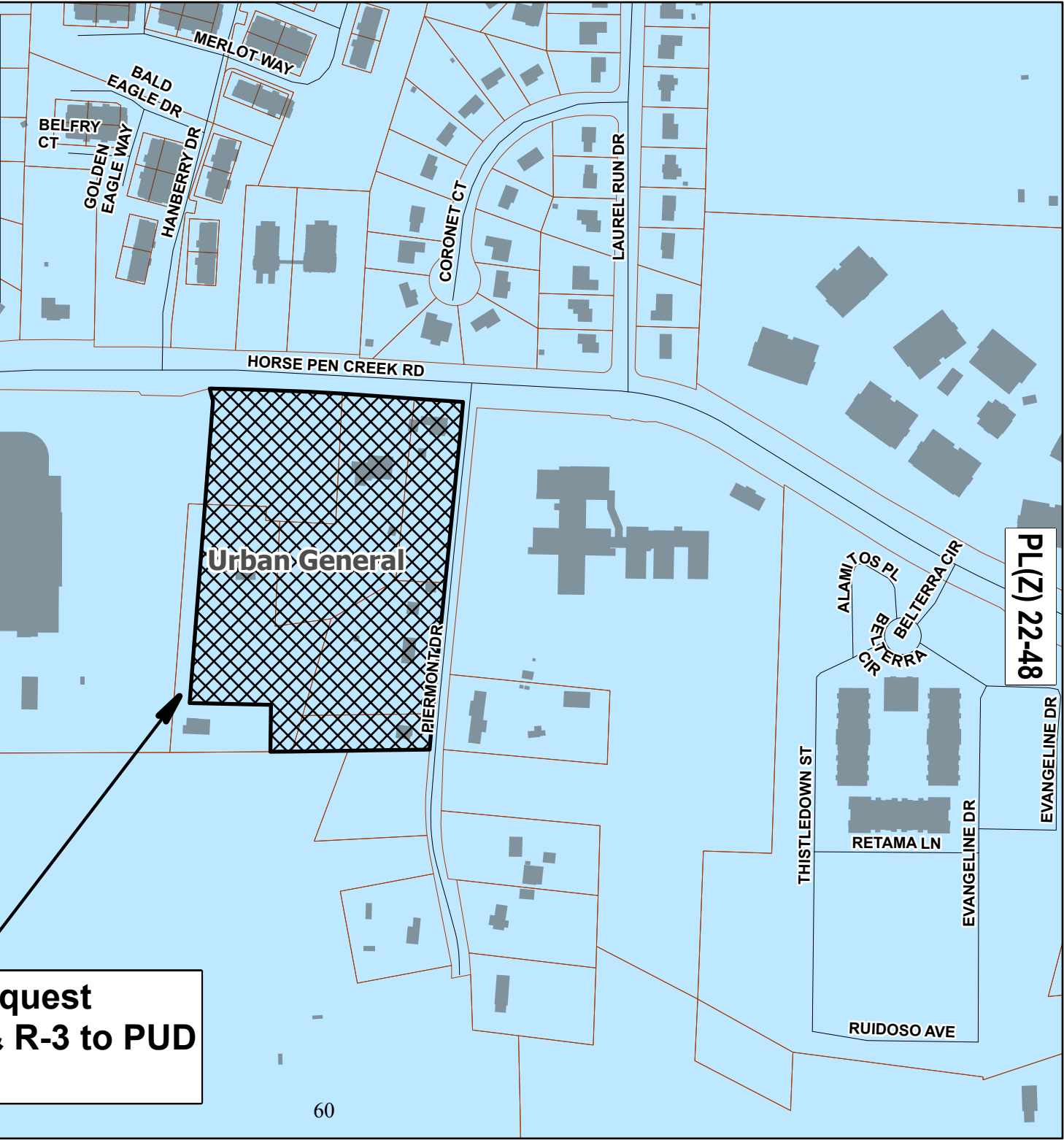
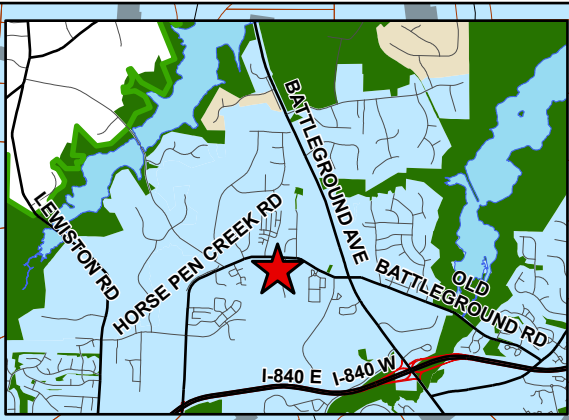


PL(Z) 22-48

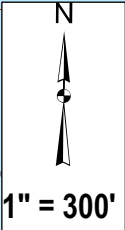
Residential

**Rezoning Request  
from CD-PI & R-3 to PUD  
8.83 Acres**





**Rezoning Request  
from CD-PI & R-3 to PUD  
8.83 Acres**



**PL(Z) 22-48**



# PLZ-22-48

## City of Greensboro Planning Department Zoning Staff Report

City Council Hearing Date: January 3, 2023

### GENERAL INFORMATION

<b>APPLICANT</b>	BCS Holdings, LLC for Rhonda Anderson on behalf of the Young Men's Christian Association of Greensboro, Incorporated, Don Cato on behalf of Cato Investment Properties, LLC, Judy and William Aydellette, and Carol Sellars
<b>HEARING TYPE</b>	Rezoning Request
<b>REQUEST</b>	CD-PI (Conditional District – Public and Institutional) and R-3 (Residential Single-family - 3) to PUD (Planned Unit Development) and consideration of the associated Unified Development Plan
<b>CONDITIONS</b>	1. Uses limited to a maximum of 325 dwelling units.
<b>LOCATION</b>	A portion of 3216 and 3234 Horse Pen Creek Road; all of 3238 and 3240 Horse Pen Creek Road; and all of 4209 and 4213 Piermont Drive
<b>PARCEL ID NUMBER(S)</b>	A portion of 7847036522 and 7847039334; all of 7847131622 and 7847133625; and all of 7847131183 and 7847131390
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 600 feet (Chapter 30-4-1.4 of the Land Development Ordinance requires notification of the owner of that parcel of land and the owners of all parcels of land adjoining and contiguous to that parcel of land as shown on the County tax listing). <b>120</b> notices were mailed to those property owners in the mailing area.
<b>TRACT SIZE</b>	9.37 Acres
<b>TOPOGRAPHY</b>	Flat
<b>VEGETATION</b>	Minimal vegetation
<b><u>SITE DATA</u></b> Existing Use	Single-family dwellings



	<b>Adjacent Zoning</b>	<b>Adjacent Land Uses</b>
N	CD-RM-8 (Conditional District-Residential Multi-family-8) and CD-RM-5 (Conditional District-Residential Multifamily-5) and CD-R-3 (Conditional District-Residential Single-family-3)	Daycare and preschool and townhomes and single-family dwellings
E	CD-PI (Conditional District-Public and Institutional) and R-3 (Residential Single-family-3)	Elementary and secondary school and single-family dwellings
S	CD-PI (Conditional District-Public and Institutional)	Outdoor recreation (YMCA)
W	CD-PI (Conditional District-Public and Institutional) and R-3 (Residential Single-family) and CD-RM-8 (Conditional District-Residential Multi-family-8)	Indoor and outdoor recreation (YMCA), religious assembly (church) and townhomes

**Zoning History**

Case #	Date	Request Summary
CD5117	5/31/2019	The subject property is currently zoned CD-PI (Conditional District-Public and Institutional). This has been the zoning on the property since 2019 when the property was rezoned from R-3 to CD-PI.
PL(Z) 02-11	2/5/2002	2999 – A portion of the subject property is currently zoned CD-PI with the following conditions: 1. Use: All uses permitted in the PI District. 2. All exterior lighting will be directed toward interior of the property. 3. The maximum height of all buildings on the property, excluding the gymnasium, shall not exceed two stories. 4. All buildings on the property shall be of masonry construction. 5. Any trash compactor (dumpster) on the property shall be screened. 6. At the Horse Pen Creek Road/YMCA entrance, installation of a left turn lane on the east approach of Horse Pen Creek Road; installation of a right turn lane on the west approach of Horse Pen Creek Road; installation of separate left and right turn lanes at the propose YMCA entrance; limiting access of the YMCA to one driveway connection to Horse Pen Creek Road.

- 7. Gate to be located at YMCA entrance from Horse Pen Creek Road.
- 8. Placement of a privacy fence along eastern property line in addition to the required planting yard.

2998	4/30/2002	The subject property is also zoned R-3 (Residential Single-family-3). This has been the zoning on the property since April 30, 2002 when it was rezoned from County RS-12.
2008-12	6/30/2008	The subject property is also zoned R-3 (Residential Single-family-3). This has been the zoning on the property since June 30, 2008 when the property was rezoned from County RS-40 (Residential-Single-family-40) and CU-RS-20 (Conditional Use-Residential-Single-family-20).

**ZONING DISTRICT STANDARDS**

**District Summary \***

Zoning District Designation:	Existing (CD-PI)	Existing (R-3)	Requested (PUD)
Max. Density:	N/A	3 units per acre	N/A
Typical Uses	All uses permitted in the PI District except: All agricultural uses; All residential uses; Cemeteries; Minor utilities; TV/HDTV/AM/FM Broadcast facilities; Riding Stables; Golf	Primarily intended to accommodate low density single-family detached residential development.	Uses limited to a maximum of 325 dwelling units

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

**SPECIAL INFORMATION**

**Overlay District Ordinance/Historic Preservation**

The subject site is located within the Airport Overlay District B (AOD B) / 60 decibel level noise cone of the Piedmont Triad International Airport. The Airport Overlay District is intended to be limited to industrial and other uses that are compatible with airport operations, and to limit residential uses to very low densities near the Piedmont Triad International Airport in order to

minimize the negative effects of aircraft noise on homes. Recent updates to the Airport Overlay continue to prohibit any residential uses on lots less than 40,000 square feet in size in AOD-A, but does allow new residential uses of greater intensities in AOD-B with specific development standards. All development within the Airport Overlay District must comply with the following:

1. All permit applications, site plans and other plans proposing buildings, signs and other structures with a height of 50 feet or more must be accompanied by written documentation from the Piedmont Triad Airport Authority indicating that the proposal complies with all applicable airport regulations. No permit or other plan approval may be granted without such written documentation.

New residential uses within AOD-B must also meet the following standards:

**a. Public Notification of Potential Aircraft Noise Impacts**

Public notification of the potential aircraft noise impacts made to prospective purchasers of property within the Airport Overlay District shall be made in accordance with the following requirements.

- i. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the Airport Overlay District and is subject to both day and nighttime aircraft overflights and to aircraft noise that may increase in the future and that you may find to be objectionable dependent upon the use and location of the property.
- ii. In accordance with the N.C. Residential Property Disclosure Act in Section 47E of the North Carolina General Statutes, all landowners and their agents shall provide a public notification statement to all prospective purchasers through a written disclosure statement.
- iii. A public notification statement shall appear on the recorded final plat for all subdivisions of land within the district. In addition, the subdivision owner shall provide public notice to all prospective lot purchasers through a written disclosure statement.

**b. Noise Level Reduction Design**

New residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials, construction standards or other industry accepted measures so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the Planning Department shall certify that the measures used to construct the residential use will achieve at least a 30 dB noise level reduction.

The subject site is not:

2. Located in a City of Greensboro Historic District or Heritage Community
3. Designated as a Guilford County Landmark Property
4. Recognized as a State of North Carolina Historic Site
5. Listed in the National Register of Historic Places
6. Located in a National Register Historic District

**Environmental/Soils**

Water Supply Watershed    Site currently drains to Greensboro WS-III, Watersupply Watershed, site drains to Horse Pen Creek

Floodplains N/A

Streams N/A

Other: Site must address current watershed requirements for Water Quality and Water Quantity Control. Maximum BUA per watershed is 70%BUA with sewer and Low Density is 24%BUA with sewer. Site is within the 5 statute mile radius of the PTI airport. No SCM/BMP is allowed that holds a normal pool elevation unless supporting engineering documentation is provided. All new BUA must be treated by a State approved water quality BMP/SCM.

**Utilities (Availability)**

Water is available on Horse Pen Creek Road. Sewer is available approximately 1,775 feet south of the property. Water Resources would suggest a feasibility study be completed for this development. Private developer will need to extend water and sewer to City of Greensboro’s Water and Sewer Design Standards.

