

**MEETING OF THE
GREENSBORO PLANNING BOARD
January 15, 2014**

The Greensboro Planning Board was held on Wednesday, January 15, 2014, at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chair Chuck Truby, Day Atkins, Celia Parker, Rich Mossman, Frankie T. Jones, Jr., Marc Isaacson and John Martin. City staff present were: Nicole Dreibelbis, Sheila Stains-Ramp, Mike Kirkman, Nicole Ward, Cynthia Blue, Steve Galanti, Planning Department; and Tom Carruthers, Legal Department.

MEETING MINUTES:

Mr. Martin moved to approve the minutes from the December 18, 2013 meeting, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Parker, Mossman, Martin, Atkins, and Isaacson. Nays: None.)

Public Hearings:

- A. Land Development Ordinance (LDO) Amendment regarding Sections 30-15-3, 30-15-13, 30-15-19, 30-8-9.1 and Table 8-1, related to the definition of Brewpub, Microbrewery and Taproom and their allowed zoning districts. **(APPROVAL RECOMMENDED)**

Nicole Dreibelbis presented the text amendment, noting that it arose from a request by Mark Gibbs, President of Gibbs Hundred Brewing Company, that local regulations be reviewed as to their consistency with industry standards. As a result, staff recommends revisions to the LDO which include a decrease in the production thresholds of both brewpubs and microbreweries, the addition of a taproom as a required ancillary use to microbrewery operations, expansion of zoning districts that allow microbreweries by right and clarification of current sales limitations on both land uses. Staff consulted with existing businesses and confirmed the proposed revisions will not negatively impact current operations. Staff requested that the Planning Board consider these changes to the LDO and recommend approval in the City Council for adoption.

Mr. Isaacson asked why there would be a reduction from 25,000 to 15,000 barrels. Ms. Dreibelbis stated that this would make the LDO consistent with industry standards as set by the American Brewers Association.

Mr. Truby asked if Natty Greene's exceeded the 15,000 barrel threshold. Ms. Dreibelbis stated that staff did consult with Natty Greene's, which confirmed they are and would remain within that threshold at the downtown operation, and indicated they do not have any concerns with the production threshold change.

Mr. Kirkman stated that the amendment seeks to differentiate between a true industrial use and a smaller scale use appropriate to the Downtown or to multi-use areas.

Mark Gibbs of 7595 Tribiano Rd. Stokesdale, NC (117 W. Lewis St. Greensboro, Business) stated that he requested the amendment because the industry has evolved since the provision was first enacted, in that beer is sold on-site and off-site. Lowering the barrelage from 25,000 to 15,000 barrels prevent a pub in the central business district from becoming a factory.

The public hearing was closed by unanimous vote.

Mr. Isaacson moved that the Board recommend approval of the text amendment, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Parker, Mossman, Martin, Atkins, and Isaacson. Nays: None.)

Annexation Petition

- A. Proposed Satellite Annexation of Property of Codella R. Phipps at 1705 Youngs Mill Road – 0.46 acres. **(APPROVAL RECOMMENDED)**

Steve Galanti presented the prospective annexation, stating that the property currently contains a single-family dwelling with a failing septic system and the dwelling needs to tap on to the City's sewer system. According to the Water and Sewer Policy the area must be annexed before they can tap onto the water and sewer system. The property is in Growth Tier One, which is where city services can be easily provided, and water and sewer are available in the Youngs Mill Road, along which this site is located

Mr. Galanti noted that the request had been sent to the various service providers and they have responded as follows: The Fire Department notes this site is currently served by the volunteer fire department, Alamance Station Number 54, located on Presbyterian Road; upon annexation the site will be served by both the volunteer fire station and City Station 56, located on Franklin Blvd. As a result service will improve to the site. The Police Department has indicated they can provide service to this site with little difficulty. The provision of other city services will involve a travel distance almost equal to property that has already been annexed. The Technical Review Committee has reviewed this annexation request and recommends its approval.

Mr. Jones moved that the Board recommend the approval of the annexation, seconded by Ms. Parker. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Parker, Mossman, Martin, Atkins, and Isaacson. Nays: None.)

Easement Release

- A. Proposed release of a 20-foot-wide utility easement located at 2501 Summit Avenue as recorded in Plat Book 176 page 4. **(APPROVED)**

Nicole Ward presented the item, noting that all utility companies involved have communicated their agreement to the release of this easement.

Mr. Martin asked what was triggering the request.

Mr. Galanti stated that the utility has been relocated from this area now that the site is in for development and the no-longer-necessary easement can be removed from the lot.

Mr. Jones moved to approve item 4.a, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Parker, Mossman, Martin, Atkins, and Isaacson. Nays: None.)

ITEMS FROM THE DEPARTMENT:

A. Housing RFP – Program overview

Cynthia Blue, Interim Manager of Housing Services with the City's Neighborhood Development Division, spoke on the Affordable Housing Development Request For Proposals (RFP) process. It is anticipated that about 2.5 million of federal HOME Program dollars will be available. When looking at affordable housing the focus is on what it will take for the City to offset some of the hard costs in order to bring down the rent levels to an affordable amount for the projected tenants. The RFP will be issued on January 27 with proposals due back on February 24, and a public information session will be held in early February. Developers will be asked to the March Planning Board meeting to tell more about the projects being proposed. The projects are considered relative to the scoring tool that has been devised over the last several years, along with public input. The goals of the RFP are expressed through the scoring criteria used to select projects in conformance with these goals. Implementation of City plans and policies, such as through neighborhood redevelopment or business reinvestment corridors with associated housing components, is promoted. Part of the overall goal of the HOME program is to support local development capacity, particularly non-profit development capacity. There is a 15% set-aside each year specifically for Community Housing Development Organizations, which are organizations that have a component of their Board that is representative of the community and that have an active mission to develop decent, safe and affordable housing. The overall goal in the Consolidated Housing Plan is about 200 units a year, which is a mix between homeowner, rehabilitation and rental production.

There are some changes to this year's RFP process, as HUD adopted new HOME program rules in August 2013. They have dramatically tightened compliance regulations in the area of single-family development and ownership. There are also some minor changes to the scoring matrix this year which includes making the threshold conditions their own category. HUD has specified that new construction should not take place in 'areas of limited opportunity', which involve high minority concentration or a high degree of low income households or other limiting factors.

Mr. Jones asked how the areas for new construction would be identified.

Ms. Blue stated that the Federal Government does not provide exact definitions but has laid out parameters, such as not siting new construction in areas with high concentrations of minorities.

Mr. Jones asked if there was a threshold for what is considered a high concentration of minorities.

Ms. Blue stated that the Federal Government does not, but 1.5 times the city wide average has been adopted for use.

Mr. Atkins asked if some of the properties near Willow Oaks, which were found to be blighted, could be reconditioned under the program.

Ms. Blue stated that the cost to rehabilitate those properties would be too excessive to be a competitive project.

Ms. Parker and Mr. Martin volunteered to work with Ms. Blue in reviewing the proposals.

ITEMS FROM THE CHAIRMAN:

Chair Truby recognized that Seth Steele has been appointed to the Planning Board and will attend the February meeting as a new member.

Speakers from the Floor on Items under Planning Board Authority

There were no speakers from the floor.

ABSENCES:

The absence of Mr. Blackstock was acknowledged as excused.

Ms. Stains-Ramp stated that there would be a sign contractor's workshop in late January; that Development Services was putting together a newsletter to go out by the end of the week; and that a workshop for the broader development community would be scheduled for the end of February-first part of March.

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ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 2:33 p.m.

Respectfully submitted,

Sue Schwartz,
Director of Planning & Community Development

SS/jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
February 19, 2014**

The Greensboro Planning Board was held on Wednesday, February 19, 2014, at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chair Chuck Truby, John Martin, Day Atkins, Frankie T. Jones, Jr., Marc Isaacson, Seth Steele, Rich Mossman, Celia Parker and Donald Blackstock. City staff present were: Steve Galanti, Russ Clegg, Mike Kirkman, Hanna Cockburn, Nicole Ward, and Sheila Stains-Ramp from Planning; Caitlin Warren and Barbara Harris from Neighborhood Development; and Tom Carruthers, from the City Attorney's Office.

Chair Truby welcomed everyone to the February Planning Board meeting and covered the procedures that would be guiding the process during the meeting.

MEETING MINUTES (Decision):

Mr. Jones moved to approve the minutes from the January 15, 2014 meeting, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion.

PUBLIC HEARINGS (Recommendation):

- a. Land Development Ordinance Amendment regarding Sections 30-73.2(J) and 30-4-11.3(B), related to Interior Setbacks for Multi-Family Projects. **(FAVORABLE RECOMMENDATION)**

Steve Galanti described the proposed text amendment related to interior setbacks for multifamily projects. The current setback requirement is related to the height and length of the proposed building. For instance, a two-story building would have a minimum setback of 25 feet, or 20% of the building length, whichever is greater. For a three-story building the percent of building length increases to 40% percent. A three-story building with a length of 150 feet would have to be set back 60 feet from the property line, a distance generally agreed to be excessive. This is quite different than was required under the former Unified Development Ordinance (UDO) and makes many existing developments legal nonconformities. Two additional considerations are that the existing requirement does not take into consideration the use of the adjacent property, which may warrant more or less separation as a form of protection from the impacts of the multi-family development; nor does it take into account building orientation, often used to moderate these impacts. The UDO used a technique relying on non-overlapping triangles, which encouraged the developer to turn the building relative to the property line and typically resulted in the building having a lesser impact on the adjacent properties.

Staff has worked with TREBIC, the Neighborhood Congress and several local developers to develop an approach that is workable and appropriately protective, takes into consideration the use of the adjacent property and the orientation of the proposed buildings, and reduces the often over-large setbacks resulting from the present LDO language. The proposed amendment allows for the appropriate minimum side or rear yard setback to be determined by the angle formed by the property line and the front or rear façade of the building. If that angle is greater than 45 degrees, the area between the building and the property line will be treated as a side yard. Multifamily buildings adjacent to a residential use or district and oriented at greater than 45 degrees to the lot line have a minimum side setback of 20 feet and a minimum rear setback of 40 feet. Multifamily buildings adjacent to a nonresidential use and oriented at greater than 45 degrees to the lot line have a minimum side setback of 15 feet and a rear setback of 20 feet. Buildings exceeding 50 feet in height would increase one foot for each foot of height above 50 feet.

There being no speakers, the public hearing was closed.

In answer to a question from Mr. Mossman, Mr. Galanti noted that the proposal is similar to how Charlotte handles the issue, and that both Winston-Salem and High Point presently use off-set triangles as the UDO did. In response to a question from Mr. Isaacson, Mr. Galanti explained the sorts of constraints and findings for Type 2 Modifications to the setbacks when those are warranted, and that while a maximum reduction and minimum setback are clarified, that option does not otherwise change with this amendment.

Mr. Isaacson moved to recommend the amendments as outlined, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

b. Land Development Ordinance Amendment regarding Section 30-3-4, related to Technical Review Committee membership. (FAVORABLE RECOMMENDATION)

Steve Galanti stated that this proposed text amendment would slightly change the Technical Review Committee (TRC) membership to add the Fire Department as a voting member, identifies the quorum as 5 members, establishes tie-breaker provisions, and updates the name of the Planning Department. Previously fire code review was handled by the Building Inspections representative of the Engineering and Inspections Department. The Fire Department now handles its own review. As a result the change to voting membership is warranted.

There being no speakers, the public hearing was closed.

After a short discussion Mr. Isaacson moved to recommend the amendment as presented by staff, seconded by Ms. Parker. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

PUBLIC HEARINGS (Comments):

a. Input on the FY 2014 Annual Plan for HUD-funded Projects and Grants.

Caitlin Warren, with the Neighborhood Development Department, stated that the Annual Action Plan is considered the funding application for the Department of Housing and Urban Development and is required to receive annual federal grant funds. It begins the necessary process to fund new projects. The Annual Action Plan has consistent goals to increase the supply of affordable housing, continue to rehabilitate and repair existing housing, support community efforts to combat homelessness, and work to complete new development projects in target neighborhoods. The purpose of the public hearing is to allow input and provide a forum to comment on the anticipated use of these funds during the 2014/2015 fiscal year. The Neighborhood Development Department will publish a summary of the planned expenditures in April and a second public hearing will be held at the City Council meeting on May 6th. The Annual Action Plan will be submitted to HUD on or before May 15th.

Beth McKee-Huger, Greensboro Housing Coalition, stated the Coalition is an advocate for safe and affordable housing in Greensboro, and has participated in the Annual Plan programs for the past 15 years. She stated there is an enormous need for affordable housing for low-income people in our community, and that supporting and building affordable houses improves stability of the community, of neighborhoods and of other social programs. She stated the Housing Coalition would work on developing private/public funding partnerships.

Darryl Cozey, Executive Director of Partners Ending Homelessness, stated that they are the contract administrators on behalf of the City of Greensboro for the Nussbaum funding with Community Block Grant funds that goes towards their partner agencies who are working toward ending homelessness. The majority of the

funding goes towards shelters as the first entry point for someone who is homeless. The goal of ending homelessness is to stabilize the community. He cited a study reporting that for every \$430 Greensboro spent a previously homeless household was returned to housing, and commented that if there is no affordable housing for people to go in to, homelessness is never solved.

David Levy, Executive Director, Affordable Housing Management, stated that this organization is a 44-year-old nonprofit organization focused on developing and managing affordable rental property. He noted that the five-year Affordable Action Plan showed thousands of affordable units would be needed. While Greensboro has done a good job in developing new housing, there is a lot of older housing that is going to need attention and which will compete with new-construction programs for affordable housing dollars. The Nussbaum fund was originally earmarked for housing development and he asked that the board members help steer the funding back to development of additional affordable units.

Mr. Truby asked how the tax credit dollars for Guilford are distributed; Barbara Harris, Director of Neighborhood Development, responded that state tax credits are awarded through a competitive process in which the City of Greensboro usually participates.

Steve Galanti noted the Housing Summit listed as an informational item later on the Planning Board's agenda, and requested that any members who wish to attend let him know of their interest at the close of the Planning Board meeting.

AMENDMENT TO GENERALIZED FUTURE LAND USE MAP (GFLUM) (Comments):

a. From Low Residential and Institutional to Mixed Use Residential, 4310 Four Farms Road

Russ Clegg stated that this is a Generalized Future Land Use Map amendment for 4310 Four Farms Road, required by a rezoning request. The change requested is from Low Residential and Institutional to Mixed Use Residential. The Low Residential designation includes the City's predominantly single-family neighborhoods as well as other compatible housing types that can be accommodated within the target density of 3 to 5 units per acre. Compact development that includes open spaces is encouraged. Institutional applies to university and college campuses, major medical health care concentrations and similar large scale institutional activity centers. The requested change to Mixed Use Residential allows predominately residential uses with substantial, compatible local-serving uses. Mr. Clegg identified the GFLUM designations and uses of the surrounding areas, and noted the area is seeing a lot of change, particularly with the Urban Loop planned to come through the center of the area and the proposed extension of Jessup Grove Road to Four Farms Road in the future.

Comments: The Planning Board commented that they saw no issues with this change in the land use and that the area would benefit from increased connectivity to the west, as planned for in the proposed connection to Jessup's Grove Road.

b. From Low Residential to Mixed Use Residential, 4406 and 4408 Rehobeth Church Road

Russ Clegg noted the definitions of the Low Residential and Mixed Use Residential designations are the same as for the 4310 Four Farms Road request. The proposal expands the existing area of Mixed Use Residential. Russ Clegg noted the definitions of the Low Residential and Mixed Use Residential designations are the same as for the 4310 Four Farms Road request.

Comments: The Planning Board commented that this is a logical change in the land use as it is an expansion of a Mixed-Use Residential to an intersection with good connectivity.

STREET CLOSING (Recommendation):

- a. **Recommendation on a Resolution Closing Right-of-Way Previously a Portion of Guilford College Road, a distance of approximately 600 feet. (RECOMMENDED)**

Nicole Ward stated that staff recommends closing the right-of-way, which was previously a portion of Guilford College Road. The Technical Review Committee found that the circumstances allowed for support of this request and that the closing of the street to vehicular traffic would not be contrary to public interest nor leave any property owner deprived of a reasonable means of ingress and egress.

