

DRAFT
MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N.C.

REGULAR MEETING:

15 FEBRUARY 2005

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers T. Dianne Bellamy-Small, Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: None. Also present were Ed Kitchen City Manager; Terry Wood, Chief Deputy City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The City Manager recognized Reggie Parker, employee with the Water Resources Department, who served as courier for the meeting.

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The Mayor outlined Council procedure for conduct of the meeting.

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Mayor Holliday introduced a resolution honoring the memory of the late Reverend Prince Edward Graves. After Councilmember Burroughs-White read the resolution into the record, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

30-05 RESOLUTION HONORING THE MEMORY OF THE LATE REVEREND PRINCE EDWARD GRAVES

WHEREAS, on January 15, 2005, this community lost one of its outstanding community leaders with the death of the Reverend Prince Edward Graves;

WHEREAS, Reverend Graves, a native of Greensboro, was raised on Gillespie Street and graduated from Dudley High School;

WHEREAS, he served in the Army and was sent to war in Europe where he was injured by a land mine and hospitalized;

WHEREAS, upon returning home, he married and began a bricklaying company;

WHEREAS, a call toward ministry led him to begin preaching at the church he attended and eventually led him to lead, and, in 1953, take charge of St. James Baptist Church serving as its minister until his retirement in 1999;

WHEREAS, the Reverend lived the gospel of Jesus and gained a reputation as a man who would help anyone and coordinated a citywide breakfast program for needy children in 1970;

WHEREAS, he was a strong force in finding adequate housing for the needy and brought the church and government together when acquiring the units which make up the Cumberland Courts and St. James Homes low-income housing projects as well as the Prince Edward Graves Homes for the elderly;

WHEREAS, he served on the Greensboro City Council in 1981 and his influence on the city increased and, over the years, many throughout the community looked to him for political guidance and considered him a mentor;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by The Reverend Prince Edward Graves, the outstanding contributions he has made to the community, and the legacy he leaves.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of The Reverend Prince Edward Graves.
2. That a copy of this resolution shall be delivered to the family of the late Reverend Graves as a symbol of the gratitude of the people of Greensboro for his many contributions to this community.

(Signed) Yvonne J. Johnson

Councilmember Burroughs-White presented copies of the resolution to members of the late Reverend Graves' family, who expressed their appreciation to Council.

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Mayor Holliday introduced a resolution honoring the memory of the late Dianne Garrett Blanton. Councilmember Burroughs-White read the resolution into the record. Members of Council spoke to the late Ms. Blanton's many contributions to the community.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

31-05 RESOLUTION HONORING THE MEMORY OF THE LATE DIANNE GARRETT BLANTON

WHEREAS, on January 22, 2005, this community lost one of its outstanding community leaders with the death of Dianne Garrett Blanton;

WHEREAS, a native of Ahoskie, she graduated from Ahoskie High School in 1968 and from the University of North Carolina at Greensboro with a Bachelor's Degree in 1972;

WHEREAS, Mrs. Blanton served 31 years with the 18th Judicial District Juvenile Services Division starting out as a behavior analyst, was hired as a Counselor in 1974, promoted to supervisor in 1994, and served as the Chief Court Counselor since 2002;

WHEREAS, throughout her career she served on numerous Boards and Committees some of which include the Guilford County Youth Advisory Council, Youth Focus, Teen Pregnancy Council; 1st President of the Juvenile Violence Task Force; and past President of the North Carolina Association of Court Counselors;

WHEREAS, she was an advocate for children and was currently working on the Juvenile Crime Prevention Committee for Guilford County as well as the Governors DMC Committee to address Disproportionate Minority Confinement;

WHEREAS, Mrs. Blanton was a recipient of the Governors Order of Long Leaf Pine;

WHEREAS, the City Council wishes to express its sense of loss and its sincere appreciation and gratitude for the many years of dedicated public service rendered by Dianne Garrett Blanton and the outstanding contributions she has made to the community on behalf of children.

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

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of Dianne Garrett Blanton.
2. That a copy of this resolution shall be delivered to the family of the late Dianne Garrett Blanton as a symbol of the gratitude of the people of Greensboro for her many contributions to this community.

(Signed) Yvonne J. Johnson

Councilmember Burroughs-White presented copies of the resolution to members of the late Ms. Blanton's family who expressed their appreciation to Council.

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The Mayor introduced District Attorney Stuart Albright, who spoke to cooperative efforts of his office and the Greensboro Police Department that resulted in a legal settlement from a law suit against a former local brothel that had operated as a massage parlor. He presented a check totaling \$25,000 to the Mayor, spoke to additional funds the City would receive and stated that through the cooperation of Federal and local authorities, considerable funding would be forthcoming under forfeiture statutes. In addition, the District Attorney presented information to inform Greensboro citizens of the District Attorney's Worthless Check Program for processing worthless checks.

Council thanked the District Attorney and Greensboro Police Department for their continuing efforts in the criminal justice system.

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Councilmember Johnson introduced Tina Johnson, who stated she worked with the Family Life Council. Ms. Johnson stated that the Photo Voice Group Program provided junior and senior high school participants an opportunity to study leadership and Greensboro community issues and to share their views through photography. After Michael Betts, a student at Grimsley High School, shared examples of his photography work and discussed its conceptual representation, other student participants in attendance were recognized for their participation in the program.

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Mayor Holliday stated this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to clarify how the street planting yard width is to be measured. After the Mayor stated this matter was tabled from the 12-21-04 Council meeting and continued from the 1-18-05 Council meeting, the City Manager advised that staff requested this item be deleted from the agenda to allow for its review prior to the upcoming rewrite of the Development Ordinance.

Councilmember Vaughan moved to delete this item from the agenda. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30, Section 30-1-10 of the Greensboro Code of Ordinances with Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map

(Figure 4-2) from Low Residential and Moderate Residential land use classifications to Institutional land use classification for property located on the south side of Hicone Road west of McKnight Mill Road, east of US 29 North, and north of Burnette Drive. He thereupon introduced so that these matters could be discussed together, introduced an ordinance annexing territory to the corporate limits—located at 5140 Dunstan Road—100.95 acres and an ordinance establishing original zoning from County Zoning Agricultural, RS-30 Residential Single Family, and Public and Institutional to City Zoning Conditional District— Public and Institutional for property located on the south side of Hicone Road, west of McKnight Mill Road, east of US 29 North, and north of Burnette Drive and an ordinance establishing original zoning form County Zoning Agricultural, RS-30 Residential Single Family, and Public and Institutional to City Zoning Conditional District- Public and Institutional for property located on the south side of Hicone Road, west of Mc Knight Mill Road, east of US 29 North, and north of Burnette Drive.

Dick Hails, Planning Department Director, noted these three agenda items pertained to the same property. He presented a map and slides of the subject property and surrounding area and described the existing zoning of these properties. Mr. Hails stated that the Planning Board had recommended 8-0 in favor of the annexation and the Zoning Commission had recommended 6-0 in favor of the zoning; he noted the boards had jointly recommended the proposed Comprehensive Plan amendment.

The Mayor asked if anyone present wished to speak to this matter.

The following speakers spoke in favor of the proposed ordinances:

Charlie Melvin, attorney with offices located at 300 North Greene Street, stated he represented Fellowship Hall, a non-profit agency with a long term history of providing residential treatment services for alcohol and drug abuse. He stated that because the agency's plans to expand their facility would best be served by City water and sewer services, they had submitted a utility petition and volunteer annexation petition. Mr. Melvin noted that the proposed amendment to the Greensboro 2025 Connections Comprehensive Plan was necessary to establish the zoning of this property as institutional.

Rodney Battles, residing at 4308 Hicone Road, stated he was president of Fellowship Hall and resided on the subject property. He spoke to the services provided by Fellowship Hall and its benefits to the community. He requested Council to approve the requests.

The following speaker spoke in opposition to the request.

W.W. Robertson, residing at 5132 Dunstan Road, spoke to the history of his residency in the area of Fellowship Hall and stated he did not want his property rezoned as institutional. After review of the area map, Mr. Hails advised that Mr. Robertson's property was not included in the requested rezoning.

Councilmember Gatten moved that the public hearing for these matters be closed. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

Mr. Hails spoke to various details of the proposed annexation and zoning requests and stated that staff recommended approval of these ordinances.

Councilmember Phillips thereupon moved adoption of the ordinance amending Chapter 30, Section 30-1-10 of the Greensboro Code of Ordinances with Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from Low Residential and Moderate Residential land use classifications to Institutional land use classification for property located on the south side of Hicone Road west of McKnight Mill Road, east of US 29 North, and north of Burnette Drive . The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-25 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low and Moderate Residential to Institutional for properties located on the south side of Hicone Road, west of McKnight Mill Road, east of US 29 North, and north of Burnette Drive; and

WHEREAS, this amendment was considered at the January 19, 2005 joint Planning Board and Zoning Commission meeting and, after a public hearing received a favorable recommendation from the Planning Board by a vote of 8 to 0.