**Airport Overlay District & Noise Cone**

The subject site is located within the Airport Overlay District B (AOD B) / 60 decibel level noise cone of the Piedmont Triad International Airport. The Airport Overlay District is intended to be limited to industrial and other uses that are compatible with airport operations, and to limit residential uses to very low densities near the Piedmont Triad International Airport in order to minimize the negative effects of aircraft noise on homes. Recent updates to the Airport Overlay continue to prohibit any residential uses on lots less than 40,000 square feet in size in AOD-A, but does allow new residential uses of greater intensities in AOD-B with specific development standards. All development within the Airport Overlay District must comply with the following:

- 1. All permit applications, site plans and other plans proposing buildings, signs and other structures with a height of 50 feet or more must be accompanied by written documentation from the Piedmont Triad Airport Authority indicating that the proposal complies with all applicable airport regulations. No permit or other plan approval may be granted without such written documentation.

New Residential uses within AOD-B must also meet the following standards:

**a. Public Notification of Potential Aircraft Noise Impacts**

Public notification of the potential aircraft noise impacts made to prospective purchasers of property within the Airport Overlay District shall be made in accordance with the following requirements

- i. Where public notification statements are required or provided for property within the district, the following statement shall be used: "This property is located within the Airport Overlay District and is subject to both day and nighttime aircraft overflights and to aircraft noise that may increase in the future and that you may find to be objectionable dependent upon the use and location of the property.
- ii. In accordance with the N.C. Residential Property Disclosure Act in Section 47E of the North Carolina General Statutes, all landowners and their agents shall provide a public notification statement to all prospective purchasers through a written disclosure statement.

iii. A public notification statement shall appear on the recorded final plat for all subdivisions of land within the district. In addition, the subdivision owner shall provide public notice to all prospective lot purchasers through a written disclosure statement.

**b. Noise Level Reduction Design**

New residential uses shall be designed to achieve an outside to inside noise reduction level of at least 30 decibels (dB). This performance measure may be achieved by any suitable combination of building design, building materials, construction standards or other industry accepted measures so as to reduce the interior noise levels from overhead aircraft flights. Prior to the issuance of a building permit for a residential use, a qualified acoustical professional satisfactory to the Planning Department shall certify that the measures used to construct the residential use will achieve at least a 30 dB noise level reduction.

**Landscaping & Tree Conservation Requirements**

**Landscaping:**

Landscaping requirements will be set out in the Unified Development Plan. Minimum requirements will be per Section 30-10 of the Land Development Ordinance, as noted below:

**Street Yards:**

Street planting yards must be installed abutting public street rights-of-way. The required street planting yard must have a minimum width of 10 feet (as measured from the outside edge of the right-of-way or the back of the sidewalk, whichever is further from the street centerline) and include at least 2 canopy trees and 17 shrubs per 100 linear feet of required street planting yard, not including allowed driveways.

**Buffer Yards:**

For Multi-family uses adjacent to Public or Institutional uses: Type C buffer yard, with an average width of 15', a minimum width of 10', and a planting rate of 2 canopy trees, 3 understory trees, and 17 shrubs per 100 l.f.

**Parking Lots:**

Trees for required parking spaces: 1 canopy tree per 12 spaces, in islands or medians within the parking lot.

**Tree Conservation:**

For 9.37 acres, 10% of parcel size in critical root zone to be dedicated for Tree Conservation.

**Transportation**

Street Classification: Horse Pen Creek Road –Minor Thoroughfare.  
Piermont Drive – Local Street.

Site Access: All access(s) must be designed and constructed to the City of Greensboro standards.

Traffic Counts: None Available.

Trip Generation:	24 Hour = 2,159, AM Peak Hour = 124, PM Peak Hour = 160.
Sidewalks:	Sidewalks are a requirement of the Development Ordinance and shall be installed per the Streets Design Standards Manual. Sidewalk does currently exist along the frontage of this property.
Transit in Vicinity:	Yes. GTA Route 8 (Battleground Avenue, is within ½ mile of the subject site, along Battleground Avenue).
Traffic Impact Study: (TIS)	Yes, required per TIS Ordinance. Please see the end of this staff report for the Executive Summary of the <u>draft</u> TIS.
Street Connectivity:	N/A.
Other:	N/A.

**IMPACT/POLICY ANALYSIS**

**Land Use Compatibility**

The proposed **PUD (Planned Unit Development)** zoning district, as conditioned, would allow land uses that are compatible with the general character of the area.

**GSO 2040 Comprehensive Plan Policies**

The GSO 2040 Future Land Use Map designates this location as **Residential**. The requested **PUD (Planned Unit Development)** zoning district, as conditioned, would allow uses that are generally consistent with those described in the **Residential** Future Land Use designation. The GSO 2040 Future Built Form Map designates this location as **Urban General**.

**GSO 2040 Written Policies**

**Filling In Our Framework** - How we arrange our land uses for where we live, work, attend school, shop and enjoy our free time can create a more vibrant and livable Greensboro.

**Goal A** – Greensboro is recognized and admired for its attractive, walkable and compact mixed-use activity centers where people live, work and enjoy life.

**Strategy 1** – Encourage higher density, mixed-use, walkable infill development.

**Strategy 2** – Ensure mixed use projects both strengthen and add value to the Community.

**Goal B** – Greensboro attracts world-class development to transform underutilized sites and buildings into valued assets that complement their surroundings.

**Strategy 2** – Establish infill development guidelines that ensure revitalized sites will be of high quality and complement existing neighborhood character.

**Creating Great Places** – Creating interesting and attractive places and vibrant public spaces in neighborhoods, across Greensboro, in downtown and with our historic resources.

**Goal A** – Greensboro’s citywide network of unique neighborhoods offer residents of all walks of life a variety of quality housing choices.

**Strategy 2** – Meet housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

**Becoming Car Optional** - Expand quality transportation options beyond cars and maintain an efficient transportation system that allows people and goods to travel throughout Greensboro.

**Goal A** - Greensboro has unrivaled pedestrian, biking, transit and road networks that provide safe, comfortable, and convenient transportation options.

**Strategy 2** - Encourage new development that is compatible with the intended use of the adjacent roadway.

**Goal B** - Everyone loves our interconnected green spaces, which provide recreation and transportation opportunities, promote active living, and protect our natural environment.

**Strategy 1** - Expand the greenway network to connect all parts of the city as a key element of the transportation system.

**Prioritizing Sustainability** - Greensboro has a strong leadership role in environmental stewardship, social equity, and a resilient economy

**Goal A** - Greensboro advances environmental stewardship, taking care of our natural resources and the natural systems that support all living things.

**Strategy 1** - Promote resilient, efficient and environmentally beneficial patterns of land use.

**Goal B** - Greensboro embraces social equity, ensuring all residents benefit from fair and just treatment in the distribution of public services and have a voice in governance.

**Strategy 2** – Work to ensure that all Greensboro residents have meaningful opportunities to participate in public decision-making processes.

**Strategy 3** - Promote a just, ethical, and respectful community.

**Goal C** - Greensboro builds economic resilience, expanding the local economy's ability to withstand and adjust to disruptions and changes at the regional, national and global scales.

**Strategy 1** – Consider the impact that growth and development patterns and infrastructure investments have on the City's fiscal health.

**Building Community Connections** – Greensboro is unique and memorable based on our quality of life, culture, arts and places and the ties that bind us together as a community.

**Goal E** – Everyone does their part to maintain stable, attractive, and healthy places to live and raise families.

**Strategy 1** – Build upon successful community initiatives to improve housing conditions while encouraging community involvement and participation.

**Strategy 3** – Improve the city's housing through effective use of code enforcement and the strategic leveraging of resources.

**Growing Economic Competitiveness** - Greensboro will build a prosperous, resilient economy that creates equitable opportunities to succeed.

**Goal C** - Investment in cutting edge communications technology enhances the quality of life for all residents and helps businesses thrive.

**Strategy 1** - Encourage fiber-ready infrastructure to reduce the need for costly future upfits, increase property values and promote economic growth.

## **GSO 2040 Map Policies**

### **Future Land Use Map**

**Future Land Uses:** Broad areas based on the main character of land uses that we want to see in the future. These are not intended to be exclusive; it is assumed that there are a variety of uses in each area, but the designation reflects the area's predominant character.

**Residential:** Includes both single-and multi-family residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

### **Future Built Form Map**

**Place Types:** Areas that have a consistency of character, identity or purpose and that are most often bounded by corridors, natural features, or parks that create transition or separation from other neighborhoods that may not share the same characteristics.

**Urban General** should reflect these characteristics:

1. Setbacks, building orientation, building materials, height, and scale of residential buildings are considered within the existing neighborhood context.
2. New housing helps increase the range of choice, supply, and adds additional appropriately-scaled density with: Missing Middle housing; mid-rise multi-family; and high-rise multi-family in Activity Centers and along Mixed-Use Corridors.
3. Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
4. Cut-through traffic is minimized.
5. New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
6. Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
7. The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting.
8. New sidewalks contribute to the completion of a sidewalk network.

## **CONFORMITY WITH OTHER PLANS**

### **City Plans**

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

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

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

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

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

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

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

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



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

**Element 6)** Education and Outreach:

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

**Other Plans**

N/A

**STAFF ANALYSIS AND RECOMMENDATION**

**Community Outreach**

Applicant is strongly encouraged to discuss this proposed rezoning and development with owners of surrounding properties and with representatives of the Laurel Run Neighborhood (the boundaries of which, as identified by said neighborhood, the subject site is located adjacent to).

**Staff’s Unified Development Plan (UDP) Analysis**

On September 1, 2020 the Planning and Zoning Commission assumed responsibility for reviewing Unified Development Plans in conjunction with zoning requests to a Planned Unit Development zoning district.

There are three main purposes for a Unified Development Plan (UDP). One is to specify the type of development and dimensional standards that will govern the development in various sections of the property. The second is to make sure that City of Greensboro service providers can adequately serve the proposed development. Finally, the Unified Development Plan puts the development standards into a form recordable at the Guilford County Register of Deeds Office so there will be notice of these requirements to future owners and occupants.

When making the determination to approve a Unified Development Plan (UDP), the Planning and Zoning Commission must review the UDP for consistency with the approved Planned Unit Development (PUD) Concept Plan and zoning conditions.

**Staff Analysis**

The subject properties are approximately 9.37 acres and are adjacent to a YMCA, categorized as an indoor and outdoor recreation facility land use. North of the subject properties are a daycare, preschool, townhomes, and single-family dwellings, zoned CD-RM-8, CD-RM-5, and CD-R-3. East of the subject properties is an elementary and secondary school and single-family dwellings, zoned CD-PI and R-3. South of the subject properties is an indoor and outdoor recreation facility (YMCA), zoned CD-PI. West of the subject properties is an indoor and outdoor recreation center (YMCA), religious assembly use, and townhomes, zoned CD-PI, R-3, and CD-RM-8.

The proposed rezoning request supports the Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro. The proposed rezoning supports these goals by encouraging higher density, mixed-use, walkable infill development and by strategizing to ensure mixed use projects both strengthen and add value to the Community.

The request also supports the Building Community Connections goal with everyone doing their part to maintain stable, attractive, and healthy places to live and raise families. Additionally, the

request supports the Creating Great Places Big Idea’s strategy of meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations.

The GSO 2040 Comprehensive Plan’s Future Land Use Map designates these properties as Residential which includes both single-and multi-family residential. Other uses should generally be in the scale of a Neighborhood- or a District- Scaled Activity Center as described in the Future Built Form Map, in a form that is appropriate to the character of the area. Many residential areas include commercial corridors, and future development along these corridors should be oriented to the corridor to avoid negative impacts to adjacent residences.

The subject properties are currently designated Urban General on the Future Built Form Map which should reflect characteristics such as some of the following:

- Transitions between neighborhoods and different land uses provide continuity in scale, density, intensity with adjacent uses.
- Cut-through traffic is minimized.
- New freestanding or expanded business areas are created within or adjoining an existing Activity Center or as part of creating a new Activity Center.
- Exterior building materials are durable, sustainable, and contribute positively to the character of the public realm.
- The size and impact of surface parking lots is minimized through landscaping, screening, narrow curb-cuts, and use of glare-free, no-spill lighting. New sidewalks contribute to the completion of a sidewalk network.

The proposed PUD zoning district would permit a variety of uses inclusive of multi-family housing and recreational uses complementary to the existing recreational and residential uses on adjacent and nearby properties.

This request is consistent with the intent and purpose of the zoning code, the Comprehensive Plan (GSO2040) and is generally compatible with the existing development and trend in the surrounding area.

**Staff Recommendation**

Staff recommends **approval** of the requested **PUD (Planned Unit Development)** zoning district.