Mr. Isaacson asked if adjacent owners are given notice of proposed street closings. Ms. Ward responded that the owners to either side of a closing are given notice; in this case those are the same as the applicant.

Mr. Jones moved to recommend the street closing as presented by staff, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

EASEMENT RELEASES (Final Decision):

- a. **Proposed release of a portion of a 20' easement located at 4007 Halifax Road as recorded in Plan Book 23, page 95. (APPROVED)**

Nicole Ward described the proposed release and stated that all utility companies have reviewed and approved the easement release as described.

Mr. Jones moved to approve the easement release as presented by staff, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

- b. **Proposed release of a 10' utility easement located at 3720 Watauga Drive as recorded in Plan Book 43, page 52. (APPROVED)**

Nicole Ward described the proposed release and stated that all utility companies have reviewed and approved the easement release as described.

Mr. Jones moved to approve the easement release as presented by staff, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

TYPE 3 MODIFICATION (Final Decision):

- a. **5501 West Friendly Avenue – Change to Zoning Condition Regarding Extent of Exterior Finishing (CONTINUED TO MARCH MEETING)**

Mike Kirkman stated that this request for a Type 3 modification is to make an adjustment to an approved zoning condition for a property on W. Friendly Avenue near Dolley Madison. The site was rezoned in 2008 to allow for self-storage, with one of the approved conditions specifying that the building would be in substantial conformity with 'Exhibit B', which showed a stucco finish around the entire building and a fence running along the entire length of the property. Additionally, the illustration showed a two story building for much of the length of the property. Mr. Kirkman noted that the Zoning Commission focused a good deal of time on the type of materials

to be used with an emphasis on the appearance of the facility from Friendly Avenue having an office appearance.

The requested modification is to shorten the extent of the stucco finish, change the fencing materials and reduce the size and scale overall of the building. The resulting building would maintain the office-look façade on Friendly Avenue. All other conditions would stay as they are.

The Planning Board is authorized by the Land Development Ordinance to consider minor modifications to zoning conditions, including to negotiated conditions, where the changes are not substantial and the result is equal to or better than the original.

Mr. Mossman and Mr. Isaacson both stated that while this is an appropriate use of the property, but were not comfortable adjusting the approved zoning conditions without additional details from the current owner. Other Board members also posed questions that needed to be answered by the applicant. It was suggested that this item be continued to the next meeting so the applicant could attend to answer questions.

Mr. Galanti noted that the Planning Board could put conditions on the grant of a modification, but could not rewrite zoning conditions. The applicant would be advised that the Board members were interested in how adjustments to the fencing and building materials to be used would impact surrounding properties relative to the existing zoning conditions.

Mr. Jones moved to continue this matter to allow the applicant to attend the next meeting to answer the Board members' questions, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion. (Ayes: Truby, Jones, Blackstock, Martin, Atkins, Steele, Parker, Mossman and Isaacson. Nays: None.)

ITEMS FROM THE DEPARTMENT:

a. Update on Lawndale Corridor Plan, Design Workshops for Phase 1

Hanna Cockburn stated that staff has been directed by City Council to begin a Corridor Plan for Lawndale Drive. The boundaries for the plan are Cornwallis Drive and the new interchange with the Urban Loop. After collecting a good amount of existing conditions data, staff has determined that the best approach is to divide this into multiple phases so that they can encourage residents to participate. The first phase is the area between Cornwallis and Cone Boulevard as there is the opportunity to partner with Piedmont Together, which is building a regional sustainability plan and could leverage some of their resources toward a design workshop for this area. The workshop will focus on three themes; the residential and public, the transition between residential and commercial uses, and the transportation needs in this area. Staff is looking tentatively at the dates of March 19th and 22nd to conduct these workshops at the Lewis Recreation Center. Final details will be forwarded to Board members.

b. 2014 Housing Summit

Steve Galanti stated that all Board members are invited to the Housing Summit, for which an Informational handout had been provided. He asked that Board members let him know after the meeting if they will be attending.

Sheila Stains-Ramp stated that the Development Matters workshop is scheduled for March 7th, at 8:30 to 12:00 noon at the Kitchen Center. An agenda will be sent to the Board members.

Mike Kirkman stated that there is a webinar this afternoon at 4 o'clock that talks about the planning staff, planning commissioners and decision-making processes, if anyone is interested. This webinar will be in the 3rd Floor GDOT conference room.

ITEMS FROM THE CHAIRMAN:

None.

ABSENCES:

None.

ADJOURNMENT:

There being further business before the Board, the meeting adjourned at 3:30 p.m.

Respectfully submitted,

Sue Schwartz,
Director of Planning & Community Development

SS/jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
March 19, 2014**

The Greensboro Planning Board was held on Wednesday, March 19, 2014, at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chair Chuck Truby, John Martin, Day Atkins, Seth Steele and Donald Blackstock. City staff present were: Sheila Stains-Ramp, Mike Kirkman, Nicole Ward, Steve Galanti, from Planning; Cyndi Blue and Barbara Harris from Neighborhood Development.

Chair Truby welcomed everyone to the March Planning Board meeting and covered the procedures that would be guiding the process during the meeting.

MEETING MINUTES:

Chair Truby noted a correction to the spelling of Daryl Kosciak's last name. Mr. Martin moved to approve the minutes, as amended, from the February 19, 2014 meeting, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion.

PUBLIC HEARING:

- a. Land Development Ordinance Amendment regarding Table 8-1, within Section 30-8-1; Table 10-2 within Section 30-10-2.3(A)4); and Table 11-1 within Section 30-11-5, related to Off-Street Parking and Landscaping for Community Gardens and Urban Farms. **(APPROVAL RECOMMENDED)**

Steve Galanti stated that urban farms and community gardens were added to the Land Development Ordinance (LDO) in December, and that review of the first site plan showed that the applicable landscaping and parking requirements were unclear. Staff has prepared this second text amendment to clarify the standards.

For community gardens, a land use classification (LUC) of 1 is identified, which would mean there would not be a landscape buffer yard required between a community garden and a single-family residence. Similarly, no off-street parking is required for a community garden. The development standards for community gardens are considered to offset any impacts such a garden might have on abutting properties.

For urban farms, the land use classification (LUC) of 2 is identified, which would mean that a 15 foot wide buffer would be required between an urban farm and a single-family residence. The buffer would contain a mix of canopy trees, understory trees and shrubs. The parking rate is recommended as a minimum of five parking spaces plus one space for every 300 square feet of gross retail floor area. Parking would not be required to be paved. An urban farm is a larger scale and more intensive use than a community garden and these standards are recommended as appropriate to maintain a compatible appearance and limit off-site impacts. As a Special Use Permit is also required, any special circumstances can be considered in the hearing process, with conditions added as warranted.

The Board members had no questions of Mr. Galanti, and the public hearing was opened. No one spoke in favor or in opposition to the item.

Mr. Steele moved to recommend the text amendments, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion. (Ayes: Truby, Blackstock, Martin, Atkins, Steele. Nays: None.)

RECEIPT OF COMMENTS:

a. Presentations by Developers re Applications for FY2014 Affordable Housing Development Funds

Cynthia Blue stated that a summary sheet for the applications received under the 2014 Affordable Housing Development Request For Proposals has been provided to each Board member. The Planning Board would hear presentations on the submitted projects from their prospective developers. The proposals will undergo a scoring process based on the provided 2014 scoring criteria. Funds available for this purpose include \$2,565,188 from the federal HOME Program. Applications were limited to multifamily rehabilitation or new construction. All projects must be able to meet the newly revised requirements of the federal HOME Program. Applications include two multifamily projects eligible for Community Housing Development Organization set-aside funds, one non-profit new construction project, three Low Income Housing Tax Credit (LIHTC) new construction projects, and one LIHTC rehabilitation project which is requesting the reinvestment of City housing bond funds originally invested in 1993. The City also has a management agreement with Guilford County to administer a prior County-funded project and provide match assistance if it receives a low income tax credit award, and one such project, located in Jamestown, is amongst the group that will be evaluated.

Chair Truby asked developers to limit their presentations to 5 minutes apiece.

Gabrielle Forest, representing East Market Street Development Corporation, presented their proposal for Jonesboro Landing Phase 2, to be located at 2409 Charlotte Street. Phase 1, the rehabilitation of a 17-unit apartment complex adjacent to this project site, was done in 2011 using HOME funds. She stated that EMSDC has been working with Jonesboro-Scott Park neighborhood to implement the Jonesboro-Scott Park Neighborhood Plan, adopted by the City Council in 2009, doing home repair, property acquisition and rehabilitation, and has a track record of success in providing this service. She commented on how the proposal met the scoring criteria and noted the proposal would provide 9 additional affordable units, with 3 two-bedroom and 6 three-bedroom units.

There was no representative for Partnership Homes.

David Levy, Executive Director of Affordable Home Management, Inc., presented AHM's Hope Court project, to be located at 2100 Boulevard Street. He noted the 16-unit project was patterned on their successful Village Crossing development and was positioned to help address the City's goal of reducing chronic homelessness. He noted AHM's prior successes and their partnership with the Greensboro Housing Coalition, which will provide case management support services. He addressed how the proposal met the various scoring criteria and noted it would provide 16 affordable units, with 4 one-bedroom units, 8 two-bedroom units and 4 three-bedroom units.

David Levy, Executive Director of Affordable Housing Management, also presented their Sumner Ridge proposal, for 72 new apartment units at 4452 Old Randleman Road in nine 2-story buildings. He stated this is a highly leveraged project, where \$1 from the City leverages \$18 to \$19 of funding from other sources. He addressed how the proposal met the scoring criteria.

Patrick Theismann, representing Beacon Management Corporation, presented their Glen Meadows proposal for 60 units at 512 Glendale Drive. He spoke to Beacon's history with affordable housing projects and addressed how the proposal met the scoring criteria. George Carr, also of Beacon Management, noted the proposal is co-sponsored by the Greensboro Housing Authority and is one of the few occasions where the public and private sectors were joining forces.

Charlie Heritage, representing WKZ Housing, presented their Overland Heights proposal for 90 units in seven three-story buildings spread over a 5 acre site at 3807 Overland Heights Drive. The proposed development will consist of 6 one-bedroom units, 36 two-bedroom units, 36 three-bedroom units and 12 four-bedroom units. He

spoke to Weaver-Kirkland's experience with such projects, which is broadened by proposing this project in a joint venture with Zimmerman Properties, and addressed how the proposal met the scoring criteria.

David Levy, Executive Director of Affordable Home Management, presented their proposed rehabilitation of 44 units at Berryman Square, in partnership Opportunities South, LLC, which is not in competition for the HOME funds. The developer has requested a reinvestment of prior City loan principal and accumulated interest. The original City loan was made with Housing bond funds.

Patrick Theisman, representing Beacon Management, presented their proposal for Village View, a seniors affordable housing project to be located at 202 Ragsdale Road in Jamestown. The proposed development would consist of 47 units in one three-story building, with 32 one bedrooms and 15 two-bedrooms. He addressed how the proposal met the scoring criteria. George Carr, Beacon Management, noted the amount of leverage of other funding the proposal brings.

Mr. Truby asked why they were hearing about a project outside of the City. Cynthia Blue responded that Village View is a request for Guilford County HOME funds, however Guilford County no longer has a source of matching funds. They are asking that the City continue the commitment made previously to provide a 25% match (totaling \$74,250) out of the HOME Consortium's match balance which is several million dollars. In the past Guilford County has awarded Home funds to projects in Greensboro. They had been encouraged to try and find projects out in the county because it is their allocation.

Ms. Blue noted that a lot of the market studies are still coming in and staff is putting together the pre-evaluation information. She stated that there will probably be a site tour and a sit-down meeting the first or second week in April. The Planning Board's recommendations will go to City Council in May.

TYPE 3 MODIFICATION:

- a. 5501 West Friendly Road – change to zoning condition regarding extent of exterior finishing.
(APPROVED)

Mike Kirkman noted the Planning Board had first discussed this application at the February meeting and had requested the applicant attend the meeting to answer questions about what they were trying to achieve and how they intend to achieve it. Mr. Kirkman clarified that the condition does not reference a fence, so the Board's discussion should focus on the building. The zoning condition of concern related to building materials, and references an illustrative elevation, i.e. "All self-storage buildings will have stucco or similar appearing exterior materials", with reference to "Exhibit B".

Chair Truby summarized the Board's primary concern as the appearance of the exterior finishes given the proximity of the surrounding office buildings to this site. He noted that the Board has a limited ability to modify a zoning condition, as zoning conditions were often negotiated as part of the Zoning Commission's or City Council's approval of a site's rezoning; significant changes would require a new rezoning application.

Mr. Kirkman further added that the Board's ability to modify a zoning condition is limited to only those changes that would not be considered a substantial change from what the Zoning Commission/ Council had approved, and only if such a modification resulted in equal or better performance. A modification could also be considered if compliance was precluded by a federal, state or local law or regulation, or compliance was precluded by the size, topography or existing development of the site or adjoining sites. No notification to the surrounding property owners is required, and that is one reason why the scope of a potential modification is so narrowly drawn.

Shawn Jones, the applicant, of 6318-A W. Market Street, stated that he brought some material to show to the Board members as well as some pictures. He noted that from a distance it is difficult to tell whether the material is given a flat or textured finish; in either case it is not stucco per se but a form of metal material. He showed both pieces of material to the Board members.

Mr. Jones stated that they want to minimize the impact of the project; they had downsized the height and scope of the building, the building would in some parts of the site back up to heavy vegetation, and there would be no doors facing the office building. His company preferred to use the flat, lightly textured material rather than more heavily textured 'stucco' finish. He stated that the exterior would be a corrugated metal.

Mr. Atkins moved to recommend approval with the reduction to a one-story building as written on the application, seconded by Mr. Blackstock. Chair Truby suggested a friendly amendment to include the requirement of a tan or neutral color.

Mr. Atkins amended his motion to approve the request as written with the stipulation that the exterior color be a tan or neutral color, seconded by Mr. Blackstock. The Board voted 4-1 in favor of the motion. (Ayes: Truby, Martin, Blackstock, Atkins. Nays: Martin)

ANNEXATION PETITION:

- a. Proposed Annexation of Portions of 4104 and 4106 South Elm-Eugene Street, 8 acres, PL (P) 14-04. Property of the Greene Revocable Living Trust. **(APPROVAL RECOMMENDED)**

Steve Galanti stated that the proposed approximately 8 acre contiguous annexation is located within Growth Tier I on the Growth Strategy Map in the Comprehensive Plan, which is the area where services can most readily be extended and provided to accommodate new growth. There is a proposal to develop 80 multifamily residential dwelling units on the currently undeveloped site. City water service can be provided by extending the line located approximately 300 feet north of the site, and City sanitary sewer service can be provided through the extension of the sewer outfall line located approximately 2600 feet to the northwest. The cost associated with extending the utilities will be borne by the developer. The City's Fire Department notes that the site is currently served by City Station #61 on West Vandalia Road and County station # 24 on Bishop Road, through a reciprocal agreement. The property will continue to be served by those two fire stations due to that agreement. The Police Department estimates that additional personnel and equipment will be necessary to provide service to the site, at an estimated cost of approximately \$140,965. The provision of other city services will involve a travel distance almost equal to that to provide services to the previously annexed property which is to the north of this site. The Technical Review Committee (TRC) has reviewed the annexation and recommends approval.

Mr. Blackstock moved approval of the annexation as presented by staff, seconded by Mr. Martin. The Board voted unanimously in favor of the motion.

UNIFIED DEVELOPMENT PLAN:

- a) Lafayette Landing Apartments and Villas - 1209 Guilford College Road – 36.605 ac – UDP to establish development standards for the CD-PUD zoning district. **(CONTINUED)**

With the recusal of Mr. Truby on this item, there were an insufficient number of Board members to consider the proposed Unified Development Plan and the item was continued until the Board's next meeting.

ITEMS FROM THE DEPARTMENT:

Sheila Stains-Ramp noted that a brochure announcing the Lawndale Corridor Study Design Workshops on March 19-22 was included in the agenda packages, if the Planning Board members were interested in participating.