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

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) Thomas M. Phillips

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Councilmember Johnson thereupon moved adoption of the ordinance annexing territory to the corporate limits- located at 5140 Dunstan Road- 100.95 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-26 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (5140 DUNSTAN ROAD – 100.95)

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

BEGINNING at the southwest corner of Lot 20 of White Place, as recorded in Plat Book 37, Page 17 in the Office of the Register of Deeds of Guilford County; thence with the east right-of-way line of Arvid Drive N 03° 06' 46" E 63.18 feet to its intersection with the north right-of-way line of Burnette Drive; thence N 73° 41' 22" W 636.51 feet along said north right-of-way line to a point in the south line of Lot 27 of White Place; thence continuing with said right-of-way line S 57° 32' 52" W 88.18 feet to the southwest corner of said Lot 27; thence N 26° 36' 29" W 201.03 feet along the west line of said lot to its northwest corner; thence N 57° 36' 17" E 158.73 feet along the north line of said lot to its northernmost corner; thence with the west line of Fellowship Hall, Inc. the following bearings and distances: N 23° 06' 15" W 256.98 feet to a point, N 02° 58' 48" W 439.88 feet to a point, and N 02° 53' 56" W 971.61 feet to a point; thence with the northwest line of Fellowship Hall, Inc. along the southeast margins of Dunstan Road and the U. S. Highway 29 exit ramp the following bearings and distances: N 53° 22' 54" E 392.48 feet to a point, N 49° 52' 30" E 131.01 feet to a point, N 00° 04' 11" E 151.26 feet to a point, and N 32° 47' 59" E 201.52 feet to a point; thence with the north line of Fellowship Hall, Inc. the following bearings and distances: S 88° 47' 46" E 540.57 feet along the south margin of Hicone Road (SR #2565) to a point, S 00° 21' 11" W 400.62 feet to a point, S 87° 28' 32" E 159.67 feet to a point, and S 87° 22' 48" E 393.00 feet to a point; thence with the east line

of Fellowship Hall, Inc. the following bearings and distances: S 02° 57' 34" W 611.82 feet to a point, N 88° 19' 28" E 277.85 feet to a point, N 88° 33' 50" E 188.07 feet to a point, N 88° 05' 39" E 99.13 feet to a point, S 04° 47' 48" W 235.91 feet to a point, S 87° 42' 39" E 200.62 feet to a point, S 04° 25' 27" W 303.25 feet along the west margin of McKnight Mill Road (SR #2385) to a point, N 86° 09' 17" W 286.98 feet to a point, S 02° 08' 30" E 150.35 feet to a point, S 85° 55' 32" E 267.54 feet to a point, S 04° 36' 42" W 208.78 feet along the west margin of McKnight Mill Road (SR #2385) to a point, S 89° 42' 04" W 198.80 feet to a point, S 02° 45' 43" W 110.00 feet to a point, S 89° 51' 46" W 130.72 feet to a point, S 03° 59' 58" W 150.01 feet to a point, S 89° 58' 34" W 71.38 feet to a point, and S 04° 39' 40" W 413.26 feet to a point; thence with the south line of Fellowship Hall, Inc. the following bearings and distances: S 89° 48' 20" W 755.99 feet to a point in the east line of Lot 21 of White Place, S 03° 05' 40" W 147.56 feet to the southeast corner of Lot 20 of White Place; thence N 86° 53' 14" W 250.0 feet along the south line of said Lot 20 to the point and place of BEGINNING, being as shown on an Annexation Exhibit by Borum, Wade and Associates, and containing approximately 100.85 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after April 30, 2005, the liability for municipal taxes for the 2004-2005 fiscal year shall be prorated on the basis of 2/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after April 30, 2005.

(Signed) Yvonne J. Johnson

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Councilmember Burroughs-White thereupon moved adoption of the ordinance establishing original zoning from County Zoning Agricultural, RS-30 Residential Single Family, and Public and Institutional to City Zoning Conditional District- Public and Institutional for property located on the south side of Hicone Road, west of McKnight Mill Road, east of US 29 North, and north of Burnette Drive. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-27 AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF HICONE ROAD, WEST OF McKNIGHT MILL ROAD, EAST OF US 29 NORTH, AND NORTH OF BURNETTE DRIVE

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

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural, RS-30 Residential Single Family, and Public and Institutional to City Zoning Conditional District – Public and Institutional (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at the southwest corner of Lot 20 of White Place, as recorded in Plat Book 37, Page 17 in the Office of the Register of Deeds of Guilford County; thence with the east right-of-way line of Arvid Drive N 03° 06' 46" E 63.18 feet to its intersection with the north right-of-way line of Burnette Drive; thence N 73° 41' 22" W 636.51 feet along said north right-of-way line to a point in the south line of Lot 27 of White Place; thence continuing with said right-of-way line S 57° 32' 52" W 88.18 feet to the southwest corner of said Lot 27; thence N 26° 36' 29" W 201.03 feet along the west line of said lot to its northwest corner; thence N 57° 36' 17" E 158.73 feet along the north line of said lot to its northernmost corner; thence with the west line of Fellowship Hall, Inc. the following bearings and distances: N 23° 06' 15" W 256.98 feet to a point, N 02° 58' 48" W 439.88 feet to a point, and N 02° 53' 56" W 971.61 feet to a point; thence with the northwest line of Fellowship Hall, Inc. along the southeast margins of Dunstan Road and the U. S. Highway 29 exit ramp the following bearings and distances: N 53° 22' 54" E 392.48 feet to a point, N 49° 52' 30" E 131.01 feet to a point, N 00° 04' 11" E 151.26 feet to a point, and N 32° 47' 59" E 201.52 feet to a point; thence with the north line of Fellowship Hall, Inc. the following bearings and distances: S 88° 47' 46" E 540.57 feet along the south margin of Hicone Road (SR #2565) to a point, S 00° 21' 11" W 400.62 feet to a point, S 87° 28' 32" E 159.67 feet to a point, and S 87° 22' 48" E 393.00 feet to a point; thence with the east line of Fellowship Hall, Inc. the following bearings and distances: S 02° 57' 34" W 611.82 feet to a point, N 88° 19' 28" E 277.85 feet to a point, N 88° 33' 50" E 188.07 feet to a point, N 88° 05' 39" E 99.13 feet to a point, S 04° 47' 48" W 235.91 feet to a point, S 87° 42' 39" E 200.62 feet to a point, S 04° 25' 27" W 303.25 feet along the west margin of McKnight Mill Road (SR #2385) to a point, N 86° 09' 17" W 286.98 feet to a point, S 02° 08' 30" E 150.35 feet to a point, S 85° 55' 32" E 267.54 feet to a point, S 04° 36' 42" W 208.78 feet along the west margin of McKnight Mill Road (SR #2385) to a point, S 89° 42' 04" W 198.80 feet to a point, S 02° 45' 43" W 110.00 feet to a point, S 89° 51' 46" W 130.72 feet to a point, S 03° 59' 58" W 150.01 feet to a point, S 89° 58' 34" W 71.38 feet to a point, and S 04° 39' 40" W 413.26 feet to a point; thence with the south line of Fellowship Hall, Inc. the following bearings and distances: S 89° 48' 20" W 755.99 feet to a point in the east line of Lot 21 of White Place, S 03° 05' 40" W 147.56 feet to the southeast corner of Lot 20 of White Place; thence N 86° 53' 14" W 250.0 feet along the south line of said Lot 20 to the point and place of BEGINNING, being as shown on an Annexation Exhibit by Borum, Wade and Associates, and containing approximately 100.85 acres.

Section 2. That the original zoning to Conditional District – Public and Institutional is hereby authorized subject to the following use limitations and conditions:

- 1) Uses limited to a specialty hospital and related ancillary uses.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

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

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Claudette Burroughs-White

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-12 Residential Single Family to Conditional District—RM-5 Residential Multifamily for property located on the west side of Wimberly Drive south of Ellenwood Drive at the terminus of Westland Drive. He stated this matter was being heard on appeal filed by Paula D. Nuckles after receiving a vote of 7 to 2 by the Zoning Commission to recommend approval of the rezoning.

Mr. Hails summarized the request and presented a map and slides to describe the subject and surrounding property and read into the record the conditions proposed with the request.

The Mayor asked if anyone present wished to speak to this matter.

The following speakers spoke in favor of the request:

Mark Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he represented the property owners and the contract purchaser. He presented detailed information to Council with regard to the subject property and proposed conditions, spoke to meetings with neighborhood residents, and shared his opinion with respect to why the proposed development would be in harmony with the surrounding area.

Brenda Saufley, real estate appraiser with Allen Tate Realtors in Greensboro, spoke to the reasons she believed this infill development would benefit the surrounding area and advised that properties in other Greensboro locations with similar development had, in her opinion, maintained their values well.