**DRAFT**

**Transportation Impact Analysis  
Horse Pen Creek Road Apartments  
Prepared for BSC Holdings  
Original: July 15, 2022; Revised: September 26, 2022**

**Executive Summary**

The proposed development is located on the south side of Horse Pen Creek Road between Hanberry Drive / YMCA Driveway and Piermont Drive in Greensboro, NC. This transportation impact analysis (TIA) considers up to 325 apartments adjacent to Horse Pen Creek Road. This development proposes three (3) access connections along YMCA Driveway located across from Hanberry Drive on Horse Pen Creek Road and two (2) full access points on Piermont Drive, totaling five (5) access points. The study assumed this development will be completed in 2024. Per the GDOT guidelines, a study year of 2025 (build out plus one year) was used for analysis purposes.

A traffic impact analysis (TIA) was originally prepared and dated July 15, 2022. This TIA was updated on September 26, 2022, to address review comments.

Trip Generation

Based on trip generation rates and equations published in Trip Generation (Institute of Transportation Engineers, 10th Edition), this development has a trip generation potential of 2,159 daily trips, with 124 trips in the AM peak hour and 160 trips in the PM peak hour.

Capacity Analysis and Recommendations

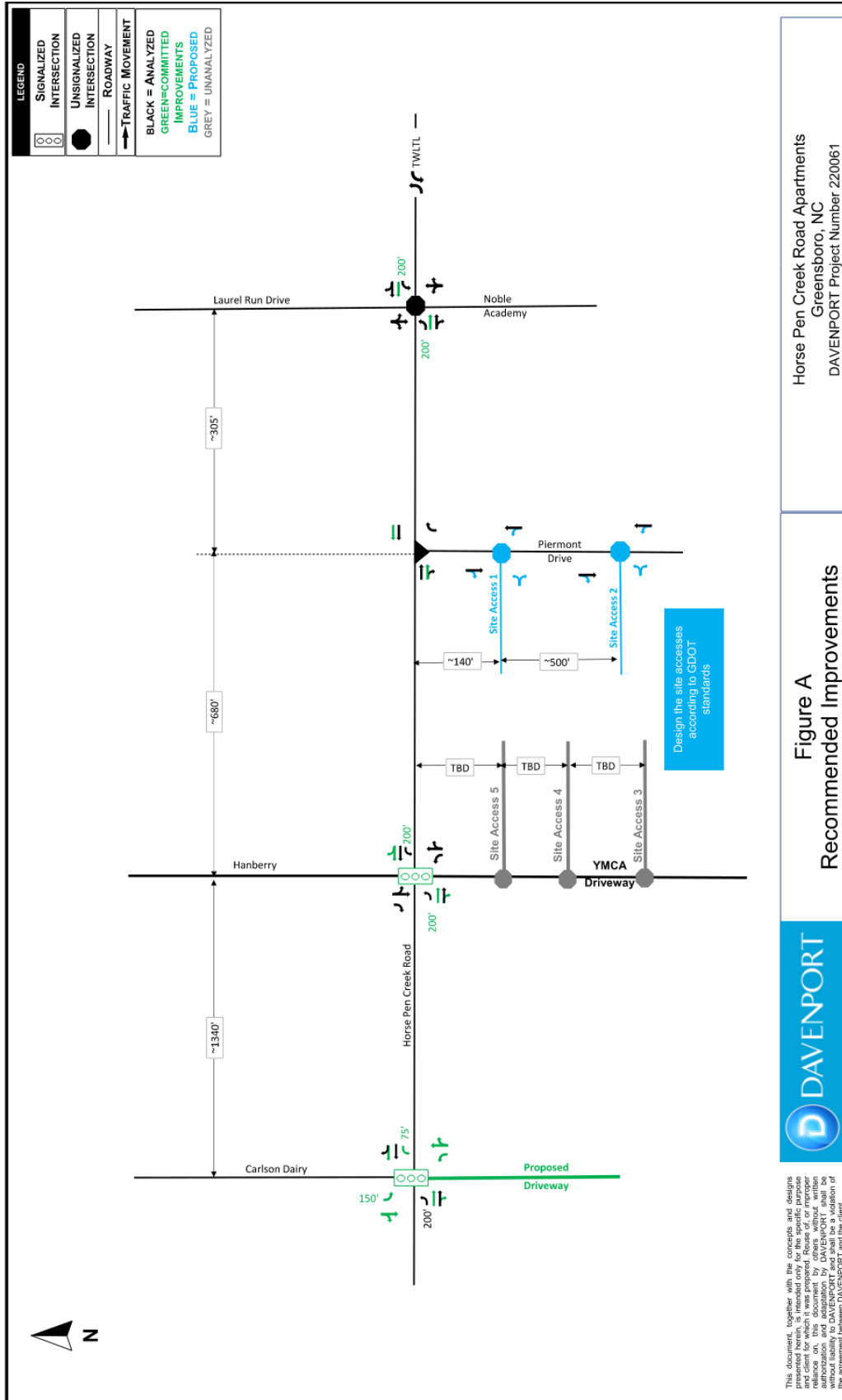
This analysis has been conducted based on the GDOT guidelines and has identified the potential traffic impacts of this development. Overall, the analysis indicates LOS D or better can be expected at the study intersections during the future conditions with the exception of the unsignalized intersection of Horse Pen Creek Road at Noble Academy Driveway/ Laurel Drive. This unsignalized intersection is anticipated to operate at LOS E/F during the existing, future no-build and build conditions. This is mainly due to lack of sufficient gaps for left turning vehicles from the minor street approaches in heavy through traffic on the Horse Pen Creek Road. This is a background condition and will occur regardless of the proposed development and is a typical condition for stop-controlled movements onto major roads such as Horse Pen Creek Road.

At the YMCA Spears Driveway, left turn lane is already present at this intersection. Traffic analysis indicates the existing left turn lane will be sufficient to accommodate the turning traffic at this access.

At the northern and southern site accesses on Piermont Drive, turn lanes are not warranted.

Conclusion

This TIA was performed in order to assess transportation impacts of the proposed site as well as background traffic. Recommendations have been given to accommodate these impacts. The analysis documented here indicates that with the recommended improvements in place, the proposed site is not expected to have a detrimental effect on transportation capacity and mobility in the study area. The exact layout of the site will need to be coordinated during the site plan review process. The recommended improvements for the development are shown in Figure A. Please note that the access points to the site are recommended to be designed according to GDOT standards as applicable.



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## Business Corporation

### Legal Name

Bsc Holdings, Inc.

## Information

**SosId:** 0289233

**Status:** Current-Active ⓘ

**Date Formed:** 6/18/1991

**Citizenship:** Domestic

**Fiscal Month:** December

**Annual Report Due Date:** April 15th

**Current Annual Report Status:**

**Registered Agent:** Siegal, Barry

## Addresses

### Mailing

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Principal Office

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Reg Office

4425 Monument Trace STE 107  
Greensboro, NC 27409

### Reg Mailing

4425 Monument Trace STE 107  
Greensboro, NC 27409

## Officers

### President

Barry Siegal  
219 Shadowlawn Drive  
Jamestown NC 27282

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## Limited Liability Company

### Legal Name

Cato Investment Properties, LLC

## Information

**SosId:** 0707227

**Status:** Current-Active ⓘ

**Date Formed:** 1/16/2004

**Citizenship:** Domestic

**Annual Report Due Date:** April 15th

**Current Annual Report Status:**

**Registered Agent:** Cato, Donald E.

## Addresses

### Mailing

3513 Henderson Rd  
Greensboro, NC 27410

### Principal Office

3513 Henderson Rd  
Greensboro, NC 27410

### Reg Office

3513 Henderson Rd  
Greensboro, NC 27410

### Reg Mailing

3513 Henderson Rd  
Greensboro, NC 27410

## Company Officials

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

### Member/Manager

Don E Cato  
3513 Henderson Rd  
Greensboro NC 27410

- Upload a PDF Filing
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## Non-Profit Corporation

### Legal Name

The Young Men's Christian Association of Greensboro, Incorporated

## Information

**SosId:** 0165811

**Status:** Current-Active ⓘ

**Date Formed:** 5/11/1910

**Citizenship:** Domestic

**Annual Report Due Date:**

**Registered Agent:** Jones, Greg L.

## Addresses

### Mailing

620 Green Valley Road, Ste 210  
Greensboro, NC 27408

### Principal Office

620 Green Valley Road, Ste 210  
Greensboro, NC 27408

### Reg Mailing

620 Green Valley Road, Ste 210  
Greensboro, NC 27408

## Officers



**MINUTES OF THE  
PLANNING AND ZONING COMMISSION  
October 17, 2022**

**Z-22-10-006: A rezoning request from CD-PI (Conditional District – Public and Institutional) and R-3 (Residential Single-family – 3) to PUD (Planned Unit Development) and consideration of the required Unified Development Plan for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road, all of 3238 and 3240 Horse Pen Creek Road, and all of 4209 and 4213 Piermont Drive, generally described as south of Horse Pen Creek Road and west of Piermont Drive (9.37 acres). (RECOMMENDED DENIAL)**

**Z-22-10-007: A rezoning request from R-3 (Residential Single-family – 3) to PI (Public and Institutional) for the property identified as a portion of 3234 Horse Pen Creek Road, generally described as south of Horse Pen Creek Road and west of Piermont Drive (0.56 acres). (RECOMMENDED APPROVAL)**

Mr. Kirkman reviewed the summary information for the subject properties and surrounding properties, and advised of the condition associated with the request. Mr. Kirkman stated the GSO2040 Comprehensive Plan designates this site as Urban General on the Future Built Form Map and Residential on the Future Land Use Map. Staff determined the proposed rezoning request supports the Comprehensive Filling In Our Framework Big Idea goal to arrange our land uses for where we live, work, attend school, and enjoy our free time can create a more vibrant and livable Greensboro, and the Comprehensive Plan's Creating Great Places Big Idea's strategy of meeting housing needs and desires with a sufficient and diverse supply of housing products, prices and locations. The proposed PUD zoning district would permit a variety of uses inclusive of multi-family housing and recreational uses complementary to the existing recreational and residential uses on adjacent and nearby properties. Staff recommended approval of the request.

Vice Chair Bryson asked for any questions or comments from the Commissioners. Hearing none, Vice Chair Bryson inquired if the applicant was present to speak.

Amanda Williams, 4425 Monument Trace on behalf of BSC Holdings, stated that the applicant is requesting split zoning due to their work with the neighboring Spears YMCA. They are conducting a land swap to add parking for the YMCA. The development will not add access directly off Horse Pen Creek Road, but they will instead work with the YMCA to improve the traffic flow around the new signal at the existing intersection. She stated they feel this is a logical land use given the proximity of other multi-family residential and PI uses in the area. Their foreseen market segment is unlikely to create significant additional traffic as in some multi-family residential developments. Ms. Williams stated they spoke with neighbors and conducted a neighborhood meeting to hear the community's concerns and that traffic on Horse Pen Creek Road was the primary concern. She introduced the applicant's traffic engineer to discuss the project.

Ms. Skenes stated the TIA displayed three access points into the YMCA property for access to the existing intersection at Horse Pen Creek Road and asked Mr. Kirkman if the YMCA parking lot was a public street. He stated it was not, and that access would require a shared access easement. Ms. Skenes expressed concern about adding traffic to the YMCA property given that the intersection backs up in peak hours. She stated the density and vehicular access bothers her. Ms. Williams stated that their agreement with the YMCA states they will be improving the parking lot, and that their current plan moves the first entrance to the intersection under guidance from GDOT. She stated that their anticipated density might be lower than the maximum required and that in their experience, the tenants they typically attract tend to drive less.

Ms. Skenes asked to confirm that the applicant did not present the request as an over-55 community, and Ms. Williams stated that was correct. Ms. Skenes stated the Commission has to consider the request as presented, and the density proposed in this request is almost double that of nearby developments.

Ms. Magid stated she was also concerned with the number of dwelling units per acre. Ms. Williams stated that they have done similar developments in Greensboro and that their final density would be below the theoretical maximum.

Dionne Brown, 4600 Marriott Drive, Raleigh on behalf of Davenport, stated that their TIA used traffic counts during peak hours according to GDOT standards. She stated that questions involving the intersection would require coordination with GDOT, but that their models use a worst-case scenario to determine level of service. She stated that if neighboring communities increase traffic flow, there would likely be a need for changes to the intersection.

Barry Siegal, 4425 Monument Trace, stated that they have negotiated access to Piermont Drive for the YMCA, which will create cross access from their parking lot. While they are adding additional trips, he believes they are improving the traffic situation in the area with these changes to the YMCA parking lot.