Steve Galanti stated that the results of that study are anticipated to result in a plan that would eventually come before the Planning Board.

Mr. Atkins asked if getting input from the cycling community was part of the information gathering of the workshops, and if not could the staff encourage that the cycling community be included. Steve Galanti stated that he would be glad to convey that information to the planning staff overseeing this effort.

Mr. Martin left the meeting at 3:55 p.m.

ITEMS FROM THE CHAIR: None

ITEMS FROM BOARD MEMBERS: None

APPROVAL OF ABSENCES:

The absences of Mr. Isaacson, Mr. Jones and Ms. Parker were acknowledged as excused.

ADJOURNMENT:

There being further business before the Board, the meeting adjourned at 3:59 p.m.

Respectfully submitted,

Sue Schwartz,
Director of Planning & Community Development

SS/jd

MEETING OF THE GREENSBORO PLANNING BOARD April 16, 2014

The Greensboro Planning Board was held on Wednesday, April 16, 2014, at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: John Martin, Richard Mossman, Celia Parker, Marc Isaacson, Frankie Jones, Seth Steele, Day Atkins and Donald Blackstock. City staff present were: Steve Galanti, Mike Kirkman, Russ Clegg, Nicole Ward, and Sheila Stains-Ramp from Planning; Cyndi Blue from Neighborhood Development; and Tom Carruthers from City Attorney's Office.

Vice Chair John Martin welcomed everyone to the April Planning Board meeting and covered the procedures that would be guiding the process during the meeting.

MEETING MINUTES:

Mr. Blackcock moved to approve the minutes from the March 19, 2014 meeting, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion.

PUBLIC HEARINGS:

- a. Land Development Ordinance Amendment regarding Section 30-8-10.2(K), related to Wireless Telecommunication Facilities. **(APPROVAL RECOMMENDED)**

Steve Galanti described the proposed changes to the City's regulations for wireless telecommunication facilities. He noted the changes allowed taller towers with greater setbacks, and in some situations a special use permit, and required a larger minimum lot size (two acres) in residential office and neighborhood commercial districts.

Marc Isaacson asked if the dimensional requirements could be subject to a variance; Mr. Galanti stated that they could in fact be subject to variances.

Day Atkins asked if the Neighborhood Congress had any input on the matter; Mr. Galanti stated that he had made a presentation at their monthly meeting, however, the Department has not received any written indication of support for or disapproval of the amendment.

Richard Mossman asked how the proposed changes compare to those of other communities in the area; Mr. Galanti stated that most seem to be moving to the same base height plus Special Use Permit approach.

The public hearing was opened to speakers. Bryan Pierce of 701 Green Valley Road, Greensboro, NC, stated that he was speaking on behalf of American Towers and AT&T, and had worked with staff on the ordinance. He noted his opinion that the proposed amendment seemed to get a favorable reception at the Neighborhood Congress meeting. He noted that, as Steve mentioned, the proposal seemed to be in line with other locations in the state.

Liz Hill of 3500 Regency Parkway, Suite 1100, Cary, NC, Chair of Carolinas Wireless Association's Regulatory Committee, stated that the Association is in support of the amendment and appreciates everything staff has done to listen to their concerns.

There being no further speakers, the public hearing was closed.

Frankie Jones moved to recommend approval of the text amendment to City Council, seconded by Donald Blackstock. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Isaacson, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

b. Presentation of the 2014 Neighborhood Small Projects Program applications.
(RECOMMENDED)

Russ Clegg described the Neighborhood Small Projects program, noting its \$100,000 cost is funded in the Capital Improvements Projects budget and is used for small projects on public property in settled neighborhoods. The program is administered by the Planning Department, while each project is implemented by the relevant department. Applications and program guidelines are released in the summer and are due in November.

This year there were four different projects proposed: one on Phillips Avenue, one in the Fisher Park Neighborhood, one in the Sunset Hills Neighborhood and one in Hunter Hills.

The project on Phillips Avenue is for a parking lot that will serve an urban farm, including the eventual retail aspect of the development. The project in Fisher Park is for additional sign toppers throughout the neighborhood. The project in the Sunset Hills neighborhood is for a stone fence to block off a steep embankment in Greenway Park. The project in the Hunter Hills neighborhood is for a sidewalk to be installed through the park. Because of the size of the park, the sidewalk will cost more than the \$20,000 that is allotted so this is a first phase that will connect the basketball court with the playground.

Mr. Clegg also reported on the status of the four projects funded last year, noting that the toddler playground in Textile Park has been installed and the repair work for some stone monuments on Spring Garden Street at the entrance to Lindley Park should start in May. Scott Park had asked for sign toppers to identify their neighborhood and the DOT is waiting for paperwork from that neighborhood association. The Fisher Park neighborhood had asked for repairs to some decorative sign poles and the only bid received was well over-budget at \$50,000, so that project is being re-bid.

Celia Parker asked if the sign toppers requested for Fisher Park would be all that are needed for that neighborhood; Mr. Clegg stated that this would provide for enough to cover most of the remaining intersections, though not 100% of them.

Celia Parker asked if the \$20,000 is the maximum allotment for any project. Mr. Clegg stated that projects are scored and higher ranking projects get the funding first until the per-district allocation is used up; more expensive projects can then go into the city-wide pool.

Frankie Jones asked how the program is marketed; Mr. Clegg stated that he makes a yearly presentation to the Neighborhood Congress and there is a notice on the Department's website. E-mails are also sent out to neighborhood contacts and people that deal with neighborhoods on a regular basis.

Donald Blackstock asked how long a project takes to be completed once the grant has been awarded. Mr. Clegg stated that it depends on the particular project and on the schedule of the Parks and Recreation Department's schedule.

The public hearing was opened. Lisa Morgan of 4308 Halifax Road in Hunter Hills spoke in support of the sidewalk project, noting it would allow for a safer walk between the neighborhood and the park's playground and basketball court.

There being no further speakers, the public hearing was closed.

Day Atkins asked if there was a possibility to complete the whole sidewalk in Hunter Hills instead of doing it in two phases, which would likely be more expensive. Mr. Clegg stated that he would talk to GDOT and the Parks and Recreation Department about that possibility.

Donald Blackstock moved to recommend the item as presented by staff to be adopted by City Council, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Isaacson, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

FY 2014 Affordable Housing Development Fund Applications

a. Presentation of the Ratings and Request for Planning Board Recommendation. (RECOMMENDED)

Cynthia Blue stated that in January the City issued an RFP for multi-family housing construction or rehabilitation, and seven applications for HOME funding were received. The RFP prioritized applications that would have all financing in place by the City's commitment deadline and applications from non-profit community housing development organizations. Seven affordable multi-family housing projects are being proposed which constitute 210 units in the City of Greensboro and an additional 47 units in Jamestown. These projects represent a total potential development value of \$44 million. Jonesboro Landing, Everett Square and Hope Court meet the RFP prioritizations for commitments so they were looked at first. The funding awards were for Jonesboro Landing for \$450,900, Everett Square for \$507,504 and Hope Court for \$1,088,602. The Low Income Housing Tax Credit developers were asked to provide a financial scenario that could work at a \$250,000 level and both were able to make that change. The remaining HOME funds will be split between them to allow the projects to go on and compete at the state level. Berryman Square is not requesting HOME funds but a reinvestment of prior City loan funds. The Village View project is a County project and the County would be providing the \$297,000 from their HOME allocation. The City Council will consider recommendations at their May 6th meeting and within 90 days of project awards the Jonesboro Landing and Hope Court should be closing their financing and going into construction.

At the request of Mr. Martin, quarterly updates will be given to give the Board an understanding of what's going on.

Ms. Blue also updated the Board on the status of prior awards, noting that the Terrace at Rocky Knoll is leasing units as fast as they are completed and currently have over 200 applications for the 44 units. Habitat's Operation Infill project is still going strong with 14 units at the Village at North Side subdivision. Unity Builders and Community Housing Solutions are completing single family rehabilitations for sale.

Frankie Jones asked how the funding scenario exceeded the requested funds at Everett Square and Ms. Blue stated that Partnership Homes requested money for both Everett Square and CHODO operations. CHODO operations were not called out as an eligible activity in the RFP. However, the request could be covered by an increase in the developer fee within the project budget.

Seth Steele asked what is the closest bus stop to Sumner Ridge; Ms. Blue stated that Sumner Ridge did not receive transit points for location amenities because the bus does not reach that far out.

Frankie Jones moved to recommend approval of the staff's recommendations for funding, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Isaacson, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

Type 3 Modification

- a. 105 Tall Oaks Drive – Modification to Zoning Condition Regarding Landscaping Requirement. **(APPROVED)**

Marc Isaacson stated that he would have to recuse himself from this item, as his firm represents the applicant. Frankie Jones moved to recuse Mr. Isaacson during this matter, seconded by Celia Parker. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

Mike Kirkman summarized the requested modification, noting that it is to amend one of seven conditions associated with redevelopment of the multifamily site at 105 Tall Oaks Drive. The property was rezoned in 2013 to facilitate redevelopment from a dilapidated multi-family project. One of the approved conditions requires installation of a Type B Planting Yard between the development and adjacent single family residential properties. The modification is requested for that part of the property that is essentially a narrow strip accommodating the existing driveway out to Lawndale Drive. The issue is the strip of land at that location is too narrow to accommodate the conditioned planting yard without relocating the existing driveway. The proposed modification would allow a reduced buffer width that averages 15 feet while providing a staggered double row of evergreen trees that better screens views between the residences and the driveway than the conditioned Type B planting yard.

John Martin asked if the main area of concern is the potential visual impact, which could be reduced by the modified planting yard. Mr. Kirkman agreed the reduction in visual impact was the primary objective, although the evergreens could have some role in buffering sound impacts as well.

Richard Mossman asked if this type of modification has been done before in Greensboro. Mr. Kirkman stated that this would be the first such request as a modification of a zoning condition for landscaping, but alternative compliance through enhanced planting is not unusual for site plans in Greensboro where conditions warrant it.

Amanda Hodierne of Isaacson & Isaacson, 101 W. Friendly Ave. stated that the property had been used as a multi-family site for over 30 years and the original buildings fell into disrepair. Blue Ridge Companies bought the property out of foreclosure to redevelop it into an apartment home community. The proposal is for a 15 foot wide planting yard with a double row of evergreens to obscure the vehicles travelling on the driveway while maintaining the existing location of the driveway.

Richard Mossman moved to approve the modification, seconded by Frankie Jones. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Isaacson, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

Amendment to Greensboro Future Land Use Plan (GFLUM) (Comments)

- a. CP-14-03 From Major Parks/Open Space to Low Residential, 3611 Drawbridge Parkway, 14.2 acres

Russ Clegg stated this is a request to change the general future land use map, arising from a rezoning request for 3611 Drawbridge Parkway. The current designation is for Major Parks/Open Space and the

proposed designation is for Low Residential. There is a small piece of Bicentennial Greenway Trail on the property that will be relocated.

John Martin stated that the request seems to be in harmony with the general area. The other Board members did not make comments, but appeared to be in agreement.

Unified Development Plans (Final Decision)

- a. Lafayette Landing Apartments and Villas – 1209 Guilford College Road – 36.605 ac – UDP to establish development standards for the CD-PUD zoning district. **(APPROVED)**

Nicole Ward stated that the site contains 36.6 acres and is conditioned to be a multi-family dwelling. The UDP specifies permitted uses, the amount of development in various sections and dimensional standards that will govern the development of that property. The technical review committee has reviewed and recommends the approval of this UDP.

Mr. Blackstock moved to approve the item, seconded by Mr. Isaacson. The Board voted unanimously in favor of the motion. (Ayes: Mossman, Parker, Isaacson, Jones, Martin, Steele, Atkins, Blackstock. Nays: None.)

Easement Release (Final Decision – Item Withdrawn from Agenda)

- a. A portion of 20' easement located at 3317 Woodlea Drive as recorded in plat book 34, page 1.

Items from the Department

Sheila Stains-Ramp handed out a list of recent articles that might be of interest to the Planning Board members, as suggested by the Director. Additional articles of interest will be passed along periodically.

Items from the Chairman: None.

Items from Board Members: None.

Approval of Absences

The absence of Chuck Truby was acknowledged as excused.

Adjournment:

There being further business before the Board, the meeting adjourned at 3:04 p.m.

Respectfully submitted,

Sue Schwartz,
Director of Planning & Community Development

SS/jd



April 29, 2014

TO: Greensboro Planning Board

FROM: Chancer F. McLaughlin, Planner/Project Manager

SUBJECT: Consideration of a proposed amendment to the Martin Luther King Jr. Drive North Traditional Neighborhood Plan.

Request

An amendment has been proposed to the Permitted Land Use by Street Frontage (section 4.2) table of the Martin Luther King Jr Drive North TN Plan. The purpose of the amendment is to include the Department, Variety, or General Merchandising Stores use to the NG (Neighborhood General) street frontage classification of the plan.

Background

When the original Ole Asheboro Redevelopment Plan was last amended in 2004, it established the guiding framework for development in the Ole Asheboro Neighborhood. One of the key amendments to the Plan was the establishment of the MLK North Traditional Neighborhood Development Plan in 2005 which slated mixed use development in four distinct areas in the northernmost portion of Ole Asheboro outlined as MLK Jr. Drive North A-1, A-2, A-3, and A-4 development sites. The intent of the TN district is to establish or strengthen compact neighborhoods with a distinct sense of place and character that are oriented toward pedestrian activity. When the plan was adopted the urban design standards were organized based on street frontage which allows for the greatest amount of flexibility for variations in lot size and depth while ensuring predictability of development. Based on the development trends at that time the MLK North A-4 site was identified to accommodate the development of urban neighborhood-scaled housing such as single family residences and townhouses. Many of the non-residential uses also identified for development included recreational facilities, government offices, day care centers, law offices, and barber shops.

Recent Activity

City staff was contacted by The Durban Group with an interest in purchasing a 1.5 acre portion of the MLK North A-4 site for the development of a 9,000± square foot small box retail establishment. A 2011 market study on the MLK North properties concluded that the MLK North A-4 site was the most feasible location for commercial development in the area. After coordinating with the Ole Asheboro Neighborhood Association for several months to gauge their interests, City Council approved the conditional sale of the 1.5 acre portion of the MLK North A-4 site on July 16, 2014. The remaining portion of the site has been retained for multifamily residential development in keeping with the goals and objectives of the TN Plan. City staff also held a community meeting to receive feedback to the proposed developer and conducted an online survey to capture additional comments and concerns from the neighborhood.

City staff also passed an amendment to the Land Development Ordinance (LDO) to amend the standards for TN Traditional Neighborhood Districts (TN) as a result of conversations with developers and staff

discussion regarding the intent of the TN district. The amendment also revised the General Development Standards of the TN, outlined in Section 30-7-7.3(A) of the LDO to allow commercial, office, personal and professional service uses to increase the square footage of individual buildings to a maximum of 10,000 square feet with a Special Use Permit.

Impacts

The proposed amendment only applies to the boundaries of the MLK North A-1, A-2, A-3, and A-4 development sites and does not impact the overall properties in overall Ole Asheboro Redevelopment Area.

Request

Based on the permitted uses set forth in the Neighborhood General (NG) section of the MLK North TN Plan, an amendment is required to include Department, Variety, or General Merchandising Stores for the facilitation of the proposed development.

**MEETING OF THE
GREENSBORO PLANNING BOARD
May 21, 2014**

The Greensboro Planning Board was held on Wednesday, May 21, 2014, at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chair Chuck Truby, Celia Parker, Frankie Jones, Vice-Chair John Martin, Seth Steele, Richard Mossman, Marc Isaacson, Day Atkins and Donald Blackstock. City staff present were: Sheila Stains-Ramp, Mike Kirkman, Nicole Ward, Steve Galant, Hanna Cockburn, Chancer McLaughlin and Sue Schwartz, Planning Director. Terri Jones attended for the City Attorney's office.

Chuck Truby welcomed everyone to the May Planning Board meeting and covered the procedures that would be guiding the process during the meeting.