The following speakers spoke in opposition to the request:

Deborah Merritt, residing at 1013 Bradbury Drive, stated it was her understanding that Council had received a petition opposing the proposed rezoning that had been signed by numerous residents of Hamilton Lakes. She shared personal opinions with respect to potential adverse affects of the proposed infill development that might negatively impact her property value and stated she had been unaware of opportunities to meet with the developer.

Paula Davis Nuckles, residing at 1010 Bradbury Drive, spoke to the history of her residency and growth in the vicinity of her home. She shared her personal experiences with respect to growth related traffic problems in the area and requested Council to deny the request.

Carmen Sotomayor, residing at 5009 Ellenwood Drive, spoke to her past experiences with regard to the condition of the subject property. She expressed concern with respect to the impact of the proposed development on neighborhood property values and requested that issues of concern be resolved prior to Council taking action on this request.

Speaking in rebuttal in favor of the request, Mr. Issacson shared his personal opinions with respect to positive attributes of the proposed development. He requested Council to seek the Transportation staff's professional opinion with regard to traffic concerns presented by other speakers.

Speaking in rebuttal in opposition to the request, Ms. Sotamayor stated she was concerned with how access to the property would be developed and advised that she had not been able to get an answer to this question.

Mr. Westmoreland stated that the traffic impact of the proposed development would be similar to what could result from development allowed under the current zoning. He spoke to various potential options for street connections and noted that review was needed prior to determining feasible street connectivity which would be required if the proposal were adopted. He outlined traffic and street improvement issues at the site as they related to Muirs Chapel Road.

Also speaking in rebuttal in opposition to the request, Ms. Nuckles spoke to the potential negative impact of cut through traffic she routinely observed in the area and expressed concern that this could worsen if the proposal were adopted.

Councilmember Burroughs-White moved that the public hearing be closed. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

Presenting the staff recommendation, Mr. Hails noted that the density of the proposed zoning versus the development allowable under existing zoning was minimal. Mr. Hails stated that the conditions added to the proposal created compatibility with the existing neighborhood, noted that if a street connection were made to Prey Street the impact of development could be lessened, advised that a connectivity decision had not yet been made and

stated that the proposal fit with the *Connections 2025 Comprehensive Plan*.

During Council discussion, Deputy Attorney Wood confirmed that Council could ask the Greensboro Department of Transportation to connect specific streets pending study of feasibility.

Councilmember Phillips moved that Council direct the Department of Transportation to require a connector to Preys Street unless it is not feasible. After the motion was seconded by Councilmember Johnson, Councilmember Perkins expressed concern with regard to uncertainty of the cost of this recommendation and the precedent such a motion could set for future requests that could leverage staff to implement developer driven improvements. After brief additional discussion, the motion was adopted on a vote of 7-2 with Councilmembers Perkins and Burroughs-White voting in opposition.

After several members of Council discussed their support of the proposal based on the added conditions, the requirement for the Preys Street street connection if feasible, and compatibility with the Comprehensive Plan, Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-28 AMENDING OFFICIAL ZONING MAP

WEST SIDE OF WIMBERLY DRIVE SOUTH OF ELLENWOOD DRIVE AT THE TERMINUS OF WESTLAND 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 RS-12 Residential Single Family to Conditional District – RM-5 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the terminus of the eastern right-of-way line of Westland Drive, said point being the southeastern corner of Lot 24, Guilford County Tax Map 338, Block 14; thence along the eastern lines of Lots 3, 13, and 15 of Guilford County Tax Map 338, Block 1 the following courses and distances: 1) S14°47'13"E 45.90 feet to a point; 2) S14°47'13"E 208.31 feet to a point; 3) S14°47'13"E 83.16 feet to a point; 4) S09°46'42"W 48.89 feet to a point in the northern right-of-way line of Preys Street; thence crossing Preys Street S17°18'05"E 29.07 feet to a point in the southern right-of-way line; thence along said southern right-of-way line N70°07'25"E 62.22 feet to a point, thence N70°21'38"E 236.57 feet to a point, said point being the southwest corner of Lot 7, Guilford County Tax Map 338, Block 1; thence along the western line of said Lot 7 N05°43'20"W 49.98 feet to a point, said point being the northwest corner; thence along the northern line of said Lot 7 N71°03'59"E 235.08 feet to a point, said point being in the western line of Lot 6, Guilford County Tax Map 338, Block 1; thence along said western line of Lot 6 N04°01'31"E 136.10 feet to a point, said point being in the terminus of the western right-of-way line of Wimberly Drive; thence along said western right-of-way line N03°54'E 261.77 feet to a point, said point being the southeastern corner of Lot 8, Guilford County Tax Map 338, Block 14; thence along the southern lines of Lots 8, 7, 6, 5 and 4 the following two courses and distances: 1) S82°34'44"W 253.88 feet to a point; and 2) S76°52'50"W 157.81 feet a point; thence S73°52'25"W 47.00 feet to a point; thence S16°02'35"E 47.00 feet to a point; thence S73°22'50"W 148.48 feet to a point in the eastern right-of-way line of Westland Drive; thence crossing Westland Drive S30°43'06"W approximately 67.29 feet to the point and place of BEGINNING.

Section 2. That the rezoning of RS-12 Residential Single Family to Conditional District – RM-5 Residential Multifamily is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: Townhomes designed for sale and related uses (e.g. homeowner amenities).
- 2) Townhomes will be constructed substantially of brick, masonry, glass, wood or stone.
- 3) The townhomes constructed on the subject property shall not exceed two stories in height.

- 4) The planting rate within the buffer area adjoining the properties along the northern line of the subject property shall be at the Type “B” buffer planting rate.
- 5) Except no more than two townhomes, the townhomes built on the subject property shall have an attached garage.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

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

Section 5. This ordinance shall be effective on adoption.

(Signed) Robert V. Perkins

.....

Mayor Holliday declared a recess at 7:51 p.m.

The meeting reconvened at 8:13 p.m. with all members of Council present.

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The Mayor stated that this was the time and place set for a hearing to consider an ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties in the vicinity of the northwest corner of the intersection of Coliseum Boulevard stretching from Coliseum Boulevard to Willomore Street from the Low Residential Land Use Classification to the Mixed Use Commercial Land Use Classification. So that these matters could be discussed together, the Mayor also introduced an ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties roughly bounded by East Washington Street to the south, South Dudley Street to the west, the railroad tracks to the north, and Gant Street to the east from the Low Residential Land Use Classification to the Mixed Use Residential Land Use Classification; an ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties in the vicinity of the south side of West Friendly Avenue between Dolley Madison Road and Muirs Chapel Road. The amendments are broken down into the following four areas: Area A is proposed to be amended from the Low Residential Land Use Classification to the Mixed Use Commercial Land Use Classification; Area B is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification; Area C is proposed to be amended from the High Residential and Mixed Use Commercial Land Use Classifications to the Low Residential Land Use Classification; and Area D is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification; an ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties in the vicinity of the intersection of West Market Street and Dolley Madison Road/Meadowood Street from the Low and High Residential Land Use Classifications to the Mixed Use Commercial Land Use Classification; an ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties on the west side of Penry Road near East Wendover Avenue from the Low Residential Land Use Classification to the Institutional Land Use Classification.

Mr. Hails spoke to the dynamic characteristic of the Comprehensive Plan and advised that in the current process when places where the General Future Land Use Map did not match existing land uses were found revisions would be proposed.

Cameron Cooke, Co-Chair of the Connections 2025 Comprehensive Plan Monitoring Committee, stated the Committee had reviewed the proposed ordinance amendments and recommended their approval to Council.

Mr. Hails presented power point slides to outline the incorporation of plans and definitions of

proposed amendments for these ordinances, (a copy of the power point presentation is filed in Exhibit Drawer P, Exhibit #4 and is hereby referred to and made a part of the minutes).

Councilmember Perkins stated that due to financial conflict of interest, he requested to be excused from considering the ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties in the vicinity of the intersection of West Market Street and Dolley Madison Road/Meadowood Street from the Low and High Residential Land Use Classifications to the Mixed Use Commercial Land Use Classification. Councilmember Gatten moved that Councilmember Perkins be excused from voting on this matter due to conflict of interest; the motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

Mayor Holliday asked if anyone present wished to speak to these proposed amendments to the 2025 *Connections Comprehensive Plan*.

Gertrude Davis, residing at 416 Boyd Street, requested clarification with respect to the impact of the ordinance changing the map in the vicinity of her property located at Washington and Booker Streets. Following comments by Mr. Hails, Council advised that the proposed ordinance change would provide greater flexibility in terms of options for developing Ms. Davis' lot.