With the applicant's speaking time expired, Vice Chair Bryson inquired if there was anyone wishing to speak in opposition of the request.

Margaret Scott, 4703 Hanberry Drive on behalf of the Montebello Homeowners Association, stated that her neighborhood's concern is about the concentration of traffic at the intersection. The applicant's proposal would add significant traffic to the area, and the applicant's traffic engineer states the level of service in the area would be very low. She stated that while this level of service may be common, it is unacceptable to the residents in the area, and that they are requesting specific signalization improvements for safety to support any additional development like this.

Ron Kohler, 3231-35 Horse Pen Creek Road on behalf of Northwest Day School, stated his concern is also about density and the safety of the children at his school. He has been in discussion with the applicant and their traffic engineers, and that while he supports allowing rezoning for the subject properties, he finds the requested density unacceptable. Displaying a land use map of the area, he indicated the multi-family residential developments in the area, some of which are very dense and have yet to be open for lease. He then displayed a photograph of the YMCA and a full parking lot with more vehicles entering it, and stated that his understanding of the site plan is that it would tie into traffic of the YMCA, which is already unacceptable. U-Turns at the intersection require serious situational awareness given the complexity of traffic flow in the area, and given the speeds vehicles travel there, it is extremely difficult to maintain safety. Mr. Kohler stated he would be comfortable with 18 dwelling units per acre, but 325 units is unacceptable for this neighborhood, and asked for the applicant to prepare a new proposal which is mutually beneficial.

With opposition speaking time expired, Vice Chair Bryson advised the applicant had 5 minutes for rebuttal.

Amanda Williams stated that the density of their comparable projects they previously developed is 25 dwelling units per acre at New Garden Road and 39.2 dwelling units per acre in Winston-

Salem, a property that has traffic access through an adjacent commercial property. She stated that the site plan calls for over 500 parking spots for the residents of the development in addition to the new parking for the YMCA.

Barry Segal stated that this project would create direct two-line access to Piermont Drive and ease into Horse Pen Creek Road with a right turn, which will reduce the traffic impact through the YMCA property. Other projects they have developed maintain reasonable traffic access with roughly this density level, and the TIA states this development will maintain current levels of service. He stated that they believe the density requested is reasonable given the improvements they intend to make and the work GDOT has done in the area.

Mr. Bryson asked if the other developments Ms. Williams had been referencing have similar arrangements of neighbors with dense activity and sensitive concerns about traffic. Ms. Williams stated that the New Garden development has adjacent office and medical uses, and the Winston-Salem development is in a heavily commercial area with a shared traffic flow and uses shared commercial parking lots with common access easements similar to what they are proposing here. Mr. Bryson asked Ms. Williams to confirm the level of traffic of neighboring parcels for the other developments she mentioned, and Ms. Williams stated there was substantial traffic around those areas but she did not have the traffic counts available.

Vice Chair Bryson then advised anyone speaking in opposition had 5 minutes for rebuttal.

Sophia de Vries, 3110 Horse Pen Creek Road on behalf of Noble Academy, stated that the requested density is unreasonable for this area. More multi-family residential housing in the area would be sensible, but not at this level of intensity. Adding traffic to Piermont Drive and turning it into a cut-through for YMCA traffic makes them concerned about the safety of their students. She stated the school is grade levels 1-12 and many of the students have learning disabilities, and asked the City to consider this and make changes to the flow of traffic in the area.

Ron Kohler displayed a photograph of Horse Pen Creek Road around his school during the evening and stated that he did not see how a cut-through of a highly dense multi-family development's parking lot would improve traffic flow. Davenport conducted the TIA in February and June during the widening of Horse Pen Creek Road, with workers limiting it to a one-way road, and this may make the results not indicative of the true state of traffic on Horse Pen Creek Road now. He stated that the density of this request would make traffic unmanageable in the community.

Ms. Skenes stated that the TIA material she had available shows a date of July and September and asked when the applicant conducted the TIA. Mr. Kohler stated he learned from conversations with Davenport that the studies happened in February and June and the facts compiled and presented in July and amended in September. Mr. Kohler asked the applicant to conduct a new TIA. Ms. Skenes asked Mr. Kirkman to confirm if that was accurate, and Mr. Kirkman stated that GDOT has specific information about the traffic counts.

Deniece Conway, on behalf of GDOT, confirmed that the engineers conducted TIA counts while construction was underway and that when a road is under construction they will sometimes add historical data with adjustment formulas but she is unsure of their use in this case. Ms. Skenes stated that if the TIA counts are from while Horse Pen Creek Road was under construction, the levels of service would be unacceptable.

Dionne Brown stated that they conducted the counts while school was in session in February for a different development, and in June. They completed the report in July and updated it in September after a request from GDOT regarding the planned access to the YMCA parking lot. She stated that to account for the construction on Horse Pen Creek, they applied adjustment factors based on historical data, and that a 2% or more growth rate is also always applied for future build volume scenarios.

Ms. Magid asked Mr. Segal if the plan called for the additional YMCA parking on the strip of land in request Z-10-007 and if it this would be complete before their project begins. Mr. Segal stated that the additional parking would be two additional rows down the length of the strip. Ms. Magid asked if the cars would be departing past the current rows of cars to turn right on Hanberry Drive and Horse Pen Creek. Mr. Segal stated that access from the YMCA's current drive would have access to their development and give the YMCA access to Piermont. Ms. Magid asked if all of the new parking for the YMCA would be on that new piece of land, and Mr. Segal stated that was correct. Ms. Magid asked if entry and egress from his development would be directly through the parking, and Mr. Segal stated that was correct, but they have not finalized the site plan yet. He stated that the development would not require all parking to go through the YMCA property, and that much of it would likely go through Piermont Drive. Ms. Magid asked about the applicant's development on New Garden Road, and Mr. Segal stated it would be very similar using the site's slope, but with additional access points.

Sophia de Vries stated that her school's students were not at school in June, so the TIA did not account for the full impact of their traffic.

Ms. Skenes asked about the plan associated with this request. Mr. Carter stated that staff distributed the UDP to Commissioners following TRC approval, and Mr. Kirkman displayed the UDP. Ms. Skenes stated the UDP showed the three access points on the parking lot side, very close to the traffic lanes around the YMCA parking.

Mr. Kohler stated that there has been no discussion of the impact on the schools in the area.

Mr. Buansi reminded the Commissioners that the Planning and Zoning Commission is required to make decisions solely based on land use and impact on surrounding properties. Ms. Magid asked if this would only be a recommendation given the number of Commissioners, and Mr. Buansi said that was correct. Ms. Magid asked if the Commission could offer a continuance. Mr. Kirkman stated that could not be offered by Staff, but the applicant could request a continuance.

Ms. Skenes asked to clarify that density applies to Commission decisions, and Mr. Buansi stated she was correct that density could always be a consideration of the Commission.

With opposition rebuttal time expired, Vice Chair Bryson closed the public meeting.

Mr. Bryson stated he was familiar with that area, and was uncomfortable with the proposed density given the variety of uses surrounding the subject property and new multi-family development in the area. He stated that given that neighbors were under a misconception during the applicant's outreach, more discussion should take place, and he cannot support the request as presented.

Mr. Egbert stated that he has lived on Horse Pen Creek Road and visited that YMCA regularly. The City has many busy streets, and the density proposed is reasonable given the sustained increased activity in the area. He stated he supports the request.

Ms. Skenes noted the density bothers her, and that she cannot remember the Commission approving anything with a “D”, “E” and “F” level of service. She also stated that the PUDs the Commission has approved in the area previously are of a much lower density than this request.

Ms. Magid then stated regarding agenda item Z-22-10-006, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the properties identified as a portion of 3216 and 3234 Horse Pen Creek Road; all of 3238 and 3240 Horse Pen Creek Road; and all of 4209 and 4213 Piermont Drive from CD-PI (Conditional District – Public and Institutional) and R-3 Residential Single-family – 3) to PUD (Planned Unit Development) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Egbert seconded the motion. The Commission began a vote, which Ms. Skenes and Ms. Magid voted against and Mr. Kirkman asked Ms. Magid to clarify if she meant to use the motion language to approve the request. Realizing the mistake the Commission abandoned this motion.

Ms. Magid then stated the request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PUD zoning district, as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area; (3.) The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detriment to the neighbors and surrounding community, and denial is in the public interest. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert).

Mr. Buansi stated this was not a final action, and was a recommended denial for the City Council.

Ms. Magid then made a motion to deny the associated UDP. Ms. Skenes seconded the motion. The Commission voted 4-1, (Ayes: Skenes, Magid, Alford, Bryson; Nays: Egbert). Vice Chair Bryson advised the denial constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

Ms. Skenes asked if the Commission could vote on Z-22-10-007, given that they seem to be related. Mr. Buansi stated they were related, but separate requests.

Ms. Skenes then stated regarding agenda item Z-22-10-007, the Greensboro Planning and Zoning Commission believes that its action to recommend approval of the rezoning request for the property identified as a portion of 3234 Horse Pen Creek Road from R-3 (Residential Single-family - 3) to PI (Public and Institutional) to be consistent with the adopted GSO2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: (1.) The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map; (2.) The proposed PI zoning district permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties; (3.) The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest. Mr. Alford seconded the motion. The Commission voted 5-0, (Ayes: Skenes, Magid, Alford,

Egbert, Bryson; Nays: 0). Vice Chair Bryson advised the approval constituted a favorable recommendation and were subject to a public hearing at the Tuesday, November 15, 2022 City Council meeting.

**Item: Portion of 3216 and 3234 and all of 3238 and 3240 Horse Pen Creek Road;  
and all of 4209 and 4213 Piermont Drive  
Rezoning**

Date: January 3, 2023

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

The **Greensboro City Council** believes that its action to **approve/deny** the rezoning request for the properties identified as **a portion of 3216 and 3234 Horse Pen Creek Road; all of 3238 and 3240 Horse Pen Creek Road; and all of 4209 and 4213 Piermont Drive** from **CD-PI (Conditional District – Public and Institutional) and R-3 (Residential Single-family - 3) to PUD (Planned Unit Development)** to be **consistent** with the adopted GSO 2040 Comprehensive Plan and considers the action taken to be reasonable and in the public interest for the following reasons: **[choose from the following based on the motion]**

Factors that support <b>approval</b> of the rezoning request:	Factors that support <b>denial</b> of the rezoning request:
<ol style="list-style-type: none"> <li>1. The request is consistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map.</li> <li>2. The proposed PUD zoning district, as conditioned, permits uses which fit the context of surrounding area and limits negative impacts on the adjacent properties.</li> <li>3. The request is reasonable due to the size, physical conditions, and other attributes of the area, it will benefit the property owner and surrounding community, and approval is in the public interest.</li> <li>4. <b>Other factors raised at the public hearing, if applicable (describe)</b></li> </ol>	<ol style="list-style-type: none"> <li>1. The request is inconsistent with the Comprehensive Plan’s Future Built Form Map and Future Land Use Map.</li> <li>2. The proposed PUD zoning district, as conditioned, does not limit negative impacts on the adjacent properties nor does it permit uses which fit the context of surrounding area.</li> <li>3. The request is not reasonable due to the size, physical conditions, and other attributes of the area, it will be a detriment to the neighbors and surrounding community, and denial is in the public interest.</li> <li>4. <b>Other factors raised at the public hearing, if applicable (describe)</b></li> </ol>

## AMENDING OFFICIAL ZONING MAP

PORTION OF 3216 AND 3234 AND ALL OF 3238 AND 3240 HORSE PEN CREEK ROAD AND ALL OF 4209 AND 4213 PIERMONT DRIVE, GENERALLY DESCRIBED AS SOUTH OF HORSE PEN CREEK ROAD AND WEST OF PIERMONT 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-PI (Public and Institutional) and R-3 (Residential Single Family - 3)** to **PUD (Planned Unit Development)**.

The area is described as follows:

Being a portion of the property of Young Men's Christian Association described in Deed Book 5148, Page 1765, Book 8170, Page 392, and Book 8163, Page 2516, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina; property of William M. and Judy P. Aydelette, described in Deed Book 4252, Page 1761, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina; property of Carol B. Aydelette, William M. Aydelette, Judy P. Aydelette, described in Deed Book 8189, Page 1056, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina; property of CATO Investment Properties LLC, described in Deed Book 8192, Page 2596, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina; property of William M. and Judy P. Aydelette, described in Deed Book 6106, Page 1792, Guilford County Registry (GCR), lying in the town of Greensboro, Morehead Township, Guilford County, North Carolina.