Day Atkins and Marc Isaacson arrived at 2:04 p.m. for the remainder of the meeting. John Martin and Frankie Jones noted they each had obligations that would potentially require a departure before the end of the meeting.

MEETING MINUTES:

Chair Truby stated that the first item is the approval of meeting minutes. Steve Galanti pointed out corrections to the April minutes as follows: Page 4 under Type III Modification, Mr. Isaacson recused himself from this matter and should show as "abstained". The new vote would be 6-0-1 for this item. Also, Mr. Blackstock's name is misspelled under Meeting Minutes on page 1, 3rd paragraph and should be corrected.

Mr. Jones moved to approve the minutes from the April 16, 2014 meeting as corrected, seconded by Mr. Steele. Mr. Truby stated he would abstain since he was not at the meeting. The Board voted 8-0-1 in favor of the motion. (Ayes: Martin, Mossman, Steele, Parker, Jones, Atkins and Isaacson. Nays: None. Abstained: Truby.)

PUBLIC HEARINGS:

- a. Amendment to the Martin Luther King, Jr. Drive North Traditional Neighborhood (TND) Plan, to add 'Department, Variety and General Merchandising Stores' to the 'Neighborhood General' classification as a permitted use. **(APPROVED)**

Chancer McLaughlin, Planner and Project Manager, speaking on behalf of the Redevelopment Commission, introduced the proposal to amend Section 4.2 (Permitted Land Use by Street Frontage Classification table) of the Martin Luther King, Jr. Drive Traditional Neighborhood Plan. The amendment would add 'Department, Variety and General Merchandising Stores' as a use allowed in the Neighborhood General Street Frontage Classification.

The original Ole Asheboro Redevelopment Plan was amended in 2004 and it established the guiding framework for development in the Ole Asheboro Neighborhood. One of the key amendments to the plan was the establishment of the MLK North Traditional Neighborhood Plan in 2005, the boundaries of which were shown on the map displayed. Mixed Use development is slated for four areas, identified as MLK North A-1, A-2, A-3, and A-4. The intent of the district is "to establish or strengthen compact neighborhoods with a distinct sense of place" and, based on the development trends at the time the MLK North A-4 area was identified to accommodate development of urban neighborhood scale housing.

City staff was contacted in January of last year by the Derban Group with an interest in purchasing a 1.5 acre portion of the site that fronts on Douglas Street, for the development of a 9,000 square foot small box retail establishment. A 2011 market study conducted by staff on the MLK North area concluded that the MLK North A-4

site, at the intersection of Douglas Drive and MLK Jr Drive, was the most feasible location for commercial development in the area. City staff coordinated with the Ole Asheboro Neighborhood Association for several months to gauge their interest. City Council subsequently approved the conditional sale of the 1.5 acre portion of the site on July 16, 2013. Due to its location within a National Register Historic District, City staff has coordinated with the State Historic Preservation Office (SHPO) to review the site plan and elevations with respect to the architectural style, the overall design and the proposed building materials. The remaining portion of the site has been retained by the Redevelopment Commission for multifamily residential development in keeping with the goals and objectives of the MLK North TN Plan.

City staff also held a community meeting on April 4, 2014 with the proposed developer to receive feedback from the community, and conducted an on-line survey to capture additional comments and concerns from the neighborhood. The on-line survey is still open on the City website with copies of the elevations and the site plan to allow the neighborhood to provide continued feedback to the City as they work through this process.

Referring to a map showing the TND Plan area, Mr. McLaughlin noted the MLK A-4 site where the proposed development would be located.

Chair Truby asked if there was anyone wishing to speak in favor of this matter.

Dan Tuitt, from Charlotte, NC, stated that he works for the developer that is requesting the text amendment for this area. They are hoping to place their tenant in this location.

Chair Truby asked if there was anyone wishing to speak in opposition of this matter.

Celestine Simmons, 612 MLK Jr. Drive, stated that she lives directly across the street from this property and the proposed plan is to construct a Family Dollar Store on the property. Given the driveway location on the plans she has seen, headlights would shine right onto her house and make using her front porch unpleasant. This would be disruptive to her home. She is also concerned about additional car exhaust, as she would expect additional traffic on what has been a residential street. Her home is a Victorian-era house that is listed and she felt this multi-use store does not fit into the neighborhood, and is not appropriately designed for its context. She stated she was unaware of any outreach to her and her neighbors about this amendment. She feels this is a cruel plan that will impact the whole neighborhood as it will bring unwanted people to this location. There would also be a problem with people taking shopping carts and leaving them throughout the neighborhood. She has talked with other neighbors in her area and they are also opposed to the changes that are proposed. She is strongly opposed to the amendment to the plan for all the reasons she has stated. She has lived in this neighborhood since 1988 and invested in fixing up her home relying on what she expected from the prospective development per the approved plan, and she did not want to have this type of store or any store being right across the street from her home.

John Martin left the meeting at 2:26 p.m.

Haley Moses, 707 Broad Avenue, asked if a grocery store would fall under the category of general merchandise. Mike Kirkman stated that a grocery store would be considered general merchandise. Ms. Moses stated that a lot of the neighbors on Broad Avenue have lived in this neighborhood since they were children and are now in the 80s and 90s. In speaking to her neighbors, they feel that what they need in this location is a real grocery store instead of something like Family Dollar. Even though they typically carry some food and canned items, it is not a full functioning grocery store. The closest grocery store is a Food Lion that is down past the interstate on MLK Boulevard. Considering that a lot of the residents are elderly and some do not drive, it makes sense to have a full-fledged grocery store.

Anthony Kirby, 618 MLK Boulevard, stated that he is opposed to this amendment because he and his neighbors feel that it would lower their property values and increase their concerns about security in their homes because there

would be such an influx of people from outside the close-knit neighborhood. The items carried by this store would be like the nearby Citgo, including things like flavored cigarette rolling papers, used for drugs. This would draw more drug users nearer to his property. He would much rather see some apartment buildings go on this property. If the Family Dollar should go out of business, it would leave an empty shell on the property that would draw unwanted people to hang out there.

In response to a question from Mr. Jones, Mr. McLaughlin outlined the outreach efforts the City had made in trying to get word to and input from the area residents. He noted that the Department did not want to talk with the Redevelopment Commission about the possible change until the neighborhood had been involved and responded. , which was done through the formal Neighborhood Association. The City, working through the Neighborhood Association, has held multiple advertised public meetings over a three month period to take in input, and has received a letter of support from the HOA. The related survey is still up on the City's website, and input is still being taken. The City had also been in on-going communication with the State Historic Preservation Office, getting advice on the important design elements for any commercial building that might come to the site. Staff has maintained a very open, accessible and transparent stance throughout the entire process. Ms. Simmons involvement with the process has been since the land sale had gone to Council for approval.

Mr. Isaacson asked if this amendment would meet the established TN standards for this area. Mr. McLaughlin stated that this is a new urban classification intending to promote a lot of pedestrian connectivity and interest. For instance, the standards set build-to lines providing for zero setback from the property line, so that the building would be placed close to the sidewalk. There are also development controls relative to height and the character of the building. Hanna Cockburn stated that there are a number of requirements arising from the protections administered through the State Historic Preservation Office. In order to dispose of property that is owned by the City or the Redevelopment Commission, not only do the standards of the TN zoning district apply, but also the requirements of the SHPO.

Sue Schwartz, Planning Director, stated that the TN district allows a mixture of uses and one of the things they have seen since the first plan was adopted is that the change in the market has made it difficult to get financing for a project that contains a vertical mixture of retail and residential uses. Since nothing happens if the financing can't happen, separating uses out like this allows for the mix of different uses and developers to come together in ways that make financing of the pieces more feasible.

Ms. Simmons stated that TN zoning came into effect with Southside Neighborhood District when the City was introducing living quarters upstairs and a business downstairs. Now other things have been added and those new additions are not what she thought TN was going to be.

There being no further speakers, the public hearing was closed.

Mr. Jones moved to recommend approval of item 2a as proposed, seconded by Mr. Isaacson. The Board voted 6-2 in favor of the motion. (Ayes: Truby, Mossman, Isaacson, Jones, Steele, Atkins. Nays: Blackstock and Parker.)

b. Lawndale Drive Corridor Study, Phase I, Presentation, Request for Comments.

Hanna Cockburn introduced a presentation on the first phase of the Lawndale Drive Corridor Study, for that part of Lawndale Drive between Cornwallis Drive and Cone Boulevard. There were several workshops held March 19 – March 22 with community stakeholders, facilitated by DesignLink of the Center for a Creative Economy; today's presentation reports on the findings from that work, and identifies some of the next steps. Stakeholders will continue to be engaged as a set of action planning steps are agreed.

Margaret Collins, Director of the Center for a Creative Economy, stated that the Center's objective is to help build a culture of innovation and to connect creative innovators with businesses to help promote jobs. One of the

programs they have developed is DesignLink. Their role was to listen to the community needs, gathering input from a broad cross-section of community stakeholders and generating options for re-tooling development of this corridor, and to develop these concepts with visuals to extend the discussion. She introduced Bill Moser of Moser, Mayer, Phoenix, and his associate, Kristin Jeffers. Ms. Collins is the Project Manager of the team and she also acknowledged Mark Kirtsner and his staff at PART, and Piedmont Together, along with Paul Crone of the Piedmont Triad Regional Council. She also cited the good fortune of having an economic developer on the team, Robin Spinks, who provided a lot of insight from that perspective.

Mr. Jones left the meeting at 3:04 p.m.

Bill Moser noted that the handout provided summarizes the report as it relates to next steps. The team met with the stakeholders, including 38 citizens, at meetings held between March 19 and 22, looking at growth pressures along the Lawndale Corridor and issues in the adjacent neighborhoods.

Mr. Moser stated they looked at the connectivity between neighborhoods and specific sites and uses. For instance, they kept hearing that residents couldn't get to the greenway, and needed connectivity improvements. The Lawndale Corridor is about 3.6 miles long and incorporates almost 1 square mile of the urban area of Greensboro, including the Greater Kirkwood Neighborhood. A lot of demographic and economic information was gathered and included in the study report, published by the City in June of 2013. During the workshop they tried to underscore that and to develop suggestions building from the information. As an example, the Sears building is likely to go through some major transitions in the future, which brings some opportunity to change the landscape in the area by providing a safe linkage between the site and some of the neighborhoods by constructing a pedestrian/cycle bridge to make crossing the busy Lawndale Avenue far safer and more convenient. There are concerns about how to connect the residential and the commercial development along Lawndale Drive more broadly. They will continue to work with property owners with identified opportunities.

Ms. Cockburn noted that GDOT had been working to update the Bike-Ped Plan, with which this effort was coordinated. GDOT is looking at bike lanes and their feasibility, and how much capacity that can be afforded.

Mr. Mossman noted that from his perspective as a commercial real estate broker, the greenway is great, the renderings always help, and he recommended getting a solid idea of environmental and cost implications, which will save time in trying to move a plan forward.

Ms. Parker noted she had recently been in Indianapolis, which has implemented a much-used bike rental plan, which their local sports team had helped implement, enhancing the program's visibility.

Mr. Isaacson commended the City on tackling the study, and noted that maintaining a balance between vision and practicality will be important, as will balancing between the needs and desires of people who live there and folks who use the corridor.

Laura Peoples, 3816 Wayfair Drive, stated that she is the Executive Director of Bicycling in Greensboro and she noticed on the short-term suggestions list improvements to pedestrian safety. She wanted to know if that also included improvements for bicycle users. Mr. Moser assured her that it did.

Items from the Department

Steve Galanti reported that Council had amended the Water/Sewer extension policy to require that a site must be located within the City to receive City water or sewer services, which will likely mean more requests for annexation in the future.

Mr. Galanti reported that Council had adopted the amendment to the Wireless Telecommunications Facility provisions within the Land Development Ordinance, per the Planning's Board's recommendation. The amendment sets different standards for setbacks and separations.

Mr. Galanti also introduced Terri Jones, Assistant City Attorney, who had recently started with the City, and the Board members welcomed her to the Board meeting.

Items from the Chairman

None.

Items from Board Members

None.

Approval of Absences

None.

Adjournment:

There being further business before the Board, the meeting adjourned at 3:47 p.m.

Respectfully submitted,

Sue Schwartz,
Director of Planning & Community Development

SS/jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
June 18, 2014**

The Greensboro Planning Board meeting was held on Wednesday, June 18, 2014 at 2:02 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; John Martin; Marc Isaacson; Frankie Jones; Seth Steele; Day Atkins; and Celia Parker. City staff present included Steve Galanti, Nicole Ward, and Sheila Stains-Ramp, from the Planning Department; Steven Buter from the Budget and Evaluation Department; and Terri Jones, Attorney for the Planning Board.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Jones moved approval of the May 21, 2014 meeting minutes as written, seconded by Mr. Isaacson. The Board voted 5-0 in favor of the motion. (Ayes: Truby, Isaacson, Jones, Steele, Atkins. Nays: None.)

CITY OF GREENSBORO CAPITAL IMPROVEMENT PROGRAM OVERVIEW PRESENTATION:

Steven Buter, Budget and Evaluation Department, gave a presentation on the Capital Improvement Program (CIP) approved by City Council, and explained that the CIP is a long-term fiscal and workforce planning tool that reflects departments capital needs over the next ten years so that planning can begin to facilitate projects.

Last year's CIP identified the airport, downtown, and east Greensboro as the three primary focus areas. The 2014-15 CIP is an update of last year's program and most recommendations remained the same.

Most money allocated is from bond funds approved years ago which were authorized but have not yet been issued. There is a total of approximately \$100 million in authorized but unissued bond funding that will be used over the course of the CIP.

Several projects have been completed, such as the McNairy Branch Library and Griffin Recreation Center, and so are no longer reflected in the CIP. Major capital projects within the next several years will include infrastructure as well as unfunded projects. Many of the plans and policies that the Planning Board has helped to form will be used moving forward with the projects. As funding for projects that are scored and deemed most necessary becomes available, City Council will be asked for official budget approval on a project-by-project basis.

Mr. Buter also explained how the CIP impacts plans for the provision of fire service to areas of the City, particularly areas of growth and annexation. He noted that part of the scoring process involves the City's growth patterns. Fire station priorities have been adjusted in the last few years and \$5 million has been allocated for land for fire stations along with \$21 million for four fire station replacements.

Mr. Galanti noted that during annexation reviews, staff looks at how fire service can be provided, as it is a large capital improvement.

Mr. Martin joined the meeting at 2:03 p.m.

ITEMS FROM THE DEPARTMENT:

(a) College Hill Neighborhood Plan

Ms. Stains-Ramp indicated that members are in receipt of materials delivered in the agenda packet relative to the College Hill Neighborhood Plan.

(b) Reminder Regarding Submittal of Interest Forms for Reappointment to Planning Board Positions Available as of August, 2014

Ms. Parker joined the meeting at 2:10 p.m.

Ms. Stains-Ramp stated that three positions on the Planning Board are open as of August, 2014. Mr. Blackstock has served long enough that he cannot be reappointed. Mr. Jones and Ms. Parker are eligible to be reappointed and have been provided with the appropriate forms to complete and return to the City Clerk if they are interested in reappointment to the Planning Board. Mr. Galanti asked Mr. Jones and Ms. Parker to notify staff as soon as possible if they do not want to be reappointed so that replacements can be sought in a timely way.

ITEMS FROM THE CHAIRMAN:

None.

ITEMS FROM BOARD MEMBERS:

None.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:

None.

APPROVAL OF ABSENCES:

Chair Truby acknowledged that the absences of Mr. Mossman and Mr. Blackstock are approved.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 2:12 p.m.

Respectfully submitted,

Sue Schwartz

Planning and Community Development, Director
SS:sm/jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
July 16, 2014**

The Greensboro Planning Board meeting was held on Wednesday, July 16, 2014 at 2:02 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; John Martin; Marc Isaacson; Frankie Jones; Seth Steele; Richard Mossman; Donald Blackstock and Celia Parker. City staff present included Terri Jones from the City Attorney's Office; Chris Spencer, Adam Fischer and David Ortega from Transportation, and, from the Planning Department, Mike Kirkman, Jeff Sovich, Nicole Smith, Nicole Ward, and Sheila Stains-Ramp.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

Meeting Minutes

- a. Approval of Minutes of June 18, 2014

Mr. Martin moved approval of the June 18, 2014 minutes, as submitted, seconded by Mr. Jones. The Board voted unanimously in favor of the motion.