Dave Mallet, residing in Raleigh, NC, stated he spoke on behalf of his mother- in-law, Mrs. Lewis Smith, who resided at 403 Penry Road. He shared his personal opinions with respect to various aspects of processes involving zoning in Greensboro. In response to comments made by Mr. Mallet, Councilmember Burroughs-White informed Council she was aware of the participation and support of neighborhood residents in the Penry Road area for the Greensboro Technical Community College expansion.

Councilmember Gatten moved that the public hearing for agenda items 13 through 17, as introduced earlier by the Mayor, be closed. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

Councilmember Perkins thereupon moved adoption of the ordinance amending the Generalized Future Land Use Map of the Greensboro Connections 2025 Comprehensive Plan, Incorporated by reference in the Greensboro Code of Ordinances with respect to Zoning, Planning and Development, Chapter 30, Section 30-1-10. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-29 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted an amendment to Figure 4-2 to address an issue, and presents it for review; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low Residential to Mixed Use Commercial for properties in the vicinity of the northwest corner of the intersection of Coliseum Boulevard and Freeman Mill Road between Coliseum Boulevard and Willomore Street; and

WHEREAS, this amendment was considered at the January 19, 2005 Planning Board meeting and after a public hearing received a favorable recommendation by a vote of 8 to 0.

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

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) Robert V. Perkins

.....

Councilmember Bellamy-Small thereupon moved adoption of the ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties roughly bounded by East Washington Street to the south, South Dudley Street to the west, the railroad tracks to the north, and Gant Street to the east from the Low Residential Land Use Classification to the Mixed Use Residential Land Use Classification. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-30 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted an amendment to Figure 4-2 to address an issue, and presents it for review; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low Residential to Mixed Use Residential for properties roughly bounded by East Washington Street to the south, South Dudley Street to the west, the railroad tracks to the north, and Gant Street to the east; and

WHEREAS, this amendment was considered at the January 19, 2005 Planning Board meeting and after a public hearing received a favorable recommendation by a vote of 8 to 0.

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

Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) T. Dianne Bellamy-Small

.....

Councilmember Vaughan moved adoption of the ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties in the vicinity of the south side of West Friendly Avenue between Dolley Madison Road and Muirs Chapel Road. The amendments are broken down into the following four areas: Area A is proposed to be amended from the Low Residential Land Use Classification to the Mixed Use Commercial Land Use Classification; Area B is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification; Area C is proposed to be amended from the High Residential and Mixed Use Commercial Land Use Classifications to the Low Residential Land Use Classification; and Area D is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-31 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted an amendment to Figure 4-2 to address an issue, and presents it for review; and

WHEREAS, amendments to that as shown on the attached map to change the land use classification for four separate areas as follows: Area A is proposed to be amended from the Low Residential Land Use Classification to the Mixed Use Commercial Land Use Classification. Area B is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification. Area C is proposed to be amended from the High Residential and Mixed Use Commercial Land Use Classifications to the Low Residential Land Use Classification. Area D is proposed to be amended from the Low Residential Land Use Classification to the High Residential Land Use Classification, for properties in the vicinity of the south side of West Friendly Avenue between Dolley Madison Road and Muirs Chapel Road; and

WHEREAS, this amendment was considered at the January 19, 2005 Planning Board meeting and after a public hearing received a favorable recommendation by a vote of 8 to 0.

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

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) Don Vaughan

.....

05-32 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted an amendment to Figure 4-2 to address an issue, and presents it for review; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low and High Residential to Mixed Use Commercial for properties in the vicinity of the intersection of West Market Street and Dolley Madison Road/Meadowood Street; and

WHEREAS, this amendment was considered at the January 19, 2005 Planning Board meeting and after a public hearing received a favorable recommendation by a vote of 6 to 2.

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

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) Thomas M. Phillips

.....

Councilmember Bellamy-Small moved adoption of the ordinance amending the Generalized Future Land Use Map (Figure 4-2) of the Greensboro Connections 2025 Comprehensive Plan for properties on the west side of Penry Road near East Wendover Avenue from the Low Residential Land Use Classification to the Institutional Land Use Classification. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on

the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-33 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

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

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted an amendment to Figure 4-2 to address an issue, and presents it for review; and

WHEREAS, an amendment to that as shown on the attached map to change the land use classification from Low Residential to Institutional for properties on the west side of Penry Road near Wendover Avenue; and

WHEREAS, this amendment was considered at the January 19, 2005 Planning Board meeting and after a public hearing received a favorable recommendation by a vote of 7 to 0, with one abstention.

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

- Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.
- Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) T. Dianne Bellamy-Small

.....

Mayor Holliday stated this was the time and place set for a public hearing to consider an ordinance amending Chapter 4 Land Use of the *Greensboro Connections 2025 Comprehensive Plan*, as follows:

- A. Section 4.3 Generalized Future Land Use:
 - 1. Add a statement to incorporate small area plans, corridor plans, etc. into the Comprehensive Plan as they are adopted;
 - 2. Amend four Land Use Classification definitions; and
- B. Add clarification statement to the Generalized Future Land Use Map

The Mayor asked if anyone present wished to speak to this matter. There being no one who wished to be heard, Mr. Hails provided brief comments and noted that the wording added by this ordinance would clarify the definition of high density and mixed use.

Councilmember Gatten moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White,

Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-34 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING CHAPTER 4, LAND USE, SECTION 4.3 GENERALIZED FUTURE LAND USE, AND ADD CLARIFICATION STATEMENT TO THE GENERALIZED FUTURE LAND USE MAP (FIGURE 4-2) OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003; and

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted amendments to Chapter 4 to address the issues, and presents them for review; and

WHEREAS, the Planning Board met on January 19, 2005 and following a public hearing, recommended by a vote of 8 to 0 that Chapter 4 be amended as presented.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that Chapter 4 of the *Greensboro Connections 2025 Comprehensive Plan* is amended as follows:

Section 1. That Section 4.3, Generalized Future Land Use, be rewritten to add five sentences to the end of the first paragraph to read as follows:

“As Connections 2025 is implemented, small area plans, neighborhood plans, corridor plans, etc. will be developed. These plans will be created at and depict a greater level of detail than the Generalized Future Land Use map (Figure 4-2). Therefore, any such plans adopted subsequent to adoption of Connections 2025 are incorporated into the Plan and referenced on Figure 4-2. All such plans shall be considered when making land development decisions. Greater emphasis should be placed on detailed policies, plans, studies and other documents over those setting forth generalized comprehensive planning objectives.”

Section 2. That Section 4.3, Generalized Future Land Use, Moderate Residential definition density range be rewritten to read as follows:

“over 5 to 12 dwelling units per gross acre”.

Section 3. That Section 4.3, Generalized Future Land Use, High Residential definition be rewritten to add a sentence to the end of the second paragraph to read as follows:

“Within this district, office buildings may also be accommodated.”

Section 4. That Section 4.3, Generalized Future Land Use, Mixed Use Commercial definition be rewritten to add a sentence to the end of the first paragraph to read as follows:

“New “strip” commercial development is discouraged.”

Section 5. That Section 4.3, Generalized Future Land Use, Mixed Use Corporate Park definition, second and third sentences be rewritten to read as follows:

“Primary uses such as office, flex office, technology research and development, light manufacturing, distribution, and assembly are strongly encouraged to be developed prior to or in conjunction with any supportive uses. The primary uses should be developed in a campus-like or “corporate park” setting with generous linked open space to maximize value and to promote visual quality and compatibility with the surrounding area.”

Section 6. That the Generalized Future Land Use Map (Figure 4-2), have a clarification statement added to it to read as follows:

“This map is to be interpreted in conjunction with the goals and policies set forth in the *Greensboro Connections 2025 Comprehensive Plan*. This map has no independent significance without reference to the *Greensboro Connections 2025 Comprehensive Plan*.”

Section 7. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 8. This ordinance shall become effective on February 15, 2005.

(Signed) Florence Gatten

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending the Community Structure Map (Figure 5-2) of the Greensboro Connections 2025 Comprehensive Plan as follows:

A. Add Pisgah Church/Lees Chapel Road from Battleground Avenue to Rudd Station Road as a Proposed Scenic Corridor.

B. Amend the legend to remove the word “Visual” from “Proposed Scenic/Visual Corridor”

The Mayor asked if anyone present wished to speak to this matter. No speakers wished to be heard.

Mr. Hails explained that the outlined area had inadvertently been left out of the map and stated that the word visual was not necessary in the legend.

Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-35 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE COMMUNITY STRUCTURE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Community Structure Map, and is labeled Figure 5-2; and

WHEREAS, Section 10.4 Plan Adoption, Amendments, Monitoring, and Updating calls for the monitoring and updating of the Plan to keep it current and relevant; and

WHEREAS, staff has monitored the Plan since adoption, kept a list of possible amendments based on issues that have arisen while working with customers primarily at the time of rezoning, and drafted amendments to Figure 5-2 to address the issues, and presents them for review; and

WHEREAS, an amendment to that shown on the attached map to add Pisgah Church/Lees Chapel Road from Battleground Avenue to Rudd Station Road as a Proposed Scenic Corridor and amend the legend to remove the word “Visual” from “Proposed Scenic/Visual Corridor”; and

WHEREAS, the Planning Board met on January 19, 2005 and following a public hearing, recommended by a vote of 8 to 0 that Figure 5-2 be amended as presented.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that Chapter 4 of the Greensboro Connections 2025 Comprehensive Plan is amended as follows:

- Section 1. The Community Structure Map Figure 5-2 is hereby amended as shown on the attached map.
- Section 2 . All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.
- Section 3. This ordinance shall become effective on February 15, 2005.

(Signed) Sandy Carmany

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution closing unnamed 15-foot alley, located 100 feet east of Martin Luther King, Jr. Drive and running from Dale Street northwestward to its end, a distance of approximately 103 feet.

The Mayor asked if anyone wished to be heard. There being no one present wished to speak to this matter, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Gatten; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

32-05 RESOLUTION CLOSING UNNAMED 15-FOOT ALLEY, LOCATED 100 FEET EAST OF MARTIN LUTHER KING, JR. DRIVE AND RUNNING FROM DALE STREET NORTHWESTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 103 FEET

WHEREAS, the owner of all of the property abutting both sides of an unnamed 15- foot alley, located 100 feet east of Martin Luther King, Jr. Drive has requested in writing that said alley be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, February 15, 2005 at 6:00 p.m. on the closing of said alley;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof.

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

- 1. That the City Council hereby finds as a fact that the owner of all of the property abutting both sides of the hereinafter mentioned alley has requested in writing that said alley be closed to the general public and the City's interest therein released.
- 2. That the City Council hereby finds as a fact that the closing of the alley to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the alley or in the subdivision in which the alley is located will be deprived of the reasonable means of ingress or egress to his or its property.
- 3. That the following alley is hereby permanently closed to the general public and the City's interest therein released:

UNNAMED 15-FOOT ALLEY, LOCATED 100 FEET EAST OF MARTIN LUTHER KING, JR. DRIVE AND RUNNING FROM DALE STREET NORTHWESTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 103 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned alley until such time as said line is no longer required by the City.

(Signed) Donald R. Vaughan

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Moving to the Consent Agenda, Councilmember Bellamy-Small moved adoption of the ordinances, resolutions and motions on the Consent Agenda. The motion was seconded by Councilmember Phillips. After the Mayor stated that the vote displayed did not reflect the intent of Councilmember Bellamy-Small, the Clerk was instructed to clear the voting board. The Consent Agenda was thereupon adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

33-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2003-056 WITH PRILLAMAN AND PACE FOR THE CARDINAL FORCE MAIN AND OUTFALL IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for the Cardinal Force Main and Outfall improvements project;

WHEREAS, Prillaman and Pace, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$1,298,659.00 as general contractor for Contract No. 2003-056, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

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

That the bid hereinabove mentioned submitted by Prillaman and Pace is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$1,298,659.00 from Account No. 511-7062-04.6017 Activity #04155.

(Signed) T. Dianne Bellamy-Small

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34-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF NEESE COUNTRY SAUSAGE, INC. FOR THE WILLOW ROAD SE-J FIRE STATION LOCATION PROJECT

WHEREAS, in connection with the Willow Road SE-J Fire Station Location project, the property owned by Neese Country Sausage, Inc. located at Tax Map Nos. 5-3-148-561-NE-24 and 5-3-148-535-10 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$202,000.00 and the owner has agreed to settle for the price of \$220,200.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$220,200.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 445-4006-01.6011.

(Signed) T. Dianne Bellamy-Small

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05-36 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR PARKS AND RECREATION GACVB GRANT FOR CAROLYN S. ALLEN PARK

Section 1

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

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

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5095-01.5627	Maintenance & Repair-Other	\$ <u>26,000</u>
Total		\$ 26,000

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5095-01.8620	Donations & Private Contributions	<u>\$26,000</u>
Total		\$ 26,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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05-37 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR THE APPROPRIATION OF FEDERAL FORFEITURE FUNDS FOR ADDITIONAL OFFICER TRAINING

Section 1

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

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

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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220-3502-01.	5520	Seminar/Training Expenses	<u>\$100,000</u>
TOTAL:			\$100,000

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

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3502-01.7104	Federal Forfeiture	<u>\$100,000</u>
TOTAL:		\$100,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) T. Dianne Bellamy-Small

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35-05 RESOLUTION GRANTING AN ENCROACHMENT ON STREET RIGHTS-OF-WAY TO THE NCA&T STATE UNIVERSITY: 110 LINEAR FEET CROSSING EAST MARKET STREET, 250 FEET WEST OF BENBOW ROAD INTERSECTION.

WHEREAS, the A&T State University has requested an encroachment agreement from the City for the previously installed 110 total linear feet of conduit, which will be used for fiber optic cable in order to serve the University needs;

WHEREAS, plans have been submitted to the City Utilities Coordinator for approval of the construction that has been completed, of the fiber optic cable which would required boring beneath East Market Street;

WHEREAS, following installation of fiber optic cable, the NCA&T State University, will provide the necessary repair, if any, of the street in compliance with City standards;

WHEREAS, the A&T State University as a “governmental institution”, is excluded from paying an encroachment fee pursuant to Greensboro Code of Ordinances, Charter Section 4.128 (c) and NCGS 160A-274;

WHEREAS, the NCA&T State University understands that this encroachment is not for resale and cannot exist as an income producing encroachment or provide cable television. When this right-of-way use is no longer needed, A&T State University will be responsible for the removal of infrastructure and an inspection of this site is required by the City of Greensboro, prior to City Council review, in order to terminate the agreement. Inspection fees will be charged according to the current pricing structure.

WHEREAS, in the opinion of the City Council, such encroachment easement for the installation of PVC conduits with telecommunication lines will neither cause a public nuisance nor unreasonably interfere with the use of the streets and sidewalks by the public.

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

That pursuant to Section 4.128(c) of the Charter of the City of Greensboro, NCA&T State University, upon the execution of an encroachment agreement prepared by the City Attorney, shall be authorized to encroach in the above described street right-of-way for the installation of PVC conduits with telecommunication lines as shown on the attached map.

(Signed) T. Dianne Bellamy-Small

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36-05 RESOLUTION DIRECTING THE CITY TAX COLLECTOR TO ADVERTISE LIENS ON REAL ESTATE FOR DELINQUENT, SUBSTANDARD STRUCTURE CHARGES, WATER RENTS AND NUISANCE ABATEMENT CHARGES FOR THE YEAR 2004

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

1. That the City Tax Collector be and is hereby directed to prepare and publish, in accordance with the law, a list showing: (1) the names of all persons by whom substandard structure charges, water rents and nuisance abatement charges are due and (2) the amount of each such substandard structure charge, solid waste charge, water rent or nuisance abatement charge. Such publication shall commence not earlier than March 6, 2005.

2. That the City Tax Collector be and is hereby directed to cause the publication of the above-mentioned list on the NEWS AND RECORD.

3. That, in addition to following the foreclosure method prescribed by G.S. 105-374, the City Tax Collector be and is hereby authorized to institute the In rem method of foreclosure pursuant to G.S. 105-375.

(Signed) T. Dianne Bellamy-Small

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37-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF THE BERTHA M. HUTTON HEIRS FOR THE JUSTICE DRUG BUILDING/TELECOMMUNICATION PARKING LOT

WHEREAS, in connection with the Justice Drug Building/Telecommunication parking lot project, the property owned by the Bertha M. Hutton Heirs, located at Tax Map Nos. 138-1-6 & 7 and 138-1-9 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$123,750.00 and the owner has agreed to settle for the price of \$136,125.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$136,125.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 410-3907-01.6011 Activity #05107.

(Signed) T. Dianne Bellamy-Small

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38-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF HELEN S. SNOUFFER AND SONJI S. SETZER FOR THE FRANKLIN BOULEVARD WIDENING PROJECT

WHEREAS, in connection with the Franklin Boulevard widening project, the property owned by Helen S. Snouffer and Sonji S. Setzer, Tax Map No. 3-146-D-498-136 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$33,000.00 and the owner has agreed to settle for the price of \$45,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$45,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 441-6003.07.6012 Activity #01061.