COMMENCING from an iron pipe, said pipe being the southeast corner of the Young Men's Christian Association, as described in Deed Book 5148, Page 1765 of the GCR and said iron pipe also being the southwest corner of William M. and Judy P. Aydelette, as described in Deed Book 6106 Page 1792 of the GCR, thence North 88°45'04" East 213.57 feet also the northern line of Noble Academy as recorded in Book 7210 Page 2232 to the point of BEGINNING; thence a line through the property of William M. and Judy P. Aydelette as described in Deed Book 6106 Page 1792 of the (GCR) North 00°16'00" East 99.80 feet to a point; thence a line through the property of William M. and Judy P. Aydelette as described in Deed Book 6106 Page 1792 of the (GCR) North 89°14'07" West 173.29 feet to a point; thence a line through the property of the Young Men's Christian Association as recorded in Book 8170 Page 392 and William M. and Judy P. Aydelette as recorded in Book 6106 Page 1792 running North 03°43'00" East 443.84 feet to a point; thence a line through the property of Young Men's Christian Association as recorded in Book 8170 Page 392 and Book 5148 Page 1765 North 03°43'00" East 17.80 feet to a point, thence a line through the property of Young Men's Christian Association as recorded in Book 8170 Page 392 and Book 5148 Page 1765 North 03°56'21" East 203.29 feet to a point, thence a line through



the property of Young Men's Christian Association as recorded in Book 8170 Page 392 and Book 5148 Page 1765 North 17°22'14" West 28.79 feet to a point being the right-of-way of Horse Pen Creek Road; Thence with the right-of-way of Horse Pen Creek Road, the following 6 calls: South 89°09'11" East 73.77 feet to an existing iron pipe, South 88°51'47" East 60.20 feet to an existing iron pipe, South 87°51'02" East 150.00 feet to a point, South 86°32'22" East 109.14 feet to a point, South 86°04'49" East 44.53 feet to a point, South 86°04'49" East 93.72 feet to a point, Thence with the right-of-way of Piermont Drive, the following 8 calls: South 22°12'22" East 32.82 feet to a point, South 05°35'52" West 20.00 feet to a point, South 84°24'08" East 2.41 feet to a point, South 05°44'45" West 336.90 feet to a point, South 05°44'45" West 194.85 feet to a point, South 05°05'43" West 89.39 feet to a point, South 05°05'43" West 72.77 feet to a point, South 01°56'35" West 2.89 feet to a point, thence South 88°45'04" West 289.68 feet to an iron pipe also the northern line of Noble Academy as recorded in Book 7210 Page 2232, thence South 88°45'04" West 47.56 feet also the northern line of Noble Academy as recorded in Book 7210 Page 2232 to a point and place of the BEGINNING and being approximately 8.83 +/- acres according to a survey prepared by Jeffery Caison, PLS.

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

1. Uses limited to a maximum of 250 dwelling units.
2. There shall only be one vehicular access point to the eastern portion of the property with parcel number 80395 (currently addressed as 3216 Horse Pen Creek Road).
3. There shall be two pedestrian cross-access points to the property with parcel number 80395 (currently addressed as 3216 Horse Pen Creek Road).
4. There shall be a maximum of two vehicular access points on Piermont Drive with the northern most access point being a minimum of 180 feet from Horse Pen Creek Road.

Section 3. This property will be perpetually bound to the uses authorized and subject to the development standards of the **PUD (Planned Unit Development)** zoning district unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on January 3, 2023.



# City of Greensboro

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

## Agenda Report

File Number: 2023-14

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### Agenda Item# J. 1.

**Agenda Date:** 1/3/2023. **Department:** Legislative/City Council

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023-14 - Ordinance Amending Chapter 26, Article XI of the Greensboro Code of Ordinances, titled "Social District"

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** 1, 3, 4

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Assistant City Manager N. "Trey" Davis, 336-373-2002

**Contact 2 and Phone:** Senior Assistant City Attorney Andrea Harrell, 336-373-7787

**PURPOSE:**

The Social District ordinance allows roving consumption of alcohol within the designated Social Districts during certain preset times, with various guidelines and restrictions to provide order and safety. This amendment expands the current "Boro" Social District. A map of the District is attached to the ordinance and indicates the new district border and informative signage locations. Staff has worked closely with downtown business owners to provide education and guidance regarding the ordinance changes.

**BACKGROUND:**

Following a change adopted by the North Carolina Legislature, municipalities can now create "social districts" which allow for the roving consumption of alcohol during certain preset times and within certain preset parameters. In order to implement this change, the Greensboro City Council must adopt an appropriate ordinance.

**BUDGET IMPACT:**

N/A

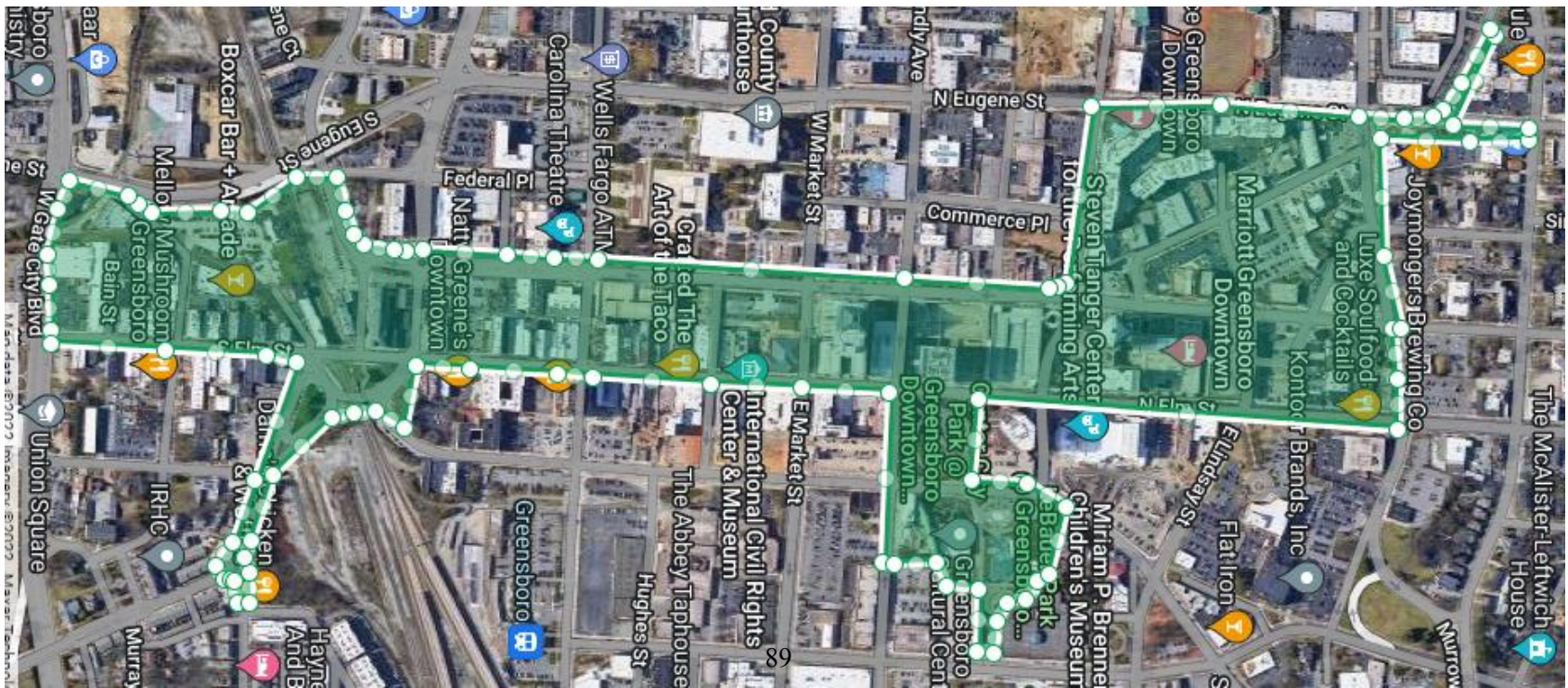
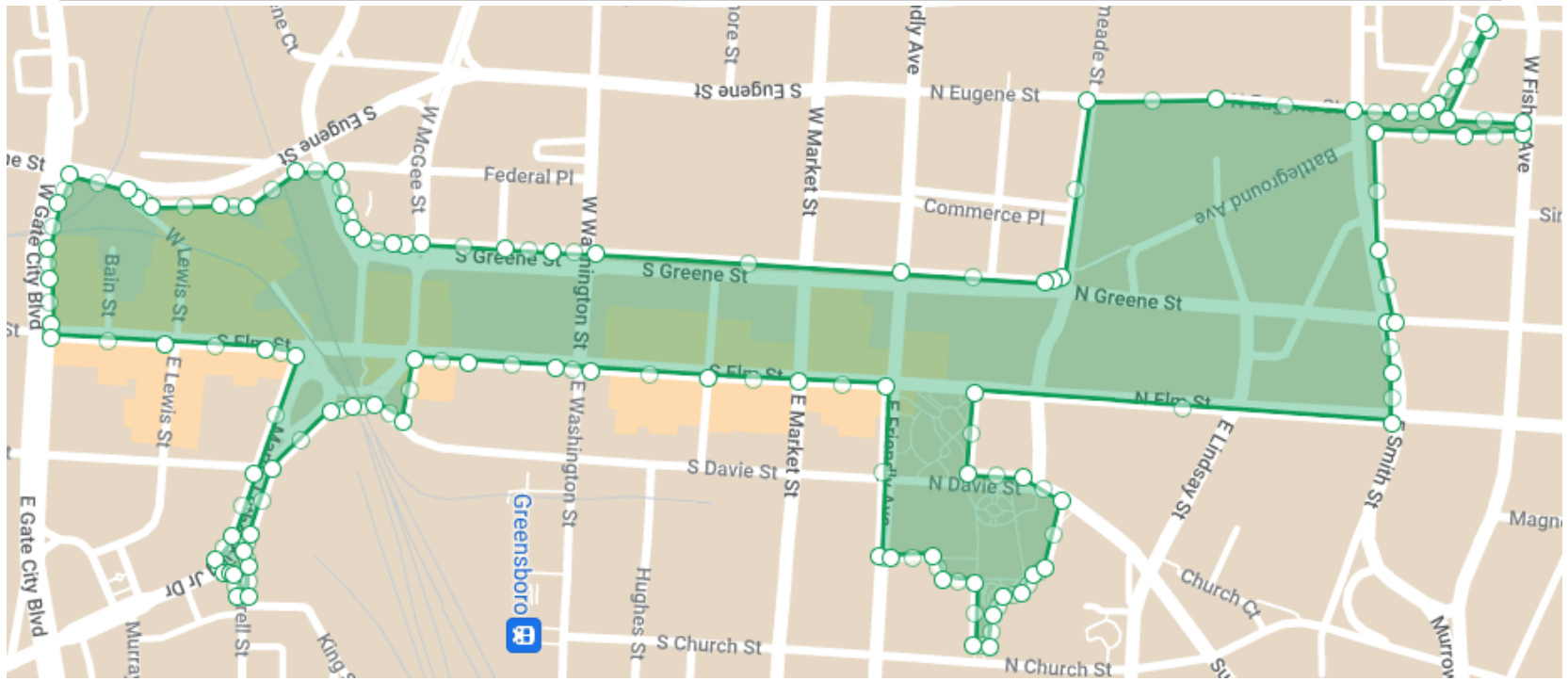
**ACCOUNT NUMBER:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that the Mayor and City Council amend Chapter 26, Article XI, title “Social District”, to expand the area downtown where roving alcohol consumption is permitted during certain times and dependent on certain parameters to promote economic development and promote public safety.