Public Hearings (Recommendation):

- a. **College Hill Neighborhood Plan:** Recommendation to City Council on Plan and its Adoption. The proposed Plan covers 163.52 acres, generally bounded by West Market Street; Spring Street; Norfolk Southern Railroad; and Tate Street (CONTINUED)

Jeff Sovich, Planner, summarized the process used for working with the neighborhood to develop the plan, including the various meetings with residents and businesses over the last several years during which the draft vision and goals for the Plan were developed. A website and a mobile device application were also created, with the intention of involving a broad spectrum of stakeholder engagement in the planning process. The draft Plan, with the updates and revisions based on this feedback, was presented to the neighborhood in June 2014.

Mr. Sovich noted that the data identified several characteristics of the College Hill neighborhood, including its limited ethnic diversity; its youth; its high level of education; its relatively low average household income; its low rate of owner-occupancy (under 23%) and its relatively high vacancy rate (10%). Property values in the neighborhood dropped significantly more through the housing market crash than elsewhere in Greensboro; however property values in College Hill still average nearly 50% higher than elsewhere in the city.

These characteristics underlay the Plan's agreed vision and future direction for the neighborhood's land use goals, strategies and actions. The vision is supported by seven goals that address character; reinvestment; property maintenance; opportunities; open space; partnerships; and property use.

The vision is supported by the proposed Future Land Use Map (FLUM). Mr. Sovich reminded the audience that the FLUM is not a zoning map and does not change or affect the current zoning or use of any property. It does not make existing uses nonconforming, nor disallow reconstruction or replacement of buildings or uses in the event of destruction by natural

disasters or fires, and it does not impact development standards or requirements under the existing zoning of properties.

The Future Land Use Map is a flexible and amendable policy and decision-making tool intended to influence how land uses change when and if such changes occur. It is intended to be interpreted in conjunction with the vision, goals and strategies of the College Hill Neighborhood Plan.

Mr. Sovich noted the Potential Reinvestment Strategies and Opportunities Map is a tool to initiate and guide conversations about and pro-active efforts regarding the future potential of some key sites in the neighborhood. These sites have a high likelihood for change during the life of the plan, are currently not contributing strongly to quality of life in the neighborhood, and represent a realistic possibility of influencing what happens on those sites.

Mr. Sovich noted the College Hill Neighborhood Association is eager to begin work on achieving the Vision and Goals by implementing this Plan. The Strategic Action section of the Plan is organized into six topic sections: housing and historic character; crime and safety; communications and governance; neighborhood development; parking and traffic; quality of life;. Within these sections are 23 broad strategies and over 150 specific actions that the College Hill Neighborhood Association and the City of Greensboro will work together on to address the identified issues. The actions are prioritized into short-term (one to two years), mid-term (three to five years) and long-term (five to ten years) time frames. The array of action steps provides a menu of options that are available to address the issues the neighborhood is facing.

Chair Truby asked that in the future, when the Board gets information, that the current land use plan is included in the package, as they have nothing to compare the proposal against.

Chair Truby asked if there was anyone wishing to speak in favor of the College Hill Neighborhood Plan.

Dave Arneke, 922 Carr Street, spoke on behalf of the College Hill Neighborhood Association and its endorsement of the Plan. He stated the Association appreciated the City's open-mindedness and staff's cooperation with their suggestions for the Plan. He stated there are challenges in the neighborhood to be dealt with and the Association looked forward to working with the City to improve the quality of life in the neighborhood.

Chair Truby asked if there was anyone wishing to speak in opposition to the College Hill Neighborhood Plan.

Tommi Lauer, 812 Lily Avenue, stated that her property is currently zoned Light Industrial and is an income-producing investment and she would not want to see this property changed to single family residential, prohibiting the current usage as well as preventing the property from producing income. She believed the proposed plan would reduce the value of her property substantially and create a financial loss. She urged the Planning Board to take action to amend the College Hill Neighborhood Plan in a way which would protect her interests, requesting either that her property be excluded from the College Hill Neighborhood Plan or if included the FLUM should be amended to maintain the current zoning Light Industrial.

Michael Jackson, 307 Tate Street, stated that he owns 309 Tate Street. He renovated 307 and is currently renovating 309. He stated his dislike for having to follow the local historic district regulations as in his view he will not recover his investment given the requirement for lead abatement and other improvements. He does not feel that this Plan serves the best interest of the neighborhood as a whole.

David Little, 118 Tate Street, stated that he is not so much in opposition to the Plan, but wished to ask the Board members to be cautious about this. He has been in the neighborhood since the 1950s and feels that this is a very special place to live. The Future Land Use Map expresses the long-range intention of the City for the neighborhood and in his view it is hostile to the actual historical character of the neighborhood. College Hill has always been a haven for artists, young professors, writers and students who prefer to live in nice, old Victorian houses rather in apartment complexes or dormitories. He feels the quality of life in the neighborhood is good and he would hate to see this neighborhood replaced over time with a monochromatically single family neighborhood.

Ed Van Deusen, 300 Tate Street, stated that this is an area that lives with students, and he felt the area should be both commercial and residential to serve the people within the neighborhood. He felt the proposed Plan is detrimental to the area. He asked that all property owners in the area be asked what their opinions are about the Plan.

Thomas Essa, 125 Mclver Street, stated that he felt the integrity and uses of the neighborhood is and should remain a mixture of housing types, not only single family. The local businesses thrive because of the present mix and density. He stated he felt the notification for the Planning Board meeting left a lot to be desired; residents were sent a one-page description of the proposal and there was a lot of information that was not included. He would like to see a little more effort on notification to property owners in the area.

There being no other speakers the public hearing was closed by unanimous vote.

Discussion:

Mr. Isaacson stated that there seems to be some inconsistency between existing uses and those proposed in the Future Land Use Map. From what he'd heard, he did not feel the proposed Plan is realistic for all the residents involved in the area. Mr. Martin stated that he felt one more outreach effort was warranted, with all owners, residents and business owners in the area specifically invited, before this came back to the Planning Board for a recommendation. Mr. Truby stated that if they had as copy of the existing Land Use Plan to make comparisons it might be easier to understand what impact the proposed amendments would have on the neighborhood as a whole. At this point he felt there needed to be more discussion and information to all the residents. He stated he did not feel that the area residents had obtained enough information to make a final decision. Ms. Parker pointed out that there were more residents appearing in opposition to than in support of the Plan, and that said something to her.

Mr. Jones moved to continue the matter to allow for more discussion with neighborhood residents and property and business owners, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Blackstock, Jones and Steele. Nays: None)

- b. **LDO Text Amendment:** Amend Subsection 2) of Section 30-7-4.3(D) AO, Auto Oriented; Subsection 2 of Section 30-7-4.3(E) UMU, University Mixed Uses; and Subsection 2) of Section 30-7-4.3(F) NS, Neighborhood Support, regarding Window and Door Placement; and Table 8-1, within Section 30-8-1, Permitted Use Table, regarding "Pawnshops" in the Neighborhood Support District. (FAVORABLE RECOMMENDATION)

Mike Kirkman stated that the proposed text amendments are technical adjustments to standards related to the Auto Oriented (AO), University Mixed Use (UMU) and Neighborhood Support (NS) zoning district regulations that were adopted by City Council in January 2014. There are two changes proposed. The first is the addition of 'pawn shop' as a use allowed in the Neighborhood Support (NS) district, inadvertently left out when initially adopted. The second provides clarification regarding which façades would be subject to ground-floor fenestration standards. The current wording could be construed to apply to all sides of the building if the building is within 5 feet of public right-of-way. This was not the intent of the Central Gateway Corridor Partnership or staff. The amendment clarifies that the standards apply only to façades directly facing a public right-of-way or where there is a principal entrance to the building when the building is within 5 feet of a right-of-way.

Mr. Kirkman noted the proposed wording is a little different with the Auto Oriented district because, unlike the other two districts, AO does not include a required build-to line.

Chair Truby asked if there was anyone wishing to speak either in favor of or in opposition to the matter.

Marlene Sanford, representing TREBIC, requested the removal of provision 2(c), requiring larger windows at the street level and smaller windows on upper stories. She stated she understands that the intent of the architectural design regulations in this section is to create a safe, open and inviting pedestrian atmosphere at the ground level. However, she questioned whether it really matters if upper story windows are as large as or larger than the windows that are on the first floor, since it is not unusual to design a building so that there is some solid siding along with the first floor windows, with the stories above that to be full window walls. She suggested that Section 2(a) that covers the 35% fenestration on the first floor was sufficient to accomplish the goals of the City.

There being no other speakers, the public hearing was closed by unanimous vote.

After some discussion Mr. Isaacson moved that the Board recommend approval of the text amendment as submitted, with the added change to delete provision 2(c), seconded by Ms. Parker. The Board voted 7-1 in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Blackstock, and Jones. (Nays: Steele.)

- c. **Street Closing:** Recommendation on a resolution closing a portion of Lindsay Street, between Eugene Street and Battleground Avenue, amended at hearing to closing of western half of street right of way (RECOMMENDED WITH CONDITIONS)

Mike Kirkman stated that the original request had been amended to close only the western end of the block of Lindsay between Eugene Street and Battleground Avenue, limiting the closing to that portion of Lindsay Street adjacent to properties the applicant controls.

Mr. Kirkman summarized the requirements for initiating a street closing petition and the findings the Planning Board and City Council would have to make to approve the closing. He noted that the proposed closing had been discussed at length by TRC, which had noted that as yet no site plan had been submitted for review and the Traffic Impact Study was still under review with additional information requested from the consultant. TRC recommended approval of the amended closing in view of the required findings, which are that a) no individual property will be denied access, egress or ingress as a result of the closing of the street, and b) the closing will not negatively impact the public interest. TRC conditioned their recommended approval such

that: 1) The City shall retain 20 foot utility easements over existing utility lines until such time as the lines are no longer needed for public use; 2) the City will review and approve the final TIS showing that closing West Lindsay Street will not be contrary to public interest; and 3) a City approved turn-around shall be constructed on the terminus of Lindsay Street and the roadway connection to Eugene Street must be removed, by the applicant, before the street closing will become effective and within 60 days of TRC approval of the site plan.

Chair Truby set a 20-minute time limit for speakers in support of and in opposition to the request, and asked if there was anyone wishing to speak in favor of the request.

Mike Fox, representing the applicant, stated that the project enabled by the proposed street closing is what everyone hoped would happen when the decision was made to build the ball park downtown. Roy Carroll is the proposed developer of this property. He noted that they do not control property to either side of the remainder of the street, which includes an alley serving parking areas for two businesses and a small lot that functions as part of the parking lot for Zeto Wine Shop but is a separate lot. Mr. Fox provided some illustrative sketches of the overall project and a map showing the amended street closing for the Planning Board's consideration.

Roy Carroll, 201 N. Elm Street, stated that Bellemeade Village would consist of 300 urban-style housing units with amenities, a brand-name moderate- to up-scale hotel with over 100 rooms and meeting space, and possibly some retail space. The proposed building would be six stories in height. He feels that the City will be very proud of this development.

Mike Fox presented the illustrative sketch indicating the present intention to site the hotel at the corner of Bellemeade Street and Eugene Street, along with four apartment buildings and Lindsay Street as a rear access to the entire project. He also presented a rendering of the hotel.

John Davenport, 305 W. 4th Street, Winston-Salem, NC, stated that he has prepared and submitted a Traffic Impact Study for the project, which has been submitted for GDOT's review. GDOT did request a pedestrian study as part of the review; the study has been updated with that information and is under review. Mr. Davenport stated that at this point his assessment of the proposal does not show any major impacts as a result of the closure of Lindsay Street, and they do not anticipate that the pedestrian information once reviewed will change the current results of the study. In addition, given the pedestrian counts and projections for pedestrian use in that area, they believe that they will be able to mitigate whatever pedestrian impacts might occur, such as through the use of high visibility cross-walks and pedestrian signalization. Mr. Davenport does not see this being a hurdle that cannot be overcome with the appropriate engineering and construction.

Mike Fox summarized that his client accepts the recommended conditions from TRC and requested the Planning Board make the findings that, with appropriate conditions, the recommendation of the street closing as amended should be approved by City Council.

Chair Truby asked if there was anyone wishing to speak in opposition to the request, reminding speakers that there would be a time limit of 20 minutes.

Florence Gatten, 4102 Angelica Lane, stated that there are larger questions than simply closing a half-block of a street in downtown Greensboro. She stated that, contrary to the applicant's contention, Lindsay Street is not a street that 'goes nowhere'. Lindsay Street connects Elm Street and Greene Street to Eugene Street and is a connector for people coming into or leaving the City who want to avoid that strange intersection at Eugene, Battleground Avenue and Smith

Street. It is a main route for people going north who want to be on Benjamin Parkway Battleground Avenue or Lawndale Drive. She suggested that the street closing would negatively impact the public's convenience. Other considerations should be the circulation between the new Performing Arts Center and the ballfield and parking areas. There will be no public access via Lindsay Street for people who park on Battleground to get to the ball park. She is concerned that the traffic problems will be made worse if this block is closed, and asked the Board to consider the larger interests of the public and the future interests of downtown Greensboro.

Mary Ben Roach, 401 Battleground Avenue, stated that she owns the building at the corner of Lindsay and Battleground, and has concerns about the walkability through the area and other access and transportation issues. She is not necessarily in opposition to the closing, but she stated there were a number of outstanding matters and she knew others in the area were also concerned. She asked if there was a way to plan on a public walkway allowing pedestrians to get through this project and to the ball park or parking areas.

Sue Peterson, 311 W. Lindsay Street, stated that she is the owner of the property at 335 Battleground Avenue, where Zeto Wine Shop is located, and she also owns the triangular piece that is 311 W. Lindsay Street. Because of the street, alley and building orientations, her deliveries approach from Eugene Street to reach her loading area, and they rely on Eugene to back out and continue towards Battleground. She stated her belief that closing the street will significantly hamper access to her business, both for customers and for deliveries. She noted there were a lot of unanswered questions about what the plan for the property and development would actually be, and she questioned whether closing Lindsay is in the best interest of the public that is coming to shop downtown.

In rebuttal, Mr. Fox stated that the conditions should address the concerns of the speakers concerning a walkway to accommodate pedestrians through or in the area of the projected development. He stated that they will work with GDOT on implementing something that will work for all parties and he believed the conditions would guarantee the concerns would be addressed appropriately.

Mr. Fox noted a second concern about when the closing would be effective. TRC's recommendation had come with a condition that the closing be effective within a certain period of time after TRC approval of the site plan, which meant that the street couldn't be closed until the site plan was submitted, reviewed and approved.

Mr. Isaacson noted that if the street was closed to meet the first deadline but in fact the project wasn't developed, the street could not be re-opened without going through a process of reacquiring and dedicating the right of way, potentially at some expense to the City. He asked if it would be possible to have an agreement between the developer and the City for the rededication of the right of way at no cost to the City if the project did not develop. After consultation with his client, Mr. Fox agreed that they could provide a deed for the City Attorney's office to hold to accomplish that.

In response to a question by Chair Truby concerning the urgency of the recommendation, Mr. Fox stated that Mr. Carroll must make a commitment to the hotel chain with very strict deadlines as to when construction will start and when they can be open for business. Mr. Carroll feels that any delay in the street closing process would put him at risk of not meeting those deadlines.

There being no one else to speak on the matter, the public hearing was closed by unanimous vote.

Mr. Martin stated that he had spoken with some downtown property owners, not in attendance, and his take was that the consensus was positive overall, although there were concerns about pedestrian access across the area.

Chris Spencer, GDOT, stated that pedestrian counts from a game night had been done and were being reflected in the traffic study. That information is now being studied to see what impact it has with re-routing those pedestrians throughout the area. There will be some recommendations to come but that information is not available today.