(Signed) T. Dianne Bellamy-Small

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39-05 RESOLUTION APPROVING THE CLOSURE OF CERTAIN ACCESS POINTS/RAMPS ALONG US HIGHWAY 29

WHEREAS, the City of Greensboro Department of Transportation in coordination with the North Carolina Department of Transportation has completed the US 29 Access Management Study, which analyzed, among other things access points and ramps along US Highway 29 in Guilford County;

WHEREAS, the City of Greensboro Department of Transportation has had public meetings and generated extensive community participation during the course of this study;

WHEREAS, as a result of the study and community input, the City of Greensboro Department of Transportation has identified the need to close certain ramps along the US 29 corridor to enhance safety and corridor operations. Phase 1 ramp closures are as follows:

- Bothwell Street
- Eaton Drive
- Ryan Street
- Lutheran Street (Western Ramp/US 29 Southbound Ramp)

WHEREAS, the City of Greensboro Department of Transportation and North Carolina Department of Transportation propose to phase these four ramp closures over the next eighteen months;

WHEREAS, the ramp closures will not appreciably burden egress and ingress to US Highway 29 by residents living at or near these locations;

WHEREAS, the North Carolina Department of Transportation has the authority to close these ramps, and will do so with the concurrence of the City of Greensboro.

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

That the City of Greensboro endorses the closure of these ramps, and respectfully requests the North Carolina Department of Transportation complete their closure.

(Signed) T. Dianne Bellamy-Small

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40-05 RESOLUTION AUTHORIZING PURCHASE OF PROPERTY OF KWOK PROPERTIES, LLC FOR

THE WENDOVER AND BRIDFORD INTERSECTION AND SIDEWALK IMPROVEMENTS PROJECT

WHEREAS, in connection with the Wendover and Bridford intersection and sidewalk improvements project, the property owned by Kwok Properties, LLC, Tax Map No. 1-28-865-7 is required by the City for said Project, said property being shown on the attached map;

WHEREAS, the required property has been appraised at a value of \$14,911.64 and the owner has agreed to settle for the price of \$18,000.00, which settlement, in the opinion of the City Council, is a fair and reasonable alternative to condemnation;

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

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

That the agreed price of the above mentioned portion of property in the amount of \$18,000.00 is hereby approved, and the purchase of the property in accordance with the agreed price is hereby authorized, payment to be made from Account No. 441-6003-19.6012 Activity #01084.

(Signed) T. Dianne Bellamy-Small

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41-05 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 1, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 5815 AND 5817 HIGH POINT ROAD – 6.281 ACRES

WHEREAS, the owner of the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of February, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 5815 AND 5817 HIGH POINT ROAD – 6.281 ACRES)

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

Beginning at an existing iron pipe in the southeast right-of-way line of High Point Road on the northeast line of Lot 54 on plat of Jno. A. Suits Homeplace, recorded in Plat Book 13, Page 43 in the Office of the Register of Deeds of Guilford County, said point also being the westernmost corner of the property of The Moses H. Cone Memorial Hospital, described in Deed Book 3985, Page 1377 in the Office of the Register of Deeds; thence with the southeast right-of-way line of High Point Road N 44° 18' 09" E 167.67 feet to an existing iron pipe marking a corner of the property of The Moses H. Cone Memorial Hospital, described in Deed Book 3986, Page 383 in the Office of the Register of Deeds; thence continuing with said right-of-way line of High Point Road N 37° 04' 58" E 42.47 feet to a point on a leaning concrete monument at the northwest corner of said Hospital, and being in the south line of Lot 108 on plat of Sedgfield, Section Three, recorded in Plat Book 11, Page 29 in the Office of the Register of Deeds; thence with said south line the following three courses and distances: 1) S 81° 22' 16" E 195.21 feet to an existing iron pipe in a concrete monument, 2) S 05° 44' 39" W 209.59 feet to an existing iron pipe in a concrete monument, and 3) S 84° 34' 33" E 229.75 feet to an existing iron pipe said pipe being located N 84° 34' 33" W 15.31 feet from

the southeast corner of said Lot 108; thence S 02° 29' -37" W 526.87 feet to an existing concrete monument with disk; thence N 81° 03' 42" W 399.00 feet to a rebar set; thence N 03° 28' 53" E 212.97 feet to an existing pinched iron pipe; thence N 43° 46' 22" W 67.91 feet to an existing iron pipe at the southernmost corner of Lot 52 on said Suits plat, said Lot 52; thence with the east lines of Lots 52-54 on said plat N 02° 51' 50" E 203.34 feet to an existing iron pipe at the easternmost corner of Lot 54, also being the southernmost corner of the property of The Moses H. Cone Memorial Hospital, described in Deed Book 3985, Page 1377; thence with the northeast line of Lot 54 N 44° 12' 23" W 146.96 feet to the Point and Place of Beginning, and containing 6.281 acres more or less.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after May 31, 2005, the liability for municipal taxes for the 2004-2005 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2005.

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

That Tuesday, March 1, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than February 19, 2005.

(Signed) T. Dianne Bellamy-Small

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42-05 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 1, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED IN THE SUTTON OAKS SUBDIVISION – 31.45 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of February, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED IN THE SUTTON OAKS SUBDIVISION – 31.45 ACRES)

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

BEGINNING at a point in the existing Greensboro city limit line (as of January 31, 2005), said point being the southernmost corner of Lot 110 on Sheet "A" of Section Three of Sedgefield, as recorded at Plat Book 11, Page 29 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 40° 57' E approximately 60.09 feet along the southeast line of said Lot 110 to the southernmost corner of Kimberly L. Townsend, as recorded in Deed Book 4217, Page 926 in the Office of the Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 39° 00' 26" E approximately 200 feet along the southeast line of Townsend to a point on the south right-of-way line of Suttonwood Drive; thence in an easterly direction along said right-of-way line approximately 836 feet to the northeast corner of Sutton Oaks, LLC, also being the northeast corner of Lot 102 on Sheet "A" of Section Three of Sedgefield; thence S 03° 13' 21" W 332.34 feet along the east line of said Lot 102 to its southeast corner; thence S 03° 05' 12" W 10.01 feet, crossing a bridle path, to a point; thence S 01° 09' 59" W 818.10 feet along the east line of Sutton Oaks, LLC to an existing concrete monument at the northeast corner of Mertys C. Bell, as recorded at Deed Book 2459, Page 735 in the Office of the Register of Deeds; thence N 82° 16' 00" W 422.26 feet along the north line of Mertys C. Bell and the north line of George M. and Barbara K. Barker, as recorded at Deed Book 2492, Page 49 in the Office of the Register of Deeds, to Barker's northwest corner; thence S 04° 57' 51" E 250.21 feet along Barker's west line to the southeast corner of Lot 3b of Elsiewood, as recorded at Plat Book 13, Page 24 in the Office of the Register of Deeds; thence S 13° 19' 09" E 16.07 feet to a point in the north right-of-way line of Scotland Road; thence with said right-of-way line with a curve to the left with a radius of 584.74 feet and a chord bearing and distance of S 67° 35' 46" W 161.47 feet to a point; thence N 47° 17' 29" W 45.58 feet to a point in the former centerline of Queen Alice Road; thence with said former centerline with a curve to the right having a radius of 2,208.09 feet and a chord bearing and distance of S 89° 09' 56" W 413.53 feet to a point; thence N 04° 11' 54" E 24.65 feet to a point in the south line of Lot 6a of Elsiewood; thence with the former north right-of-way line of Queen Alice Road S 85° 15' 49" E 28.99 feet to the southeast corner of said Lot 6a; thence in a northerly direction with the east line of said Lot 6a approximately 335 feet to the northeast corner of said Lot 6a; thence N 82° 16' 00" W approximately 150 feet along the north lines of said Lot 6a and Lot 7b of said subdivision to an existing concrete monument; thence N 03° 03' 43" E 784.56 feet with the west line of Sutton Oaks, LLC to a point on the south line of Thomas J. Jr. and Patricia P. Bivens, as recorded at Deed Book 3190, Page 487 in the Office of the Register of Deeds; thence S 83° 57' 42" E 15.35 feet with said south line to Bivens' southernmost corner; thence N 04° 02' 00" E 157.72 feet with Bivens' east line to the southernmost corner of Lot 109 on Sheet "A" of Section Three of Sedgefield; thence N 39° 00' 26" E approximately 130 feet with the southeast line of said Lot 109 to the point and place of BEGINNING, containing approximately 31.45 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after May 31, 2005, the liability for municipal taxes for the 2004-2005 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2005.

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

That Tuesday, March 1, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than February 19, 2005.