# Map/s of Downtown Greensboro Social District



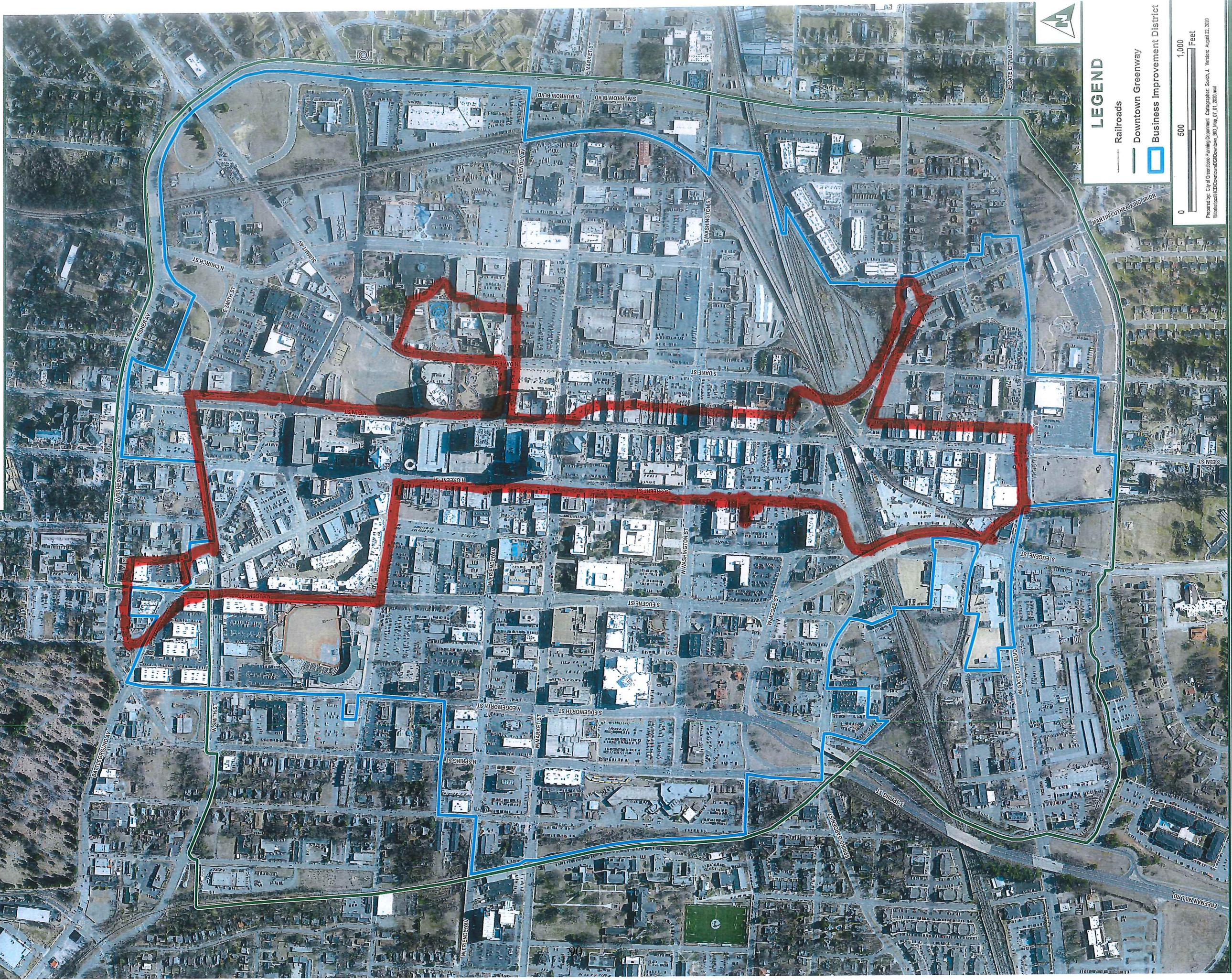


GREENSBORO



# Downtown Business Improvement District Effective July 1, 2020

DOWNTOWN  
GREENSBORO

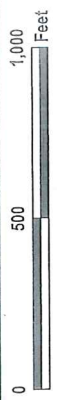


## LEGEND

Railroads

Downtown Greenway

Business Improvement District



Prepared by: City of Greensboro Planning Department Cartographer: Sarah J. Venable August 22, 2020  
Mapfile: BID-DowntownBID\_Downtown\_BID\_Map\_07\_01\_2020.mxd

AN ORDINANCE TO AMEND CHAPTER 26, ARTICLE XI OF THE GREENSBORO  
CODE OF ORDINANCES: SOCIAL DISTRICT

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

Section 1. Chapter 26, Article XI of the Greensboro Code of Ordinances is hereby amended to read as follows:

ARTICLE XI. SOCIAL DISTRICT

Section 26-300. – Purpose and Intent.

- (a) Pursuant to the provisions of North Carolina General Statute 160A-205.4, *et seq*, one or more social districts may be created within the city and the City hereby creates and designates the following social districts:
  - (i) Downtown Greensboro Social District which is designated as shown on a map dated ~~December 9, 2021~~ January 3, 2023; the map is available in the Office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District.
  - (ii) State Street Social District which is designated as shown on a map dated December 7, 2022; the map is available in the Office of the City Clerk, and signage and/or markings shall be posted clearly delineating the boundaries of the Social District.
- (b) The Downtown Greensboro Social District and the State Street Social District shall be created, designated, and managed in accordance with the requirements contained in North Carolina General Statute 160A-205.4 and Chapter 18B.
- (c) Any person who violates this Article, and any person who aids, abets, encourages, assists in, or contributes to such violation, shall be guilty of a misdemeanor.

Sec. 26-301. – Definitions.

- (a) “Social district” means and refers to a defined outdoor area in which a citizen may consume alcoholic beverages sold by a permittee. This term does not include the permittee's licensed premises or an extended area allowed under North Carolina General Statute 18B-904(h).
- (b) “Permittee” means and refers to a person holding any of the following ABC permits issued by the North Carolina Alcoholic Beverage Control Commission established under North Carolina General Statute 18B-200.:
  - i. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).

- ii. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
  - iii. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
  - iv. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
  - v. A distillery permit issued pursuant to G.S. 18B-1100(5).
- (c) "Non-permittee" means and refers to a person holding no ABC permits issued by the North Carolina Alcoholic Beverage Control Commission.
  - (d) "Person" means and refers to an individual, firm, partnership, association, corporation, limited liability company, other organization or group, or other combination of individuals acting as a unit.
  - (e) "Premises" means and refers to a fixed permanent establishment, including all areas inside or outside the permitted establishment, where the permittee has control through a lease, deed, or other legal process.

Sec. 26-302. – Application.

- (a) The provisions and terms contained in this Article shall be applicable between the hours of 12:00 p.m. and 9:00 p.m., Monday through Sunday. At all other times, the provisions and terms contained in this Article are not in effect and all provisions of State and local laws concerning the possession and consumption of alcohol shall be in full force and effect.
- (b) Any alcoholic beverage purchased for consumption in a Social District shall (i) only be consumed in that Social District and (ii) be disposed of before the person in possession of the alcoholic beverage exits that Social District unless the person is reentering the licensed premises where the alcoholic beverage was purchased. A violation of this Section is a Class 3 misdemeanor.

Sec. 26-303. – Requirements for Sale of Alcoholic Beverages. - A permittee located in or contiguous to a Social District may sell alcoholic beverages for consumption within that Social District in which it is located in or contiguous to in accordance with the following requirements:

- (a) The permittee shall only sell and serve alcoholic beverages on its licensed premises.
- (b) The permittee shall only sell alcoholic beverages for consumption in the Social District in which it is located in a container that meets all of the following requirements:
  - (1) The container clearly identifies the permittee from which the alcoholic beverage was purchased.

- (2) The container clearly displays a logo or some other mark that is unique to the Social District in which it is sold.
  - (3) The container is not comprised of glass.
  - (4) The container displays, in no less than 12-point font, the statement, "Drink Responsibly - Be 21."
  - (5) The container shall not hold more than 16 fluid ounces.
- (c) The permittee shall not allow a person to enter or reenter its licensed premises with an alcoholic beverage not sold by the permittee.

Sec. 26-304. – Requirements for Possession and Consumption of Alcoholic Beverages. - The possession and consumption of an alcoholic beverage in a Social District is subject to all of the following requirements:

- (a) Only alcoholic beverages purchased from a permittee located in or contiguous to the Social District may be possessed and consumed in that Social District.
- (b) Alcoholic beverages shall only be in containers meeting the requirements set forth in Section 26-303 of this Article.
- (c) Alcoholic beverages shall only be possessed and consumed during the days and hours set forth in Section 26-302 of this Article.
- (d) Nothing in this subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in North Carolina General Statute 18B-1010.
- (e) A person shall dispose of any alcoholic beverage in the person's possession prior to exiting the Social District in which the beverage was purchased unless the person is reentering the licensed premises where the alcoholic beverage was purchased.
- (f) A participating non-permittee business is now required to always display the uniform sign during the times when the social district is active as to whether the business allows for patrons to enter their business with alcohol.
- (g) All permittee and non-permittee businesses that are part of a social district and allow customers to bring alcoholic beverages onto their premises are required to clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point.



- (h) During the days and hours when the Social District is in effect as set forth in Sec. 26-302, a non-permittee business that allows customers to bring alcoholic beverages onto its premises is required to allow law enforcement officers access to the areas of the premises accessible by customers.
- (i) A violation of this Section is a Class 3 misdemeanor.

Sec. 26-305 – Exceptions.

When a Special Event (as that term is used in Article IX of this Chapter) is held pursuant to the issuance of a Special Event Permit (as that term is used in Article IX of this Chapter) the terms of the Special Event Permit supersede the provisions of this Article within the boundaries of the Special Event. Any alcohol purchased within the boundaries of the Special Event may not be taken outside of the Special Event, even if the alcohol is to be taken from the boundary of the Special Event into the boundary of the a Social District. A violation of this Section is a Class 3 misdemeanor.

Sec. 26-306. – Severability.

If any section, phrase, sentence or portion of this ordinance is held void, invalid, unconstitutional or unenforceable for any reason by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision; and such holding shall not affect the validity of the remaining portions thereof.

Section 2. This Amendment shall become effective at 12:00 p.m. on January 4, 2023.

Section 3. That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.



# City of Greensboro

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

## Agenda Report

File Number: 2023-20

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### Agenda Item# J. 2.

**Agenda Date:** 1/3/2023. **Department:** Budget & Evaluation

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023-20 Ordinance Amending the Equipment Services Fund FY 2022-23 Budget in the Amount of \$1,282,500

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** NA

**Contact 1 and Phone:** Jon Decker, Ext 2291

**Contact 2 and Phone:** Marlene Druga, Ext 2094

**PURPOSE:**

The purpose of this ordinance is to amend the FY 22-23 Equipment Services fund budget by \$1,282,500 for the purchase of vehicles and equipment related to capital outlay requests, additions to the lease program, and mid-year additions.

**BACKGROUND:**

A total of \$906,500 of insurance refunds were received for a Field Operations landfill dozer that was damaged by fire to purchase a replacement dozer, CAT973, at the landfill and other needed equipment. Additionally, a replacement windrow turner at the cost of \$376,000 is needed.

**BUDGET IMPACT:**

Equipment Services needs to appropriate \$906,500 in insurance reimbursements and \$376,000 in additional charges towards the purchase of replacement equipment.

**ACCOUNT NUMBER:**

680-1005-18.6051

680-1005-18.6052

680-0000-00.8651

680-0000-00.7923

551-4306-02.5243

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt the ordinance amending the Equipment Services Fund budget in the amount of \$1,282,500.

ORDINANCE AMENDING THE CITY'S FY 2022-23 EQUIPMENT SERVICES FUND BUDGET  
FOR THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$1,282,500

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

That the Equipment Services fund of the City of Greensboro is hereby amended as follows:

Section 1

That the appropriation to the Equipment Services Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
680-1005-18.6051	Licensed Vehicles	\$376,500
680-1005-18.6052	Non-Licensed Vehicles	<u>\$906,000</u>
Total:		\$1,282,500

And, that this increase be financed by increasing the following Revenue Fund Account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
680-0000-00.8651	Insurance Refunds & Claims	\$906,000
680-0000-00.7923	Equipment Lease Charges	<u>\$376,000</u>
Total:		\$1,282,500

Section 2

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Report

File Number: 2023-24

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### Agenda Item# J. 3.

**Agenda Date:** 1/3/2023. **Department:** Housing and Neighborhood Development  
**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023 - 24 Resolution To Adopt Neighborhood Reinvestment Areas

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** Citywide

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Michelle Kennedy, Ext 2509

**Contact 2 and Phone:** Cynthia Blue, Ext 7376

**PURPOSE:**

City Council consideration is requested for adoption of the Neighborhood Reinvestment areas as described in *Housing GSO: Creating Opportunities to Build a Better Community*, the 10-Year Affordable Housing Plan for the City of Greensboro.

**BACKGROUND:**

At the October 20, 2020 City Council meeting, Council approved *Housing GSO*, the 10-year affordable housing plan. *Housing GSO* identifies gaps, proposes solutions, and presents methods and best practices for increasing and preserving the affordable housing stock over the next ten years.

*Housing GSO* was developed in collaboration with the Greensboro community and stakeholders from a diversity of backgrounds. The consultant, HR&A Advisors, worked with the City's Housing and Neighborhood Development Department to conduct multiple rounds of stakeholder discussions, hold a citywide public meeting, and distribute three public surveys. This

engagement shaped the housing goals around which *Housing GSO* is organized and informed the plan's recommendations.