Mr. Jones moved to recommend the project to City Council with the three TRC conditions and the addition of a conditional deed in the event that the project does not move forward, seconded by Mr. Martin. The Board voted unanimously in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Blackstock, Jones and Steele. Nays: None)

Mr. Isaacson stated that he would recuse himself from Items 3A and 4A. The Board voted unanimously in favor of recusing Mr. Isaacson from these matters.

Annexation Petition:

- a. PL (P) 14-06: 5529, 5531 and 5603 Sapp Road, 2.087 acres, South side of Sapp Road west of McClellan Place. **(RECOMMENDED)**

Nicole Ward stated that this property is within the Tier I Growth Area and is considered contiguous as it abuts the City primary corporate limits along its southern and eastern boundary. The site is being proposed for commercial use. City water is available by connecting to the existing line within Sapp Road and the City sanitary sewer is available by extending and connecting to the existing outfall located 1500 feet southeast of the property. The developer would be responsible for all the associated costs with extending and connecting to public lines. The City Fire Department notes that the site is currently served by the Pinecroft-Sedgefield Station #23 and will be served by Station 52 on Meadowwood Street upon annexation. The Police Department estimates they can provide service with little difficulty and the provision of other City services will involve a travel time almost equal to that necessary to provide service to the previous annexed lot that is abutting this lot. The TRC has reviewed this request and recommends approval.

Mr. Jones left for the remainder of the meeting. He will be counted as an affirmative vote on the following items.

Mr. Steele moved to recommend the annexation, seconded by Mr. Blackstock. The Board voted 7-0-1 in favor of the motion. (Ayes: Truby, Martin, Parker, Mossman, Blackstock, Jones and Steele. Nays: None. Abstained: Isaacson.)

Amendment to Greensboro Future Land Use Map (GFLUM) (Comments):

- a. CP-14-05 - 5529, 5531 and 5603 Sapp Road, 2.087 acres, from High Residential to Commercial

Nicole Smith stated that the request is for 3 parcels addressed as 5529, 5531, and 5603 Sapp Road. The current designation is High Residential which is consistent with the existing land uses located to the west; however, transitioning east, the land use is largely commercial. There

is also a pocket of commercial located at the intersection of Sapp Road and Guilford College Road. Commercial is the proposed GFLUM designation.

Comments:

Chair Truby stated that this seems to be a logical request. Mr. Martin stated that he agrees with the Chair.

Easement Release (Final Decision):

- a. Proposed release of a portion of a 10' utility easement located at 5705 Wildberry Dr as recorded in plat book 60, page 136. **(APPROVED)**

Nicole Ward stated that this is a request to release a portion of a 10 foot utility easement located at 5705 Wildberry Drive. All utility companies have indicated their agreement to the release of this easement.

Mr. Isaacson moved approval of the easement release, seconded by Mr. Steele. The Board voted unanimously in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Blackstock, Jones and Steele. Nays: None)

Chair Truby stated that he wished to be recused from the following item. The Board voted unanimously in favor of his recusal.

Unified Development Plans (Final Decision):

- a. UDP Bridge Over Troubled Waters, 2320 Sharpe Road – 10.21 acres. **(APPROVED)**

Nicole Ward stated this 10.21 acre site is conditioned to be a mixed use development. The UDP specifies the permitted uses, the amount of development in various sections and dimensional standards that would govern the development of this property. The TRC has reviewed this request and recommends approval.

Mr. Blackstock moved approval of the UDP, seconded by Mr. Mossman. The Board voted 7-0-1 in favor of the motion. (Ayes: Martin, Parker, Isaacson, Mossman, Blackstock, Jones and Steele. Nays: None. Abstained: Truby.)

- b. UDP Hope Court, 2100 Boulevard Street – .82 acres. **(APPROVED)**

Nicole Ward stated that this 0.82 acre site is conditioned for multifamily development. The TRC has reviewed this UDP and recommends approval.

Mr. Blackstock moved approval of the UDP, seconded by Mr. Mossman. The Board voted 8-0 in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Blackstock, Jones and Steele. Nays: None.)

ITEMS FROM THE DEPARTMENT:

None.

ITEMS FROM THE CHAIRMAN

None

ITEMS FROM BOARD MEMBERS

Mr. Blackstock asked about the status of his remaining term on the Board.

Mike Kirkman stated that the typical process is that until an appointment is actually made he would continue on, but each Board is different. Ms. Stains-Ramp stated that his current term expires with this meeting, and so far as the Department has been apprised there has not yet been an appointment to his position.

Chair Truby stated that they would like for him to keep coming to the meetings until an appointment is made for his replacement.

Mike Kirkman stated that on behalf of staff they wished to thank him for his time commitments to the Board.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY

None

APPROVAL OF ABSENCES

The absence of Mr. Atkins was acknowledged and approved.

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 4:29 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
August 20, 2014**

The Greensboro Planning Board meeting was held on Wednesday, August 20, 2014 at 2:02 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; John Martin; Marc Isaacson; Frankie Jones; Donald Blackstock, Seth Steele; Rich Mossman; Day Atkins; and Celia Parker. City staff present included Steve Galanti, Mike Kirkman, Nicole Ward, and Sheila Stains-Ramp. Also present was Terri Jones, Attorney for the Planning Board.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Martin moved approval of the July 16, 2014 meeting minutes as written, seconded by Mr. Jones. The Board voted unanimously in favor of the motion.

At the suggestion of staff, Chair Truby stated that the agenda items would be heard out of order, as listed below.

UNIFIED DEVELOPMENT PLAN:

Chair Truby noted that he was recusing himself from this item. Mr. Jones moved to recuse Chair Truby, seconded by Mr. Isaacson. The Board voted unanimously in favor of the recusal. Vice Chair Martin officiated for the following item.

UDP for 9.37 acre North Elm Street and Bell Orchard Drive - 9.370 acres (APPROVED)

Nicole Ward stated that the 9.37 acre lot was approved with zoning conditions that, among other things, limited its use to multifamily development. The purpose of the Unified Development Plan is to specify permitted uses, identify the amount of development in various sections and provide the dimensional standards that will govern development of the property. The Technical Review Committee (TRC) has reviewed the UDP and recommends approval.

There was no one wishing to speak on this matter.

Mr. Blackstock moved to approve the UDP, as presented by staff, seconded by Mr. Isaacson. The Board voted 6-0-1 in favor of the motion. (Ayes: Martin, Blackstock, Steele, Akins, Parker, Isaacson, Jones. Nays: None. Abstained: Truby)

Chair Truby returned to the podium for the remaining items on the agenda.

ANNEXATION PETITION:

PL (P) 14-08: 128 Birch Creek Road, 24.41 acres, southwest of the intersection of McLeansville Road and Birch Creek Road. (APPROVED)

Nicole Ward stated that this property is within the Tier 3 Growth Area and contiguous to City limits. She noted the site is proposed to be developed for single family use. She further noted that City water is available by connection to an 8" line south and approximately 820 feet west of the property. City sanitary sewer is available by extending and connecting to an existing 8" outfall located 360 feet south of the property. The developer will be responsible for all the costs associated with extending and connecting to public services. She reported that the site is currently served by McLeansville Fire Station #47 and will be served by Fire Station #57 along with Station #47 upon annexation. She further noted that the Police Department estimates it can provide service with little difficulty and the provision of City services will involve a travel time distance equal to that necessary to provide services to the adjacent area already annexed. The TRC has reviewed and recommends the annexation to the Planning Board and City Council.

Mr. Steele moved approval of the Annexation Petition as submitted, seconded by Mr. Jones. The Board voted unanimously in favor of the motion, 7-0.

Ms. Parker joined the meeting at 2.07 p.m.

EASEMENT RELEASE:

a. Proposed release of a 10' portion of a 35' wide utility easement located at 3703 Brassfield Oaks Drive, as recorded in Plat Book 81, Page 2. (APPROVED)

Nicole Ward stated that this is a request to release a 10' portion of a 35' wide utility easement located at 3703 Brassfield Oaks Drive. All the utility companies involved have indicated their agreement to the release of this easement.

Mr. Isaacson moved approval of the easement release as submitted, seconded by Mr. Blackstock. The Board voted unanimously in favor of the motion, 8-0.

b. Proposed release of a 20' wide utility easement located at 1010 S. Eugene Street, as recorded in Plat Book 144, page 59. (APPROVED)

Nicole Ward stated that this is a request to release a 20' wide utility easement at 1010 S. Eugene Street. All the utility companies involved have indicated their agreement to the release of this easement.

Mr. Martin moved approval of the easement release as submitted, seconded by Mr. Jones. The Board voted unanimously in favor of the motion.

Mr. Mossman joined the meeting at 2:12 p.m.

ITEMS FROM THE DEPARTMENT:

Staff advised that the noted discussion on alternative meeting times would be delayed until the September meeting.

ITEMS FROM THE CHAIRMAN:

None.

ITEMS FROM BOARD MEMBERS:

Frankie Jones stated that this is his last meeting. He has enjoyed working with the other members of the Board as well as staff during his service on the Board.

Chair Truby and the members of the Board thanked Mr. Jones for his service to the Board and wished him well in his future endeavors.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:

None.

APPROVAL OF ABSENCES:

None.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 2:13 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
September 17, 2014**

The Greensboro Planning Board meeting was held on Wednesday, September 17, 2014 at 2:03 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; Marc Isaacson; Steve Allen, Richard Mossman, Seth Steele, Day Atkins, Richard Bryson and Celia Parker. City staff present included Steve Galanti, Mike Kirkman, Nicole Ward, Hanna Cockburn, and Sheila Stains-Ramp, from the Planning Department; Caitlin Warren from Neighborhood Development Department; and Terri Jones and Tom Carruthers from the City Attorney's Office.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Isaacson moved approval of the August, 2014 meeting minutes as written, seconded by Ms. Parker. The Board voted unanimously in favor of the motion.

PUBLIC HEARINGS:

Annexation Petition - PL (P) 14-09 – 5209 – R1 & R2 Liberty Road, 51901 – 5103 Foxworth Drive, 33.746 acres, between Field Horney Road and Forest Oaks Drive (CONTINUED to October 2014 Planning Board Meeting)

The petitioner, David Michaels, 621 Eugene Court, requested that the item be continued to the October meeting to resolve some concerns with the neighbors. He noted that the Zoning Commission has allowed a continuance to their October 13th meeting.

Mr. Isaacson moved to continue this matter to the October meeting, seconded by Mr. Steele. The Board voted unanimously in favor of the motion.

Comprehensive Annual Performance Evaluation Report (CAPER) for Federal Programs, Fiscal Year 2013-2014 (Report ACCEPTED)

Caitlin Warren, Neighborhood Development Department, presented the Comprehensive Annual Performance Evaluation Report (CAPER) and took the Board's questions. She noted that the Report summarizes the performance of several federally funded programs towards meeting the goals of the five-year Consolidated Plan, including the Community Development Block Grant Program, the HOME Program, the Housing Opportunities for Persons with AIDS (HOPWA) Program, and the Emergency Solutions Grant, as well as the Lead Remediation Grant Program. She noted the funds are used for community development and improvement projects like Willow Oaks, the South Elm Street Redevelopment Plan, Brownfields Rental and Homeowner Rehabilitation, Rental and New Home Owner New Construction, Home Buyer Assistance and Counseling, Fair Housing Activities, Economic Development and Small Business Assistance, and Homelessness Prevention Activities. She also noted that, because the City of Greensboro is the lead agency, the report addresses

programs from the City of Burlington, Alamance County and Guilford County as participating agencies in the HOME Program.

Ms. Warren noted the number of persons served by the various programs, and directed those interested in having more information to the Neighborhood Development Department's webpage within the City's website.

There being no other speakers, the public hearing was closed by unanimous vote of the Board.

Mr. Isaacson moved to accept the Comprehensive Annual Performance Evaluation Report (CAPER) for Fiscal year 2013-2014, seconded by Mr. Allen. The Board voted unanimously in favor of the motion.

BLIGHT CERTIFICATION:

Certification of 310 West Meadowview Road (Heritage House) as a 'Blighted Property'; Certification of 312 West Meadowview Road (Meridian Event Center) as a 'Rehabilitation, Conservation and Reconditioning Area'; Establishment of Boundaries of New Redevelopment Area (Resolution APPROVED)

Tom Carruthers, City Attorney's Office, provided a summation of the situation to date, noting that Heritage House has been a 177-unit homeowner condominium building since approximately 2005. He stated that for the last four years the City has been aware of an increasing number of problems, including operational defects and violations of the building code, as well as reported illegal activities. The City obtained civil warrants and code enforcement officers entered each of the units and all public areas, documenting multiple violations of the Minimum Housing Code. He reported that City staff worked with each of the unit owners, and by March of 2013 the Code violations had been cleared. However, the illegal activities did not abate, and Home Owners Association (HOA) was unable to collect sufficient dues to properly maintain the building, or to pay the water and utility bills. By March 2014 the City acknowledged that normal code enforcement procedures and law enforcement options had not proven sufficient to address the issues and the living conditions were untenable.

Mr. Carruthers noted that with the inability to continue to provide water and power, the situation had become a humanitarian emergency; residents were given notice that the water would be cut off and owners were given notice the units and the overall building were going to be condemned for occupancy. City staff and volunteers from several non-profit organizations provided assistance to help families into apartments, shelters or hotel rooms.

Mr. Carruthers noted that in the consideration of City staff, the appropriate avenue to recover the situation is to begin the redevelopment process allowed by the General Statutes of North Carolina.

Mr. Carruthers stated the proposed Redevelopment Area would cover the Heritage House complex and the adjacent Meridian Event Center, which while physically attached is separately owned and still functioning as a business. The blight declarations and designation of the redevelopment area will give the City the power to develop approaches to resolve the deficiencies. If a taking of the property by eminent domain is authorized by City Council, after the third public hearing, then the condemnation process will take place in Superior Court and each property owner will have the legal right to have their legal counsel compensated if it is necessary.

Hanna Cockburn, Planning Manager, explained that the Planning Board was being asked to take the first step in the Redevelopment process by 1) approving the Certification of Blight for 310 W. Meadowview Road; 2) approving the Certification of a Rehabilitation, Conservation and Reconditioning Area for 312 W. Meadowview Road; and 3) establishing the boundaries of a new Redevelopment Area containing these two locations. She noted the Planning Board had been provided the relevant NC General Statutes on redevelopment and would be provided evidence substantiating the blight designation. Ms. Cockburn noted that Redevelopment is not a quick process, with several steps detailed by the General Statutes to protect ownership rights and several opportunities for public input; the present agenda item, the legislative determination of blight and the boundaries of the blighted area, is only the first step. She noted that the designation is a final action of the Planning Board, based on sufficiency of evidence, and there is no right of appeal. If the designation is approved, the Redevelopment Plan will be created, a process involving staff, property owners, and other stakeholders, and requiring public hearings before the Redevelopment Commission, the Planning Board and City Council. That Plan will include a series of recommended implementation activities and each of those will have a role for the Redevelopment Commission and Council to play.

Ms. Cockburn noted that Redevelopment law sets out five different factors to consider when declaring a parcel or an area "blighted": Dilapidation, deterioration, age and obsolescence; Inadequate provision of ventilation, light, air, sanitation or open spaces; high density population, overcrowding, unsanitary or unsafe conditions which endanger life or property; conditions which substantially impair the sound growth of the community; and conditions conducive to ill health, the transmission of disease or crime and detrimental to the public. She described each and outlined the evidence offered in support of the declaration of blight for 310 W Meadowview Road (Heritage House.)

Ms. Cockburn noted that the property located at 312 W. Meadowview Road (Meridian Event Center) is in proximity to the blighted conditions and is an attached facility sharing a common fire wall. In staff's view it meets the criteria for the declaration of a blighted area, i.e., show evidence of clear and present danger of blight.

In summary, Ms. Cockburn stated staff recommends that the three actions before the Planning Board be taken, by adoption of a resolution to be provided by the City Attorney's Office. She also asked that people in attendance who are interested in staying involved leave their contact information on the sign-up sheet. She stated that staff looks forward to involving the neighborhood in finding strategies to restore the building as a vital part of the community.

Chair Truby asked if there was anyone wishing to speak on this matter.

Ms. Cockburn noted that the Planning Board had been provided an email from the owner of the Meridian Event Center, stating their support for the blight certifications and establishment of the Redevelopment Area.