(Signed) T. Dianne Bellamy-Small

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43-05 RESOLUTION AUTHORIZING ENCROACHMENT AGREEMENT ON STREET RIGHTS-OF-WAY TO SIT-IN MOVEMENT, INC. TO USE RIGHT-OF-WAY LOCATED AT 132 SOUTH ELM STREET

WHEREAS, SIT-IN MOVEMENT, INC. has requested that the City permit them to use the right-of-way located at 132 South Elm Street;

WHEREAS, SIT-IN-MOVEMENT, INC. plans to encroach into City right-of-way in order to build and install a South Canopy overhanging the northernmost sidewalk at February One Place and an East Canopy overhanging the westernmost sidewalk at South Elm Eugene Street, for the purposes of providing shelter at the entrances to 132 South Elm Street;

WHEREAS, SIT-IN-MOVEMENT, INC. has agreed to enter into an Agreement with the City of Greensboro which, among other things, will indemnify the City from any claim or damages that may occur due to the South Canopy and the East Canopy overhanging the entrances at 132 South Elm Street;

WHEREAS, it is deemed in the best interest of the City to permit the encroachment of said building in accordance with the terms and conditions of an Agreement presented herewith this day:

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

That the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro an appropriate encroachment Agreement with SIT-IN MOVEMENT, INC. to build and install a South Canopy overhanging the northernmost sidewalk at February One Place and an East Canopy overhanging the westernmost sidewalk at South Elm Eugene Street for the purposes of providing shelter at the entrances to 132 South Elm Street all in accordance with the terms and conditions set out therein.

(Signed) T. Dianne Bellamy-Small

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A motion to make a part of the minutes report of destruction of contracts listed as expired in 2000 and years prior was unanimously approved. (A copy of the list of contracts approved for destruction is filed in Exhibit Drawer P, Exhibit #4 and is hereby referred to and made a part of the minutes).

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A motion to approve minutes of special and regular meetings of February 1, 2005 was unanimously approved.

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Mayor Holliday introduced a resolution opposing Guilford County's Delegation by EPA as "Non-Attainment" for PM 2.5 (Fine Particle Matter).

After brief remarks by the City Manager, Councilmember Carmany stated that Greensboro had received “Non Attainment” status due to air pollution from Forsythe County.

After she read into the record the section of the resolution stating the action resolved by Council, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Phillips; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

44-05 RESOLUTION OPPOSING GUILFORD COUNTY’S DESIGNATION BY EPA AS “NON-ATTAINMENT” FOR PM 2.5 (FINE PARTICULATE MATTER)

WHEREAS, the Federal Environmental Protection Agency (EPA) has been tracking air contaminants known as PM 2.5 with their goal being to reduce the levels by 2003 and thereafter to sustain that reduction;

WHEREAS, EPA, in conjunction with the State’s Air Quality Division, placed PM 2.5 monitors in several locations statewide and the data collected in Guilford County has shown that our monitors are attaining the standard based on current design values set by EPA;

WHEREAS, Davidson County monitors are not attaining the standard based on values set by EPA, and EPA has erroneously concluded that pollutants from Guilford County’s main highway infrastructure have been a major contributing factor, therefore, EPA has designated Guilford County as a non-attainment region for PM 2.5 air contaminants;

WHEREAS, analysis suggests that the higher concentrations of PM 2.5 in Davidson County are the result of local factors, not from Guilford County;

WHEREAS, the designation of Guilford County as a PM 2.5 non-attainment area has severe consequences for our City and we risk the loss of federal funds and potential for economic development from the manufacturing and industrial sectors;

WHEREAS, if this designation is not reversed it may be necessary for the City to bring a lawsuit against EPA as it feels the EPA has reached this designation erroneously due to Davidson County’s monitor readings.

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

That it opposes the designation of Guilford County as a non-attainment region for PM 2.5 air contaminants by EPA and it authorizes the City to pursue a lawsuit against EPA to have this designation reversed in order to avoid severe consequences to our City as a result of the non-attainment designation if other measures in obtaining a reversal are unsuccessful.

(Signed) Sandra G. Carmany

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Mayor Holliday introduced a resolution authorizing and approving Housing and Community Development’s subordination policy. Andrew Scott, Director of the Housing and Community Development Department, spoke to the rationale for the policy and outlined its objectives and terms.

Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

45-05 RESOLUTION AUTHORIZING AND APPROVING HOUSING AND COMMUNITY DEVELOPMENT’S SUBORDINATION POLICY

WHEREAS, the City of Greensboro's Housing and Community Development Program makes loans to city residents for both the acquisition and rehabilitation of homes;

WHEREAS, the loans are secured by a lien on the property;

WHEREAS, when the borrowers refinance their first mortgage, they will request that the City subordinate its loan;

WHEREAS, the Housing and Community Development Program has developed a policy outlining the procedures for these subordinations, said policy presented herewith this day.

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

That the Housing and Community Development's Subordination Policy presented herewith this day is hereby approved and the City is hereby authorized to subordinate its loans in accordance with said Policy.

(Signed) Robert Perkins

(A copy of the policy is filed with the above resolution and is hereby referred to and made a part of the minutes).

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Mayor Holliday introduced a resolution authorizing the City Manager to enter into cost reimbursement agreement with the Koury Corporation for the design, construction, and construction administration of the Farmington Road, Wintergarden Drive and Glen Hollow Road Extension Intersection Realignment Project.

Following brief remarks by the City Manager, Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

46-05 RESOLUTION AUTHORIZING CITY MANAGER TO ENTER INTO COST REIMBURSEMENT AGREEMENT WITH THE KOURY CORPORATION FOR THE DESIGN, CONSTRUCTION, CONSTRUCTION ADMINISTRATION OF THE FARMINGTON ROAD, WINTERGARDEN DRIVE AND GLEN HOLLOW ROAD EXTENSION INTERSECTION REALIGNMENT PROJECT

WHEREAS, the City and the KOURY CORPORATION, a North Carolina business corporation, hereinafter referred to as the "Company", are jointly working to make certain traffic and pedestrian improvements to Farmington Road and Glen Hollow Road, on property owned by the respective parties;

WHEREAS, the purpose of this project is to enhance the street connectivity and pedestrian access of the area;

WHEREAS, the Company has agreed to design administer, and construct the roadway and intersection improvements to City standards on city owned property. The specifications and construction shall meet the North Carolina Department of Transportation and City Standard Practices for Roadway and Sidewalk Design. All plans, specifications, and designs are subject to review and or approval by the City and shall be in a form acceptable to it. The Company will coordinate the construction of the additional roadway and intersection improvements within the project area. Be responsible for coordinating with the City in obtaining and incurring the expense of all necessary encroachment agreements and easements to perform the said improvements. Permit the City to inspect and approve the construction of the Project;

WHEREAS, the Company in hiring, contracting, and other acts abide by all local, State and Federal laws and regulations relevant to Minority/Women's Business Enterprises and shall not discriminate on the basis of sex, race, age, color, religion, national origin, or disability;

WHEREAS, the City will reimburse the Company for costs associated with construction and installation of the roadway and intersection improvements within the project area in the amount not to exceed \$368,700.00, following the completion and acceptance of the work.

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

That said project is hereby formally approved and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Company.

(Signed) Thomas M. Phillips

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Mayor Holliday introduced a resolution requesting the North Carolina Department of Transportation (NCDOT) review of the intersection of Youngs Mill Road and Perth Place for intersection improvements and/or traffic control device enhancements.

Following brief Council discussion, the City Manager advised that Council could contact Mr. Galyon, of NCDOT, if they wished to take additional action. In response to Councilmember Bellamy-Small, Mr. Westmoreland stated he would inform NCDOT of her request to provide neighborhood residents with an opportunity to provide input during the State's review process.

Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Bellamy-Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

47-05 RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) REVIEW OF THE INTERSECTION OF YOUNGS MILL ROAD AND PERTH PLACE FOR INTERSECTION IMPROVEMENTS AND/OR TRAFFIC CONTROL DEVICE ENHANCEMENTS

WHEREAS, Youngs Mill Road and Perth Place are both State Highways and currently maintained and operated by the NCDOT;

WHEREAS, the Greensboro City Council has recently approved two (2) rezonings in the area that will add additional traffic to the intersection of these two State Highways;

WHEREAS, during the public hearings for both rezonings, citizens appeared before the Greensboro City Council to express concerns about the existing intersection, its safety and operating conditions;

WHEREAS, at their February 1, 2005 City Council meeting, the Mayor and Council requested staff develop a resolution requesting that the NCDOT review and monitor this location.

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

That it respectfully requests the NCDOT to note these concerns and review the intersection of Youngs Mill Road and Perth Place to determine if intersection improvements and/or other traffic control device enhancements are needed to help insure the intersection's continued safe travel and operations.

(Signed) Thomas M. Phillips

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The City Manager presented Council with an addendum item, a resolution calling a public hearing for March 1, 2005 on the annexation of territory to the corporate limits- located east of Battleground Avenue and north of Horse Pen Creek Road- 40.54 acres.

Councilmember Perkins requested Council to excuse him from consideration of this matter due to his financial interest in the property. Councilmember Gatten moved that Councilmember Perkins be excused from voting due to a conflict of interest. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council.

Councilmember Phillips moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Phillips and Vaughan. Noes: None, with Councilmember Perkins abstaining due to conflict of interest.