One of the four goals of *Housing GSO* is Neighborhood Reinvestment. Neighborhoods were identified based on an evaluation of factors including civic engagement, market activity, quality of housing stock, and neighborhood amenities. These factors indicated neighborhoods at the tipping point where moderate public investment could build on existing assets and community strength to stabilize disinvested areas. Targeted reinvestment efforts will be deployed to rehabilitate substandard housing, offer support for affordable homeownership, and stabilize neighborhoods with self-sustaining residential markets.

The five neighborhoods selected for strategic public investment are:

- Dudley Heights;
- Glenwood;
- Kings Forest;
- Mill District; and
- Random Woods.

Read the 10-Year *Housing GSO* Plan here: <https://user-kcmpny.cld.bz/Housing-GSO-HRA-Greensboro-Affordable-Housing-Plan>.

**BUDGET IMPACT:**

No immediate budget impact.

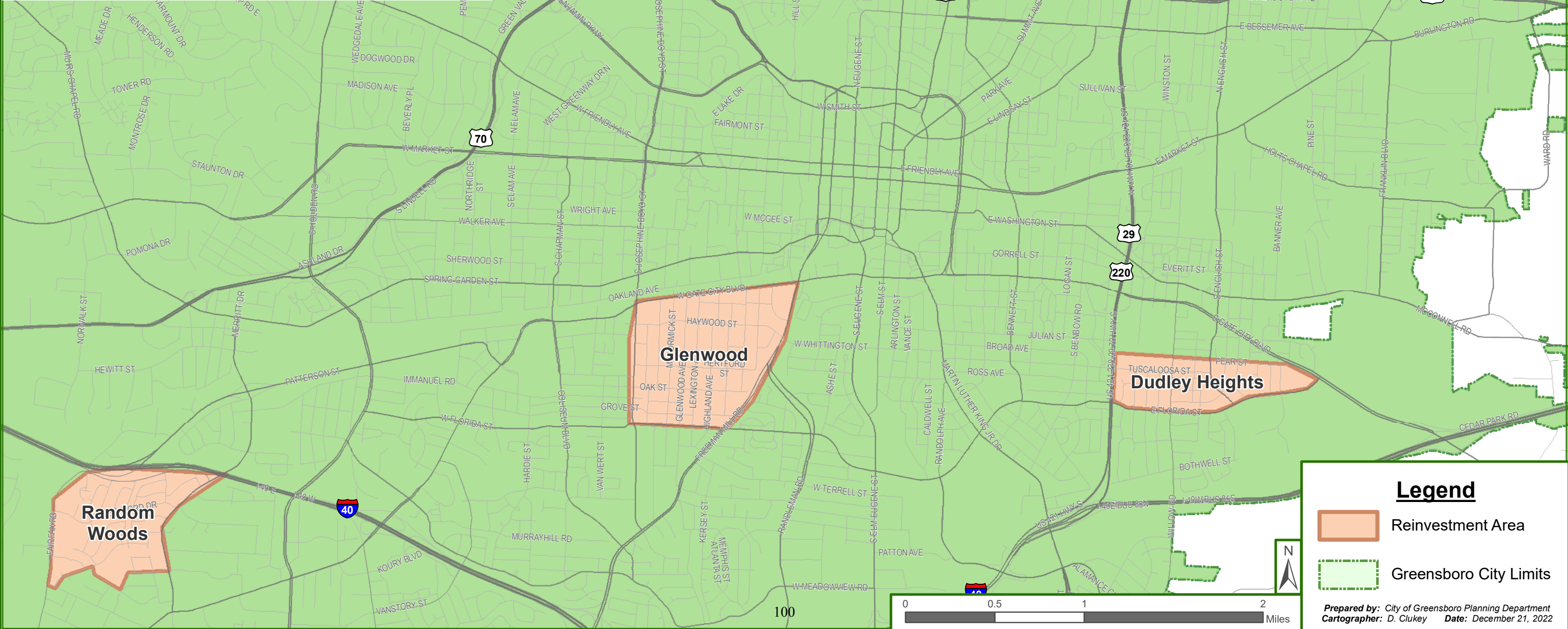
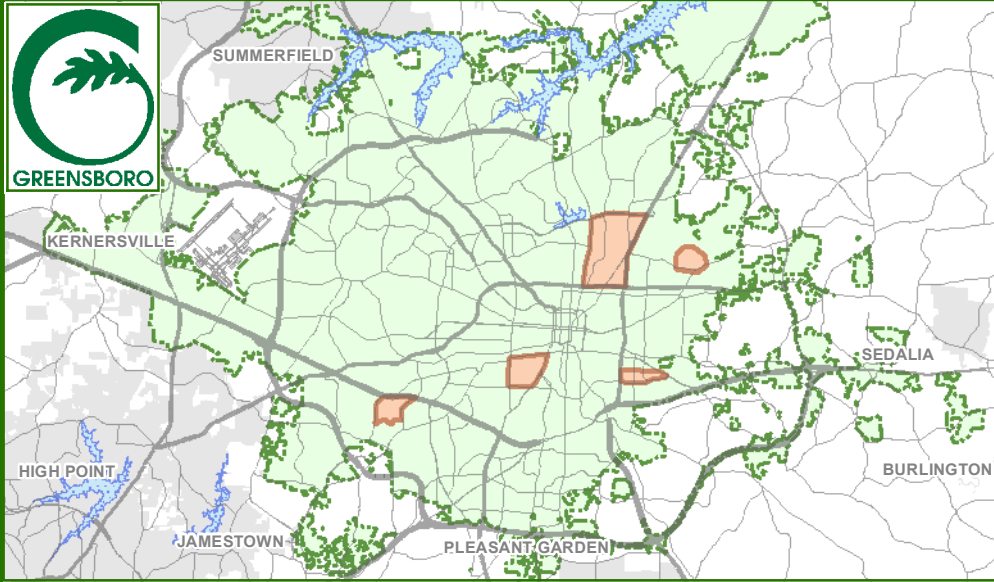
**ACCOUNT NUMBER:**

N/A

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt the attached resolution to formally approve Dudley Heights, Glenwood, Kings Forest, Mill District, and Random Woods as Neighborhood Reinvestment areas.

# Neighborhood Reinvestment Areas



**Legend**

- Reinvestment Area
- Greensboro City Limits

*Prepared by: City of Greensboro Planning Department  
Cartographer: D. Clukey Date: December 21, 2022*

RESOLUTION TO ADOPT NEIGHBORHOOD REINVESTMENT AREAS

WHEREAS, HR&A Advisors undertook significant research and public input to create *Housing GSO* as the 10-year affordable housing plan for the City of Greensboro, in a process which featured multiple rounds of stakeholder discussions with the public, City leadership, and Greensboro City Council members, a citywide public meeting, and three surveys;

WHEREAS, Councilmembers adopted *Housing GSO* at the October 20, 2020 City Council meeting;

WHEREAS, *Housing GSO* identifies five neighborhoods as Neighborhood Reinvestment areas for strategic public investment; and

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

The neighborhoods of Dudley Heights, Glenwood, Kings Forest, Mill District, and Glenwood, as described in *Housing GSO*, are hereby adopted as Neighborhood Reinvestment areas in accordance with the instruction of City Council as set forth at the January 3, 2023 meeting.





# City of Greensboro

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

## Agenda Report

File Number: 2023-39

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### Agenda Item# J.4.

**Agenda Date:** 1/3/2023. **Department:** Budget & Evaluation

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023 - 39 Resolution Authorizing Funding in the Amount of 1,500,000 for American Rescue Plan Enabled Projects

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Jon Decker, 373-2291

**Contact 2 and Phone:** Larry Davis, 336-2022

### **PURPOSE:**

City Council consideration is requested for an allocation of funds made available by the American Rescue Plan in the amount of \$1,500,000 for city and community project requests.

### **BACKGROUND:**

The following community project is recommended for funding consideration by the City Council at this time.

#### **Affordable Housing**

- Habitat for Humanity – Building Homes in East Greensboro for \$1,500,000

American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining allocation of \$29.7 million received by the City on June 21, 2022. The grantor, U. S. Treasury,

has provided guidance on the use of funds, including for purposes of recovering revenue losses and grant funds can be used for authorized government services under this category.

Staff will administer the recording of these general government expenses using these funds in accordance with the guidance provided by U. S. Treasury and the use of grant revenues will make available general and other fund revenues to support projects identified through the American Rescue Plan process by City Council.

**BUDGET IMPACT:**

Funding from the American Recue Plan will provide revenues for authorized government activities under the revenue loss category. This will grant provides availability of other revenues to allow for expenditures for \$1,500,000. An ordinance will be necessary to account for these revenues and expenditures in the General Fund and other funds.

**ACCOUNT NUMBER:**

101-9580-01.5931 and various accounts

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council authorize a financing commitment of \$1,500,000 for community projects to provide resources and services critical to Greensboro community members, subject to the projects meeting all financial conditions, and to authorize the City Manager to execute grant documents for this in conformity with the applicable federal and City regulations associated with the source of funding.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council authorize a financing commitment of \$1,500,000 for community projects to provide resources and services critical to Greensboro community members, subject to the projects meeting all financial conditions, and to authorize the City Manager to execute grant documents for this in conformity with the applicable federal and City regulations associated with the source of funding.

RESOLUTION AUTHORIZING A COMMITMENT OF FUNDS IN THE AMOUNT OF \$1,500,000 FOR GREENSBORO AMERICAN RESCUE PLAN ENABLED PROJECTS

WHEREAS, City Council provided direction to establish funding totaling \$1,500,000 for support of the following funding requests:

**Affordable Housing**

- Habitat for Humanity – Building Homes in East Greensboro for \$1,500,000

WHEREAS, this project provides critical housing improvements and support vital to Greensboro community members;

WHEREAS, American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining allocation of \$29.7 million received by the City on June 21, 2022;

WHEREAS, the grantor, U. S. Treasury, has provided guidance on the use of funds, including for purposes of recovering revenue losses and grant funds can be used for authorized government services under this category;

WHEREAS, funding from the American Rescue Plan will provide revenues for authorized government activities under the revenue loss category. This will provide grant availability in other revenues to allow for expenditures of \$1,500,000;

WHEREAS, Staff will administer the recording of these general government expenses using these funds in accordance with the guidance provided by U. S. Treasury and the use of grant revenues will make available general and other fund revenues to support projects identified through the American Rescue Plan process by City Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO: That it authorizes a financing commitment of \$1,500,000 in funds, for these community and City of Greensboro funding requests to enhance the provision of housing support vital to Greensboro community members, and authorizes the City Manager to execute the steps necessary to provide funding support with the applicable federal and City regulations associated with the source of funding.



# City of Greensboro

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

## Agenda Report

File Number: 2023-37

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### Agenda Item# J.5.

**Agenda Date:** 1/3/2023. **Department:** Budget & Evaluation

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023 - 37 Ordinance Amending the FY 2022-23 General Fund Budget for American Rescue Plan Enabled Projects in the Amount of \$1,500,000

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Jon Decker, 373-2291

**Contact 2 and Phone:** Larry Davis, 373-2022

**PURPOSE:**

To adopt an ordinance in the amount of \$1,500,000 to support American Rescue Plan enable projects.

**BACKGROUND:**

City Council authorized a commitment of \$1,500,000 from American Rescue Plan Act enabled funds to support a community project funding requests. This ordinance will establish funding within the General Fund. This project for Habitat for Humanity – Building Homes in East Greensboro will provide housing improvements vital to Greensboro community members. As agreements are established for projects of more than \$300,000, additional agreements will be brought to Council for consideration.

American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining funds received by the City on June 21, 2022. The grantor, U.S. Treasury, has provided guidance

on the use of funds, including for purposes of recovering revenue losses of the City. Grant funds can be used for authorized government services under this category.

Staff will administer the recording of general government expenses using these funds in accordance with the guidance provided by U.S. Treasury, making available General Fund general revenues to support projects such as this identified through the American Rescue Plan Act process by City Council.

**BUDGET IMPACT:**

A transfer from the American Rescue Plan Act Special Revenue Fund grant will fund government services expenditures in the General Fund, allowing general revenues to support \$1,500,000 of expenditures for this request.

**ACCOUNT NUMBER:**

101-9580-01

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt the attached ordinance establishing funding for community American Rescue Plan enabled projects in the amount of \$1,500,000.

ORDINANCE AMENDING THE FY 2022-23 GENERAL FUND BUDGET IN THE AMOUNT OF \$1,500,000 FOR AMERICAN RESCUE PLAN ENABLED PROJECTS

Section 1.