Charles Coffee, 1903 Freeman Mill Road, stated that he was an owner of 27 units. He stated that many of the problems were due to irresponsible owners and the tenants they rented to, citing a roach infestation caused by tenants leaving trash in hallways and public areas, the vandalizing of walls, light fixtures, elevators and the fire system, smoking in non-smoking areas, discharge of fire extinguishers in common areas, and other anti-social behaviors. He stated he had worked with the Police Department to deal with the drug dealers, but some owners did not evict tenants who had been arrested for drug trafficking. He stated that many were delinquent paying HOA dues, presently

totaling around \$230,000, with this non-payment resulting in the closure because there was no way to keep the building operational. He stated that the Heritage House had a lot of potential and the irresponsible homeowners threw it away. He urged the Board vote for the blighted status and redevelopment area designation as recommended by staff.

Beth McKee-Huger, Greensboro Housing Coalition, 122 N. Elm Street, stated that she supports the staff recommendation, which would give the City the authority to consolidate ownership. Owners would get a fair price for their unit and hold-outs trying for unreasonable prices would not be as successful. Once the ownership is consolidated, the City can look at who could rehabilitate the property and be held accountable for maintaining it appropriately. She noted the substantial need for safe, affordable housing in the community and she would like to see Heritage House restored. She feels the designation as a blighted area would be an essential first step for that.

Mark Royster, a unit owner, stated that his family bought the unit in 2005 as a home for their daughter who was attending NC A&T State University. They ended up moving her out of the unit because they were concerned for her safety, given the inability of the HOA to maintain the building and public areas, and the illicit activities of an increasing number of residents. He stated his support for the blight designation and redevelopment approach.

Board Member Bryson asked who would be responsible for compensating homeowners for legal representation. Counsel Carruthers stated that it will be the taxpayers or the financing vehicle, ultimately, that they are able to arrange for the hoped for rehabilitation of this structure.

Mr. Bryson asked how the condition of the Heritage House has affected the Meridian Event Center. Counsel Carruthers stated that Event Center is part of the building that was the original Royal Villa Hotel and was part of the original condominium declaration in 2005. It is now a separate parcel, having been purchased and removed from the condominium declaration, but its close proximity to the documented problems are such that it is in clear and present danger of becoming blighted itself.

Mr. Bryson asked who was responsible for the continued operation of the elevators. Counsel Carruthers stated that this was the responsibility of the Homeowner's Association.

Mr. Bryson asked where the tenants are now. Councilwoman Sharon Hightower, in attendance in the audience, stated that she represents District 1, where Heritage House is located. All the residents that they were able to contact are in safe, affordable housing. Housing was found for about 67 families, and about 15 families are in transitional housing while more permanent housing is sought. For the most part, people are in safe places and thankful for the City's action. She pointed out that a lot of the residents were families, not prostitutes or drug dealers.

Board Member Isaacson inquired about the loans that some of the homeowners may still owe on their units and asked what happens to outstanding amounts on mortgages if the City acquires the units. Counsel Carruthers stated that the City will be paying fair market value for the units, which may not cover deeds of trust or entire amounts of mortgages. However, North Carolina is not a state that allows deficiency judgments against homeowners, so this will have to be on a case-by-case basis.

Board Member Atkins asked what would happen to this area and the property if the proposed blight designation and Redevelopment Area establishment are not approved. Counsel Carruthers stated that the building would remain condemned to occupancy. He noted there is a group of owners hoping to re-form an HOA, which would technically be possible if they could address the blight, but that would have to be addressed before they could move forward. He noted he is not optimistic that

would solve the problem as the same inadequacies that stalled effective code enforcement and police enforcement would remain. On the other hand, if the building never reopens, it would continue to deteriorate to the point where it reaches a state of imminent peril to those around it, and the City would then have legal authority to tear down the structure.

Mr. Isaacson stated the statute says the Board is authorized to declare this a blighted area where the conditions are beyond remedy or control by standard regulatory processes and the exercise of City's police power. He asked if there were no other private or public sector routes to explore.

Counsel Carruthers stated that the redevelopment power is relatively rarely used, in part because the tests to reach the required authorization are substantial, but when the situation reaches the scope of a humanitarian crisis it is a legal, proper and necessary thing to do to address the problem.

Counsel Carruthers suggested that the Resolution be published to the record. (The Resolution in its entirety is appended to these minutes.) The Resolution would designate 310 W. Meadowview Road a/k/a The Heritage House Condominium as a blighted parcel in a blighted area and declare that and 312 W. Meadowview Road, known as the Meridian Event Center, as a rehabilitation, conservation and reconditioning area, and as such, it is defined as a Redevelopment area. Mr. Carruthers called attention to two paragraphs in particular:

THEREFORE NOW LET IT BE RESOLVED, the Planning Board of the City of Greensboro does hereby incorporate the above recital, the staff report memorandum and the attachments. The Planning Board of the City of Greensboro does hereby certify that 310 W. Meadowview Road, the Heritage House Condominiums, including each of the 177 individual condominium units together with their common elements, which include the parking lot, grounds, building and interior common areas, are blighted and blighted parcels within the meaning of and as described by Article 22, Section 160(A)-503 Subpart 2 and Subpart 2A of the General Statutes of North Carolina.

And:

The Planning Board of the City of Greensboro does hereby certify that the site described in Attachment A, within the City Block bounded by Village Green Drive to the north, Soabar Street to the East, Meadowview Road to the south and Randleman Road to the west, and encompassing the addresses of 310 W. Meadowview Road and 312 W. Meadowview Road, is a rehabilitation, conservation and reconditioning area, within the meaning as described in Article 22, 160(A) – 503 Subpart 21, and do further certify that within said area that 310 W. Meadowview Road, Heritage House Condominiums including each of the 177 individual condominium units together with their common elements, which include the parking lot, grounds, building and interior common areas, are blighted and blighted parcels within the meaning of the statues as previously read.

Mr. Bryson moved to approve the Resolution as presented by Counsel Carruthers, seconded by Ms. Parker. The Board voted unanimously in favor of the motion.

TYPE 3 MODIFICATION:

4017 Yanceyville Road – Change to Zoning Condition regarding location of required fence (WITHDRAWN)

Attorney Amanda Hodierne, on behalf of her client, requested that the Modification item be either continued indefinitely or withdrawn.

Steve Galanti recommended that the item be withdrawn, noting it could return to a later agenda if desired. He noted there is no penalty for withdrawal. Attorney Hoderne agreed to the withdrawal.

AMENDMENT TO GENERALIZED FUTURE LAND USE PLAN (GFLUM):

For 1301, 1309, 1313 and 1317 New Garden Road, from Moderate Residential to High Residential (Comments)

Hanna Cockburn stated that this is an opportunity for the Planning Board to provide comments on an proposed amendment to the Generalized Future Land Use Plan (GFLUM) for property located at 1301, 1309, 1313 and 1317 New Garden Road. A change from Moderate Residential to High Residential is proposed. This impacts an area of 7.63 acres.

Chair Truby asked if there was anyone wishing to speak on this matter.

Barry Siegel, 3929 Tensley Drive, Suite 104, High Point, stated that the proposed amendment, in concert with a rezoning application, would allow for a type of senior adult housing for those transitioning from larger free standing homes who are not yet ready for assisted living or retirement facilities, at a density that responds to the costs involved in dealing with some challenging site topography and the lengthy sewer extension. Their rezoning request proposes several conditions, including a maximum unit count to reassure the neighbors.

In response to a question by Mr. Bryson, Mr. Siegel stated 5 neighborhood meetings had been held, and their site designs have been reworked to take the comments into consideration. He stated that a fair number of neighbors support the use.

Mr. Isaacson commented that this seems to be a reasonable transitional use of the property and appropriate for this area given the proximity of the medical facility and the day care and other factors that were presented. He asked that staff provide more zoning and informational background on future requests so the members could better assess it.

There was general agreement with Mr. Isaacson's comments.

EASEMENT RELEASES:

Portion of a utility easement release located at 3320 and 3322 Kettering Place, as recorded in Plat Book 74, page 103. (APPROVED)

Nicole Ward stated that all utility companies have reviewed the request and offered no objections to the approval of the easement release.

Mr. Isaacson moved to approve the easement release as presented by staff, seconded by Mr. Steele. The Board voted unanimously in favor of the motion.

Utility easement within the former right-of-way of Old Battleground Road, Deed Book 6438, page 1076; and a drainage maintenance and utility easement (DMUE) and an access easement, at 4000 Battleground Avenue and 4606 Old Battleground Avenue as recorded in Plat Book 144, page 43. (APPROVED)

Nicole Ward stated that all utility companies have reviewed the request and offered no objections to the approval of the easement release.

Mr. Isaacson moved to approve the easement release as presented by staff, seconded by

Mr. Bryson. The Board voted unanimously in favor of the motion.

ITEMS FROM THE DEPARTMENT:

Update on College Hill Neighborhood Plan

Hanna Cockburn stated that, as the Planning Board instructed, staff has offered additional public outreach and activities in the neighborhood. These included a survey distributed in paper form and on-line, and drop-in information and comment sessions at 3 Tate Street businesses to get additional feedback from people in the neighborhood who may not have responded otherwise. Staff will continue to do similar forms of outreach.

Consideration of Alternative Meeting Times

The Board members discussed moving the meeting time to a later hour. It was decided that the members would give this some consideration and make a decision at the October meeting. It appeared that the most popular meeting time would be at 4:30 p.m. This will be discussed in more detail at the October meeting and a final decision will be made.

Dedication Ceremony

Sheila Stains-Ramp noted the invitation in the agenda package to a Dedication Ceremony for one of the housing projects the Planning Board had heard about in earlier presentations.

Text Amendment Approval

Mike Kirkman stated that City Council approved the text amendment for the technical adjustments that came before the Board a couple of months ago for the Auto-Oriented and Neighborhood Support zoning districts.

Election of Chair

Ms. Parker nominated Mr. Truby to remain as Chair and Mr. Isaacson to take the position as Vice Chair. There were no other nominations. Mr. Allen seconded the nomination. These nominations were approved by unanimous vote of the Board.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:

None.

APPROVAL OF ABSENCES:

Chair Truby acknowledged that the absence of Mr. Martin is approved.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 3:45 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
October 15, 2014**

The Greensboro Planning Board meeting was held on Wednesday, October 15, 2014 at 2:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; Marc Isaacson; Steve Allen, John Martin, Richard Mossman, Seth Steele, Day Atkins, Richard Bryson and Celia Parker. City staff present included Steve Galanti, Mike Kirkman, Nicole Ward, and Sheila Stains-Ramp. Also present were Terri Jones and Jennifer Schneier, from the City Attorney's Office, and David Ortega, from the Transportation Department.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Allen moved approval of the September, 2014 meeting minutes as written, seconded by Mr. Isaacson. The Board voted 9-0 in favor of the motion.

Mr. Isaacson stated that he had a business involvement with the first item on the business agenda and needed to be recused from sitting on the matter. The Board voted 8-0 to recuse Mr. Isaacson.

PUBLIC HEARINGS:

1. **STREET CLOSING:** Closing of a portion of the 500 Block of Edgeworth Street, south of Spring Garden Street, west of Eugene Court. **(NOT RECOMMENDED)**

Nicole Ward presented the request, involving the closing of a portion of South Edgeworth Street, an active street, from Spring Garden Street southward approximately 230 feet. She stated the Technical Review Committee had evaluated the proposed closing against the required determinations and recommended approval, with conditions to be satisfied before the closing could become effective. The recommended conditions that were part of the TRC recommendation are: 1) the City shall retain a 20 foot utility easement over existing utility lines within the present right of way of South Edgeworth Street until such time as the lines are no longer needed for public use; and 2) improvements required to remove the street from public use, as described, would be installed by the applicant within 60 days of the Technical Review Committee's approval of the site plan for the proposed development. Those improvements were identified as a) a City-approved turnaround should be constructed on Eugene Court; b) the roadway connection of Eugene Court shall be eliminated by removing the existing pavement from the edge of the new City-approved turnaround northward 50 feet; and c) the roadway connection to Spring Garden Street shall be eliminated by installing City-approved curb and gutter along what is now the intersection of Edgeworth and Spring Garden Street and by removing the existing pavement from Spring Garden Street southward into present Edgeworth Street 50 feet.

Chuck Truby asked if a site plan had been filed for the development, or if there were any plans showing what the proposal would look like. Ms. Ward stated that no plans have been formally submitted but a conceptual plan has been offered.

The applicant, Lee Comer, spoke, stating that the closing would allow her to use the property as part of her parking lot. She stated that while the property's zoning, Central Business District, does not require parking provision, she had an operational need for at least 70 parking spaces.

Mr. Truby asked how the parking lot would be accessed. Ms. Comer stated that Eugene Court would provide the primary entry and exit, and that there may be a limited access driveway from the road serving the Greenway on the western end of the property. She stated she did want to make it easy for people using the Greenway for walking or biking to get to her restaurant. She acknowledged that the parking lot design was not in final form so she knew she could not count on that.

Day Atkins asked if the businesses along Eugene Court had been contacted about the closing. Ms. Comer stated that all the business owners have been contacted and so far as she was aware everyone was in favor, except for one business owner.

Richard Bryson asked if the new parking lot could allow access in a different location to Spring Garden Street. Ms. Comer stated that she did not know.

Mr. Truby noted that staff from Greensboro's Department of Transportation were in the room and asked that one of them come to the podium and try to answer the Board's questions.

David Ortega, Greensboro Department of Transportation, stated that one of the City's goals was to encourage access by pedestrians, bikers and modes of transportation beyond cars. Allowing a limited access off of Spring Garden Street/drive back to Greenway was a possibility with this intent in mind, but no designs or site plans had yet been provided and no decisions as yet made. He noted that any design would need to meet City standards for things like driveway spacing from property lines and other drives, among other requirements. He noted that the conceptual drawings should not be taken as having received any approval and the design of the termination of the public roadway, of the parking lot and of the possible access to or from the road leading to the Greenway were all preliminary.

Richard Bryson asked the applicant why the push for a large parking lot if the desire was to promote access for people using the Greenway. Ms. Comer stated that it would be a while before the Greenway would deliver many customers and her experience was that, given the number of seats in the restaurants and related businesses, she needed to accommodate at least 70 parking spaces for the 600 or so vehicles per day she anticipated.

Homer Wade, 621 Eugene Court, stated that he welcomed the proposed businesses but wanted to see a plan showing how access and parking would be handled. He noted his concern about the change in available access since most of the traffic generated by his engineering company used the Edgeworth/Spring Garden intersection. He stated he would like to see the closing continued until those immediately affected can see what will happen. He also stated that he suggested that not just a utility easement but a public access easement be retained by the City.

David Michaels, 621 Eugene Court, stated that he is not opposed to the closing, however, as a developer he would like to know there was a plan in place for how the traffic accessing existing businesses and the proposed businesses would be managed. He also noted he preferred to retain some sort of access from both Spring Garden Street and Eugene Court.

Chuck Truby asked how much longer the site plan development was likely to take. Ms. Comer stated that she is not sure. She noted that the businesses on Eugene Court and Edgeworth Street are not higher volume uses and she saw very little traffic on Edgeworth, especially with the intersection of

Eugene Court and Spring Garden Street roughly 800 feet away. She also noted that she did not believe allowing for traffic to cut through her parking lot was a safe or feasible idea.

There being no other speakers, the public hearing was closed by 8-0 vote of the Board.

Chuck Truby stated that he would like to see the matter continued until a site plan is available.

Richard Mossman asked Ms. Comer if she believed the matter could be worked out before the next meeting. Ms. Comer stated that she did not think it could be resolved in that time frame.

Celia Parker asked Ms. Comer if there were any other options for her that could make the project work. Ms. Comer stated that the closing represented the only approach she was aware of. She stated that she did not want a continuance but preferred that the Board vote the matter up or down so she could continue to the City Council for a timely decision.

Richard Bryson moved to not recommend the closing of a portion of South Edgeworth Street, seconded by Steve Allen. The Board voted 6-2 in favor of the motion. (Ayes: Truby, Allen, Steele, Bryson, Atkins, Parker. Nays: Martin, Mossman. Recused: Isaacson.)