48-05 RESOLUTION CALLING A PUBLIC HEARING FOR MARCH 1, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED EAST OF BATTLEGROUND AVENUE AND NORTH OF HORSE PEN CREEK ROAD – 40.54 ACRES

WHEREAS, the owners of all the hereinafter described property, which is contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of February, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED EAST OF BATTLEGROUND AVENUE AND NORTH OF HORSEPEN CREEK ROAD – 40.54 ACRES)

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

BEGINNING at an axle found, the southeast corner of Brandt Lake Farms subdivision, Section III, as recorded in Plat Book 91, Page 85 in the Office of the Register of Deeds of Guilford County, said axle lying also in the west line of Forest Manor Farm North subdivision, Section II, as recorded in Plat Book 96, Page 114 in the Office of the Register of Deeds; thence with the west line of said Forest Manor Farm North S 00° 46' 33" E 305.03 feet to a point at or near the centerline of a creek, said creek forming existing Greensboro city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the centerline of said creek, following its various meanderings, S 63° 02' 37" W 19.39 feet to the intersection of said creek with a branch flowing from the southeast; thence with the centerline of said branch, following its various meanderings, the following 17 courses and distances: 1) S 59° 32' 54" E 16.85 feet to a point; 2) S 11° 50' 32" W 104.06 feet to a point; 3) N 76° 27' 03" W 30.98 feet to a point; 4) S 86° 13' 29" W 21.09 feet to a point; 5) N 01° 34' 54" W 13.82 feet to a point; 6) N 73° 13' 14" W 12.32 feet to a point; 7) S 63° 22' 35" W 41.23 feet to a point; 8) S 28° 01' 38" W 19.13 feet to a point; 9) S 51° 52' 11" W 42.64 feet to a point; 10) S 05° 14' 09" E 24.44 feet to a point; 11) S 23° 16' 22" E 38.17 feet to a point; 12) S 14° 33' 14" W 40.87 feet to a point; 13) S 23° 39' 54" W 55.09 feet to a point; 14) S 23° 09' 08" E 24.69 feet to a point; 15) S 28° 47' 52" W 16.81 feet to a point; 16) S 03° 16' 47" W 43.91 feet to a point; and 17) S 13° 34' 56" E 22.92 feet to a point in the north line of property of Carol C. Owens, as described in Deed Book 4304, Page 1901 in the Office of the Register of Deeds; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with said north line S 81° 46' 33" W 215.86 feet to an iron pipe found on the north side of a pond dam, the northwest corner of Owens; thence with the west line of Owens S 07° 04' 16" E 333.46 feet to a point lying within a pond and S 00° 01' 45" W 197.34 feet to a point on the east bank of said pond, said point lying in the east line of property of Marlene N. Cockerham, as described in Deed Book 4231,

Page 574 in the Office of the Register of Deeds, said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS with the east bank of said pond, following its various meanderings, the following three courses and distances: 1) S 16° 03' 21" W 23.41 feet to a point; 2) S 38° 06' 24" W 21.34 feet to a point; and 3) S 77° 29' 36" W 32.70 feet to the centerline of a branch flowing into said pond from the southwest; thence with said branch, following its various meanderings, the following 19 courses and distances: 1) S 31° 44' 53" W 30.48 feet to a point, 2) S 16° 14' 32" W 87.49 feet to a point, 3) S 87° 10' 42" E 24.01 feet to a point, 4) S 20° 25' 40" E 45.44 feet to a point, 5) S 16° 22' 45" W 24.70 feet to a point in the north line of property of Glenn H. and Maggie B. Wadford, as described in Deed Book 1295, Page 381 in the Office of the Register of Deeds, 6) S 16° 22' 45" W 68.75 feet to a point, 7) N 66° 15' 43" W 50.38 feet to a point, 8) S 16° 38' 33" W 89.33 feet to a point; 9) S 04° 24' 07" E 43.94 feet to a point, 10) S 23° 59' 39" W 35.72 feet to a point, 11) S 10° 19' 11" W 91.06 feet to a point in the east line of property of Margaret Jessup et. al. as described in Deed Book 3523, Page 239 in the Office of the Register of Deeds, 12) S 10° 19' 11" W 87.57 feet to a point, 13) S 05° 40' 29" E 107.01 feet to a point, 14) S 09° 44' 29" W 76.38 feet to a point, 15) S 52° 40' 35" W 36.71 feet to a point, 16) S 60° 31' 19" W 23.34 feet to a point, 17) S 89° 51' 26" W 43.73 feet to a point, 18) S 63° 56' 28" W 94.58 feet to a point, and 19) S 72° 03' 43" W approximately 60 feet to a point in the east right-of-way line of Battleground Avenue (U.S. Highway 220); THENCE DEPARTING FROM THE EXISTING CITY LIMITS along said right-of-way line approximately 190 feet to an iron pipe found in said right-of-way line, the southeast corner of land formerly owned by Adam H. Scott, as described in Deed Book 265, Page 682 in the Office of the Register of Deeds; thence with said right-of-way line N 17° 15' 19" W 521.91 feet to an iron pipe found, the southwest corner of property owned, now or formerly, by Charter Development Company, LLC, as described in Deed Book 4856, Page 1071 in the Office of the Register of Deeds; thence continuing with said right-of-way line N 17° 25' 02" W 333.48 feet to an iron pipe found in said right-of-way line; thence continuing with said right-of-way line in a northerly direction approximately 1,275 feet to a point; thence leaving said right-of-way with the south line of the Brandt Lake Farms subdivision, Sections II and III, as recorded in Plat Book 88, Page 94 and Plat Book 91, Page 85, in the Office of the Register of Deeds, S 87° 58' 20" E 1,492.43 feet to THE POINT AND PLACE OF BEGINNING, containing 40.54 acres more or less.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

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

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

Section 5. From and after May 31, 2005, the liability for municipal taxes for the 2004-2005 fiscal year shall be prorated on the basis of 1/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2005-2006 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after May 31, 2005.

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

That Tuesday, March 1, 2005 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of

Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than February 19, 2005.

(Signed) Thomas M. Phillips

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James L. Womack, residing at 1015 Avalon Road, stated he was in the process of pursuing the placement of markers in front of the residences of two African American residents of Greensboro, Dr. George Simpkins and Dr. William Hampton, who had made historically significant social contributions to the community. Following brief Council discussion, Councilmember Vaughan and Mr. Westmoreland offered to share their experience to assist Mr. Womack with this process.

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At the request of Councilmember Johnson, Marie Sanchez-Boudy informed Council of the upcoming *Open Doors of Opportunity* event, co-sponsored by the City of Greensboro Fair Housing Department and Bennett College for Women. She stated the event would be held at the Greensboro Coliseum to provide information to Spanish speaking area residents with respect to housing, health care, and other vital services.

Councilmember Johnson moved that Council provide \$5000 from Council Contingency Funds for a one time basis contribution for this event. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council. During further discussion, Ms. Boody clarified that these funds would not be used for Coliseum rental.

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Councilmember Vaughan provided information with respect to the schedule for the upcoming Town Hall meeting with the Guilford Legislative Delegation on March 3, 2005 in the Council Chambers.

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Councilmember Phillips requested staff to review proposals for changes to the *Greensboro Connections 2025 Comprehensive Plan* with respect to the far end of New Garden Road; he stated the Comprehensive Plan called for high development there, which in his opinion, was not characteristic of the area.

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Councilmember Perkins added the name of Phillip M Segal, III to the boards and commissions data bank for consideration for future service.

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Councilmember Carmany added the name of Lisa McLain to the boards and commissions data bank for consideration for future service on the Rental Unit Certificate Advisory Board.

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Mayor Holliday added the name of Michael Ranieri to the boards and commissions data bank for consideration for future service on the Minimum Housing Standards Commission, Greensboro Housing Authority, Piedmont Triad Regional Water Authority and the Piedmont Triad International Airport Authority.

The Mayor added the names of Brian Clarke, Duane Dasso, Todd C. Dillon, Donna Kelly, Kenneth Thompson and Robert Kollar to the boards and commissions data bank for consideration for future service.

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Mayor Holliday presented to Council a letter drafted to request that the City continue to receive Community Development Block Grant funds from the Federal Department of Housing and Urban Development. After several members of Council expressed disagreement with specific wording, the Mayor stated that a revised draft letter would be prepared for Council's consideration.

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Council spoke to recent and upcoming community events of interest, including notable Black History Month events.

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After the City Manager stated that an update pertaining to crime in the Silver Street area would be prepared for the March 22, 2005 Council briefing, Councilmember Phillips suggested that coordination among departments and inclusion of additional high crime areas be included in the City's approach to addressing crime related concerns identified in the Silver Street area.

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City Manager Kitchen briefly discussed the recent completion of the Burlington Water Line. He noted the significance of various increases in the City's water supply and spoke to the positive impacts of achieving the current excellent level of water supply reserves.

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Councilmember Vaughan moved that the meeting be adjourned. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

The meeting was adjourned at 9:52 p.m.

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Susan E. Crotts
Deputy City Clerk

Keith A. Holliday
Mayor