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

That the appropriation for the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9580-01.5931	Contributions to Nongovernmental Agency	<u>\$1,500,000</u>
Total:		\$1,500,000

And, that this be financed by increasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9580-01.9230	Transfer from American Rescue Plan Fund	<u>\$1,500,000</u>
Total:		\$1,500,000

Section 2.

AND THAT, the expense and revenue amounts here-in-above authorized and made for the General Capital Improvements Fund shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

Section 3.

And, that this ordinance should become effective upon adoption.



# City of Greensboro

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

## Agenda Report

File Number: 2023-38

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### Agenda Item# J.6.

**Agenda Date:** 1/3/2023. **Department:** Budget & Evaluation

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023 - 38 Resolution Authorizing Commitment of Funding in the Amount of \$30,393,056 for American Rescue Plan Enable Projects

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Jon Decker, 373-2291

**Contact 2 and Phone:** Larry Davis, 336-2022

**PURPOSE:**

City Council consideration is requested for an allocation of funds made available by the American Rescue Plan in the amount of \$30,393,056 for city and community project requests.

**BACKGROUND:**

The following city and community projects are recommended for funding consideration by the City Council at this time.

**Affordable Housing**

- Community Housing Solutions – Home Safety Improvements for \$800,000
- Greensboro Housing Coalition – Operating Support for \$500,000
- City of Greensboro – Affordable Housing Allocation – Additional Allocation for \$1,000,000 and Down Payment Assistance for \$1,000,000

**Infrastructure Renewal/Economic Development**

- City of Greensboro Sportsplex – Roof Replacement for \$1,000,000
- City of Greensboro Gillespie Golf Course – Course and Infrastructure Improvements for \$2,000,000
- City of Greensboro Bryan Park North – Infrastructure and Amenity Improvements for \$5,900,000
- City of Greensboro Innovation District – Improvements to South Elm Street for \$1,000,000
- City of Greensboro – Downtown Strategic Plan Implementation - Container Hub for \$1,000,000
- City of Greensboro – Music Hall for \$1,100,000
- City of Greensboro – Participatory Budgeting Implementation – Gate City Blvd/Elm St to Revolution Mill Trolley for \$1,000,000
- Greensboro Science Center – Expanded Parking for \$375,000
- City of Greensboro – Tornado Reinvestment for \$250,000

**Public Safety**

- City of Greensboro – Fire Station Development for \$9,000,000
- City of Greensboro – Creating Police Neighborhood Hubs for \$1,000,000

**Employee/Organizational Support**

- City of Greensboro – Health Insurance Fund Support for \$990,000
- City of Greensboro – Bi-weekly Pay Transition Assistance for \$660,000
- City of Greensboro – General Insurance Fund Support for \$1,818,056

American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining allocation of \$29.7 million received by the City on June 21, 2022. The grantor, U. S. Treasury, has provided guidance on the use of funds, including for purposes of recovering revenue losses and grant funds can be used for authorized government services under this category.

Staff will administer the recording of these general government expenses using these funds in accordance with the guidance provided by U. S. Treasury and the use of grant revenues will make available general and other fund revenues to support projects identified through the American Rescue Plan process by City Council.

**BUDGET IMPACT:**

Funding from the American Recue Plan will provide revenues for authorized government activities under the revenue loss category. This will grant provides availability of other revenues to allow for expenditures for \$30,393,056. An ordinance will be necessary to account for these revenues and expenditures in the General Fund and other funds.

**ACCOUNT NUMBER:**

101-9580-01.5931, 684-1001-01, 685-1002-01 and various 411 Fund accounts

**RECOMMENDATION / ACTION REQUESTED:**



It is recommended that City Council authorize a financing commitment of \$30,393,056 for city and community projects to provide community, housing, economic, and organizational resources and services critical to Greensboro community members, subject to the projects meeting all financial conditions, and to authorize the City Manager to execute grant documents for this in conformity with the applicable federal and City regulations associated with the source of funding.

RESOLUTION AUTHORIZING A COMMITMENT OF FUNDS IN THE AMOUNT OF  
\$30,393,056 FOR REMAINING GREENSBORO AMERICAN RESCUE PLAN  
ENABLED PROJECTS

WHEREAS, City Council provided direction to establish funding totaling \$30,393,056 for support of the following funding requests:

**Affordable Housing**

- Community Housing Solutions – Home Safety Improvements for \$800,000
- Greensboro Housing Coalition – Operating Support for \$500,000
- City of Greensboro – Affordable Housing Allocation – Additional Allocation for \$1,000,000 and Down Payment Assistance for \$1,000,000

**Infrastructure Renewal/Economic Development**

- City of Greensboro Sportsplex – Roof Replacement for \$1,000,000
- City of Greensboro Gillespie Golf Course – Course and Infrastructure Improvements for \$2,000,000
- City of Greensboro Bryan Park North – Infrastructure and Amenity Improvements for \$5,900,000
- City of Greensboro Innovation District – Improvements to South Elm Street for \$1,000,000
- City of Greensboro – Downtown Strategic Plan Implementation - Container Hub for \$1,000,000
- City of Greensboro – Music Hall for \$1,100,000
- City of Greensboro – Participatory Budgeting Implementation – Gate City Blvd/Elm St to Revolution Mill Trolley for \$1,000,000
- Greensboro Science Center – Expanded Parking for \$375,000
- City of Greensboro – Tornado Reinvestment for \$250,000

**Public Safety**

- City of Greensboro – Fire Station Development for \$9,000,000
- City of Greensboro – Creating Police Neighborhood Hubs for \$1,000,000

**Employee/Organizational Support**

- City of Greensboro – Health Insurance Fund Support for \$990,000
- City of Greensboro – Bi-weekly Pay Transition Assistance for \$660,000
- City of Greensboro – General Insurance Fund Support for \$1,818,056

WHEREAS, these projects provide critical housing, infrastructure improvements, economic, and organizational support vital to Greensboro community members;

WHEREAS, American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining allocation of \$29.7 million received by the City on June 21, 2022;

WHEREAS, the grantor, U. S. Treasury, has provided guidance on the use of funds, including for purposes of recovering revenue losses and grant funds can be used for authorized government services under this category;

WHEREAS, funding from the American Rescue Plan will provide revenues for authorized government

activities under the revenue loss category. This will provide grant availability in other revenues to allow for expenditures of \$30,393,056;

WHEREAS, Staff will administer the recording of these general government expenses using these funds in accordance with the guidance provided by U. S. Treasury and the use of grant revenues will make available general and other fund revenues to support projects identified through the American Rescue Plan process by City Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO: That it authorizes a financing commitment of \$30,393,056 in funds, for these community and City of Greensboro funding requests to enhance the provision of housing, housing, infrastructure improvements, economic, and organizational support vital to Greensboro community members, and authorizes the City Manager to execute the steps necessary to provide funding support with the applicable federal and City regulations associated with the source of funding.



# City of Greensboro

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

## Agenda Report

File Number: 2023-36

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### Agenda Item# J.7.

**Agenda Date:** 1/3/2023. **Department:** Budget & Evaluation

**Meeting Type:** Council Meeting **Category:** General Business Agenda

**Title:** 2023 - 36 Ordinance Amending the FY 2022-23 General Fund Budget, Employee Insurance Fund, General Insurance Fund, and General Capital Improvements Fund Budget for American Rescue Plan Enabled Projects

**Council Priority: Place an 'x' in the box.**

- Create an Environment to Promote Economic Development Opportunities and Job Creation
- Maintain Infrastructure and Provide Sustainable Growth Opportunities
- Promote Public Safety & Reduce Crime
- Exceptional Customer Service and a Diverse City Government Workforce
- Ensure Fiscal Stewardship, Transparency, & Accountability

**Council District:** All

**Public Hearing:** No

**Advertising Date/By:** N/A

**Contact 1 and Phone:** Jon Decker, 373-2291

**Contact 2 and Phone:** Larry Davis, 373-2022

**PURPOSE:**

To adopt an ordinance in the amount of \$30,393,056 to support American Rescue Plan enabled projects.

**BACKGROUND:**

City Council authorized a commitment of \$30,393,056 from American Rescue Plan Act enabled funds to support city and community project funding requests. This ordinance will establish funding within the General Fund, Employee Insurance Fund, General Insurance Fund, and General Capital Improvements Fund for all projects authorized by City Council. These requests will provide housing, infrastructure improvements, economic, and organizational support vital to Greensboro community members. As agreements are established for projects of more than \$300,000, additional agreements will be brought to Council for consideration.

American Rescue Plan Act funding in the amount of \$59.4 million was awarded to Greensboro with the first allocation of \$29.7 million received by the City on May 19, 2021 and the remaining funds received by the City on June 21, 2022. The grantor, U.S. Treasury, has provided guidance on the use of funds, including for purposes of recovering revenue losses of the City. Grant funds can be used for authorized government services under this category.

Staff will administer the recording of general government expenses using these funds in accordance with the guidance provided by U.S. Treasury, making available General Fund general revenues to support projects such as this identified through the American Rescue Plan Act process by City Council.

**BUDGET IMPACT:**

A transfer from the American Rescue Plan Act Special Revenue Fund grant will fund government services expenditures in the General Fund, allowing general revenues to support \$30,393,056 of expenditures for these requests. The ordinance will establish project accounts within the General Capital Improvements Fund in the amount of \$23,625,000 and transfer necessary funding from the General Fund to support projects in the General Insurance and Employee Insurance funds.

**ACCOUNT NUMBER:**

101-9580-01

684-1001-01

685-1002-01

411- Various Accounts

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council adopt the attached ordinance establishing funding for city and community American Rescue Plan enabled projects in the amount of \$30,393,056.

ORDINANCE AMENDING THE FY 2022-23 GENERAL FUND BUDGET IN THE AMOUNT OF \$30,393,056 , EMPLOYEE INSURANCE FUND IN THE AMOUNT OF \$990,000, GENERAL INSURANCE FUND IN THE AMOUNT OF \$1,818,056, AND GENERAL CAPITAL IMPROVEMENTS FUND BUDGET IN THE AMOUNT OF \$23,625,000 FOR AMERICAN RESCUE PLAN ENABLED PROJECTS

Section 1.

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

That the appropriation for the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9580-01.5931	Contributions to Nongovernmental Agency	\$3,300,000
101-9580-01.6411	Transfer to General Capital Improvements Fund	\$23,625,000
101-9580-01.6684	Transfer to Employee Insurance Fund	\$990,000
101-9580-01.6685	Transfer to General Insurance Fund	\$1,818,056
101-9580-01 – Various Accounts	Bi-weekly Pay Transition Assistance	<u>\$660,000</u>
Total:		\$30,393,056

And, that this be financed by increasing the following General Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9580-01.9230	Transfer from American Rescue Plan Fund	<u>\$30,393,056</u>
Total:		\$30,393,056

Section 2.

That the appropriation for the Employee Insurance Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
684-1001-01.5949	Miscellaneous	<u>\$990,000</u>
Total:		\$990,000

And, that this increase be financed by increasing the following Employee Insurance Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
684-1001-01.9101	Transfer from General Fund	<u>\$990,000</u>
Total:		\$990,000

Section 3.

That the appropriation for the General Insurance Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
685-1002-01.5949	Miscellaneous	<u>\$1,818,056</u>
Total:		\$1,818,056

And, that this increase be financed by increasing the following General Capital Improvements Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
685-1002-01.9101	Transfer from General Fund	<u>\$1,818,056</u>
Total:		\$1,818,056

Section 4.

That the appropriation for the General Capital Improvements Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
Various	Sportsplex Roof Replacement	\$1,000,000
Various	Gillespie Golf Course Improvements	\$2,000,000
Various	Bryan Park North Improvements	\$5,900,000
Various	Innovation District – S. Elm Street Improvements	\$1,000,000
Various	Downtown Strategic Plan Implementation – Container Hub	\$1,000,000
Various	Downtown Strategic Plan Implementation – Music Hall	\$1,100,000
Various	Participatory Budgeting Implementation – Trolley	\$1,000,000
Various	Greensboro Science Center – Expanded Parking	\$375,000
Various	Tornado Area Reinvestment	\$250,000
Various	Fire Station Development	\$9,000,000
Various	Creating Police Neighborhood Hubs	<u>\$1,000,000</u>
Total:		\$23,625,000

And, that this increase be financed by increasing the following General Capital Improvements Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
Various	Transfer from General Fund	<u>\$23,625,000</u>
Total:		\$23,625,000

Section 5.

AND THAT, the expense and revenue amounts here-in-above authorized and made for the General Capital Improvements Fund shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

Section 6.

And, that this ordinance should become effective upon adoption.