ANNEXATION PETITIONS

PL (P) 14-09: 5209 – R1 & R2 Liberty Road, 5101-5103 Foxworth Drive, 33.746 acres, between Field Horney Road and Forest Oaks Drive. (Recommend APPROVAL)

Nicole Ward presented the details of the proposed satellite annexation along with the comments from service providers, noting that the undeveloped site is within the Tier 3 Growth Area and proposed to be developed for single-family use. She stated that City water and sewer are available by extension, Police service could be provided with little difficulty, and Fire service could be provided with a slightly slower than standard response time. The Technical Review Committee recommended approval of the annexation request.

The applicant, David Michaels, 621 Eugene Court, spoke in favor of the annexation.

The public hearing was closed by a 9-0.

Steve Allen moved to recommend approval of the annexation, seconded by Marc Isaacson. The Board voted 9-0 in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Bryson, Allen, Steele and Atkins. Nays: None)

PL (P) 14-10: 5672-5696 Millstream Road, 12.547 acres, west of Village Road. (Recommend APPROVAL)

Nicole Ward presented the details of the proposed satellite annexation along with the comments from service providers, noting that the undeveloped site is within the Tier 2 Growth Area and proposed to be developed for RV sales, service and related retail. She stated that City water and sewer are available by connection, and that Police and Fire services could be provided with little difficulty. The Technical Review Committee recommended approval of the annexation request.

The agent, Homer Wade, 621 Eugene Court, spoke in favor of the annexation on behalf of the applicant, Zoke Inc.

The public hearing was closed by a 9-0 vote.

John Martin moved to recommend approval of the annexation, seconded by Steve Allen. The Board voted 9-0 in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Bryson, Allen, Steele and Atkins. Nays: None)

ITEMS FROM THE DEPARTMENT

- a. Consideration of alternate meeting time

After a short discussion, Richard Bryson moved to change the Planning Board meeting time to 4:00 p.m., seconded by Celia Parker, to be effective with the January 2015 meeting pending amendment of the Board's By-Laws as needed. The Board voted 9-0 in favor of the motion. (Ayes: Truby, Martin, Parker, Isaacson, Mossman, Bryson, Allen, Steele and Atkins. Nays: None)

- b. Update on 2014 Affordable Housing Development Applications

Shelia Stains-Ramp reminded the Board of the materials provided as an update as described. She noted that if the Board had questions staff would take them to the appropriate Housing staff and report back the answers.

ITEMS FROM THE BOARD MEMBERS

Mike Kirkman stated that the College Hill Neighborhood plan was still in its additional public input stage, as requested by the Board. The Plan would return to the Board's agenda once this was complete, probably around the first of the year.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:

None.

APPROVAL OF ABSENCES:

There were no Board members absent.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 3:07 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
November 19, 2014**

The Greensboro Planning Board meeting was held on Wednesday, November 19, 2014 at 2:05 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; Marc Isaacson; Steve Allen, Richard Mossman, Seth Steele, Day Atkins, Richard Bryson and Celia Parker. City staff present included Mike Kirkman, Nicole Ward, and Sheila Stains-Ramp. Also present were Jennifer Schneier and Tom Carruthers, Legal Department, and Virginia Spillman, Water Resources.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Isaacson moved approval of the October 15, 2014 meeting minutes as written, seconded by Mr. Bryson. The Board voted unanimously in favor of the motion.

PUBLIC HEARING:

Land Development Ordinance Amendments

Land Development Ordinance Amendment regarding Sections 30-15-6 (Definitions), to define **Electronic Sweepstakes Operations**; 30-8-10.3, to establish separations between uses; 30-8-1 and Table 8-1 (Permitted Use Table), to amend the Table to include Electronic Sweepstakes Operations; and 30-8-7.2, to amend the list of Typical Use Types to include Electronic Sweepstakes Operations. **(RECOMMENDED)**

Mike Kirkman presented the text amendment, stating that it establishes Electronic Sweepstakes Operations as a use allowed in certain districts so long as the use standards proposed in the amendment are met. He stated that this change was initiated by the Greensboro City Council in response to advice from the District Attorney that certain types of Electronic Gaming Operations may be within the letter of the law at the state level, and therefore would be considered a legal business. Prior to this advice, Electronic Gaming Operations were not a permitted use in Greensboro. During the brief period of time between the receipt of that advice and the Council's adoption of a moratorium for new sweepstakes businesses the use was allowed in commercial zoning districts as a general retail use. Approximately 75 applications for privilege licenses for the use were filed in that period.

Mr. Kirkman noted that at their November 3rd meeting, City Council adopted a 30-day moratorium on any new sweepstakes operations in order to provide time for staff to bring forward changes to the Land Development Ordinance, including more specific definition of the use and where it would be most appropriately located. City Council requested that the use be specifically defined as a separate use within the LDO and that provisions limiting the number of operations at any one location be included.

Mr. Kirkman stated that the definition of Electronic Sweepstakes Operations is taken from the state definition and also was adopted in Article 13 of the City Code related to privilege licenses,

so it is consistent with other parts of the City Code as well as other jurisdictions across the state. He stated that the proposed LDO amendment classifies the use as an indoor recreation use. This use would be allowed in several zoning districts, specifically AO (Auto Oriented), UMU (Universal Mixed Use), C-M (Commercial Medium), C-H (Commercial High) and CB (Central Business). These districts are typically located along major commercial corridors and are associated with significant levels of commercial related activities. This is similar in nature to how other indoor recreation uses are treated.

Mr. Kirkman noted the amendment sets a 200-foot spacing requirement from any property that is occupied by a place of religious assembly; elementary or secondary schools; a public park; or a residence, and 200-foot spacing is also required from any residentially zoned lot. He also noted there is a 1,000-foot separation between electronic sweepstakes operations establishments. These spacing requirements are similar to those used for bars and nightclubs. He noted that research into what other North Carolina jurisdictions are doing revealed a wide variation in spacing requirements across the state.

Mr. Kirkman stated that the use could be either a principal use of property or an accessory use of property. As an accessory use, the zoning districts where it could be allowed are the same as where it is allowable as a primary use. Given that the accessory use standards typically are based on there being some kind of association with the principal use, it is anticipated that this use would be accessory to retail uses and other high traffic uses. Accessory uses, as a limited part of the overall operation, are generally limited to no more than 30% of the gross floor area of the primary use, or comprising not more than 30% of the total volume of sales. Mr. Kirkman noted that the amendment includes a provision for accessory Electronic Sweepstakes Operation with two or fewer machines to not be subject to spacing requirements

Counsel Schneier noted that this is still a very fluid situation, with the City trying to be prepared no matter what happens in the number of court cases moving through the system. She stated that the day before the Planning Board meeting, the State Court of Appeals had found that the various forms of Electronic Sweepstakes Operations are all games of chance and no distinction between the various gaming establishments was necessary. She noted that the City is now in a holding pattern and it is important to move forward on the proposed amendments so there is clarification when a final decision is made by the Courts in the next 30 days.

Counsel Carruthers stated that to this point there had been inconsistent opinions at the Superior Court level as to whether the latest version of the sweepstakes software is legal or not. Because some Courts have declared pre-revealed software games legal, in some counties, there was an unequal protection problem where there were differences in the counties' opinions. As a result, District Attorneys began announcing that they would not prosecute because they were fearful that they would be challenged under Equal Protection grounds. This led the Guilford County D.A. to reach the same conclusion.

Mike Kirkman stated that if Council adopted this amendment, any of the legally approved and licensed businesses that do not meet the requirements proposed would have nonconforming status, which meant that they could continue to operate as is until it ceased operations for a period of 12 months or more, or was replaced with a legal business.

There being no speakers the public hearing was closed.

Mr. Isaacson moved to recommend approval of the Amendment as presented by staff, seconded by Mr. Allen. The Board voted 8-0 in favor of the motion.

Land Development Ordinance Amendment regarding Sections 30-12-3.9(F), 30-12-3.4, 30-15-1 and Tables 12-4 and 12-5, related to **Stream Buffers. (RECOMMENDED)**

Virginia Spillman, representing Water Resources, stated that this Amendment would result in the City's requirements mirroring the state requirements and update the Ordinance to reflect changes by the State Legislature since the LDO's adoption. In particular she noted that Section 1 updates high-density development stream buffers throughout the watershed, excepting Randleman Lake. The stream buffer requirement presently is 100 feet; the amendment would change that to 50 feet. She further stated that Section 2 is a technical change to match the state wording; Section 3 allows the City to approve a minor modification, as allowed in the Jordan Lake buffer rules. Section 4 is also a technical change to better clarify things. Sections 5 and 6 contain the changes passed by the State Legislature from the last Session.

There being no speakers the public hearing was closed.

Mr. Bryson moved approval of the Amendment to the Stream Buffers as presented, seconded by Mr. Allen. The Board voted 8-0 in favor of the motion.

Chair Truby stated that he needs to be recused from the next two items. Upon unanimous vote, Chair Truby stepped away from the dais and Mr. Isaacson conducted the meeting.

TYPE 3 MODIFICATION

3619 North Elm Street – Use of Zone 2 of the Stream Buffer for North Elm Street Apartments. **(APPROVED)**

Virginia Spillman explained that a request has been received for a minor modification of the Stream Buffer rules for a multifamily project. All the Built Upon Area for the proposed development will drain to and be treated by retention areas, designed to provide storm water treatment for the site. There is a small amount of built upon area proposed within Zone 2 of the stream buffer; Section 30-12-3.9.2 states that no built upon area should be placed on Zone 2 of the stream buffer. The requested modification is based on the grounds of 'equal or better performance'; the applicant has done significant work on redesigning the site trying to decrease the impact on the stream buffer to the maximum practical. However, at this point strict compliance by moving what remains completely out of the stream buffer would impact wetland on the site to a greater degree. It is staff's opinion that impacting the small amount of the buffer is better than impacting the wetlands. In addition, there is existing untreated Built Upon Area that will be treated in the future as a result of the development, and reforestation shown on the site plan undergoing TRC review which will mitigate the small amount of impact on Zone 2. Among the materials provided to the Planning Board is a letter from the developer confirming there is no practical alternative to disturbing the buffer in order to accomplish the development. The TRC reviewed the modification request and gave a favorable recommendation at their meeting.

After a short discussion, Mr. Mossman moved to approve the Type 3 Modification as presented, seconded by Mr. Bryson. The Board voted 7-0-1 in favor of the motion, with Mr. Truby being recused.

EASEMENT RELEASE

Proposed release of a portion of a drainage maintenance and utility easement located at 14 Blakeney Place, as recorded in Plat Book 180, Page 27. **(APPROVED)**

Nicole Ward stated that all utility companies have reviewed the request and offered no objections to the approval of the easement release.

Mr. Bryson moved to approve the easement release as presented by staff, seconded by Mr. Steele. The Board voted 7-0-1 in favor of the motion with Mr. Truby being recused.

Chair Truby returned to the dais for the rest of the meeting.

AMENDMENT TO RULES OF PROCEDURE re MEETING TIME

Introduction of a revision of Subsection III of Appendix "J" within the "MANUAL ON GREENSBORO PLANNING BOARD" concerning Rules of Procedure – Moving meeting time from 2:00 PM to 4:00 PM, effective January of 2015. **(APPROVED)**

Mike Kirkman stated that as discussed at the October meeting, it was the wish of the Board members to adjust the starting time for the Planning Board meeting to 4:00 o'clock p.m. to encourage public engagement in issues that come before the Planning Board.

Mr. Bryson moved approval of the new meeting time of 4:00 o'clock p.m. beginning at the January 2015 meeting, seconded by Mr. Mossman. The Board voted unanimously in favor of the motion.

ITEMS FROM CITY ATTORNEY

Presentation of possible Amendments to Entertainment Use Standards 30-8-13:

Counsel Carruthers stated that Council is looking at revisions to the Entertainment Facility Use Ordinance, Section 30-8-13, in light of recent events in the downtown area. He noted that the Board of Adjustment has heard several cases under the process laid out in the ordinance and that experience allows for the ordinance to be improved and the process streamlined. He also noted that Council had decided to schedule a public hearing on the revisions to the Entertainment Facilities Ordinance for their December 2 meeting, and because of that timing, no public hearing on the amendments would be scheduled before the Planning Board. He noted his presentation was for informational purposes.

Mr. Carruthers stated that the City clearly has enabling legislation under state law to regulate bars and nightclubs, per the North Carolina General Statutes. He noted that 47 bar/club and lounge establishments in the City would fall within this the Entertainment Use classification, as well as 13 sexually oriented businesses. He noted that the current draft of the amendments could put civic clubs and event rental spaces within the oversight of the Ordinance as well, but the draft is developing and the particulars could change. He stated that Council had recommended mandatory compliance with the Greensboro Police Department Security Manual, which would mean that clubs would no longer be permitted to have "bouncers", who assume the duties of security to regulate crowd control. Instead, Council was considering requiring all Entertainment Use Facilities to upgrade their security to personnel trained per the specific

requirements of Chapter 74(c) of the NC General Statutes. Mr. Carruthers noted that current Council direction was to require that all clubs with occupancy of 100 or more persons would be held to a higher standard for two uniformed armed officers, which could be either off-duty police officers or “armed security guards” under 74(c). The thought is that these clubs should have armed uniformed personnel, on-premise and visible, in order to deter violence, and if violence does occur, in order to respond as fast as possible.

Mr. Carruthers noted that there have been clubs opening up that provide entertainment from 2 am to 6 am, which brings other problems even though no alcohol can legally be served at 2 am. He noted there has been a lot of violence at some of these establishments. On the other hand, he noted the objections by operators of long-established clubs that have never had an act of violence to having the cost of the same security provisions as clubs that have had a history of problems. Staff is looking at these and other issues to draft amendments that would appropriately address the overall concerns. Any comments and suggestion of the Board members would be appreciated.

SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY:

None.

APPROVAL OF ABSENCES:

Chair Truby acknowledged that the absence of Mr. Martin as approved.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 3:48 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd

**MEETING OF THE
GREENSBORO PLANNING BOARD
December 17, 2014**

The Greensboro Planning Board meeting was held on Wednesday, December 17, 2014 at 2:02 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Chuck Truby, Chairman; Marc Isaacson; Steve Allen, Day Atkins, John Martin, Richard Bryson and Celia Parker. City staff present included: Hanna Cockburn, Cynthia Blue, Steve Galanti, Mike Kirkman, Nicole Ward, Dana Clukey and Sheila Stains-Ramp. Also present was Jennifer Schneier, Attorney for the Planning Board.

Chairman Truby welcomed everyone to the meeting and explained the procedures of the Planning Board.

MEETING MINUTES:

Mr. Isaacson moved approval of the November 2014 meeting minutes as written, seconded by Mr. Martin. The Board voted unanimously (6-0) in favor of the motion.

AMENDMENT TO GENERALIZED FUTURE LAND USE PLAN (GFLUM):

- a. CP-14-07 – GFLUM amendment from Low Residential and Moderate Residential to Mixed Use Commercial, for 6.77 acres at the northwestern corner of Hobbs Road and Friendly Avenue, including 3510, 3512, 3514, 3516 W. Friendly Avenue and 805 and 807 Hobbs Road. Halpern Development Company, LLC

Hanna Cockburn explained that the Planning Board is asked to provide their comments on the proposed change to the GFLUM. She stated that the area had also been the subject of a GFLUM amendment and rezoning request about a year ago. She identified the current GFLUM designation is Low Residential along the frontage associated with W. Friendly Avenue, and Moderate Residential for the balance of the property, categories that accommodate a range of Low and Moderate density housing types. The proposed change to Mixed Use Commercial would promote a mixture of uses where commercial uses are predominant but other uses, including housing, may be included. Ms. Cockburn indicated the location of the amendment site in the context of Friendly Center and the 200-unit multi-family project at the corner of Hobbs Road and Northline Avenue. She noted that any comments offered by members of the Planning Board will be included in the staff report associated with the zoning case, scheduled to be heard by the Zoning Commission on January 12th, 2015. The Planning Board comments would be considered by the Zoning Commission before a recommendation would be made to City Council.

Chair Truby stated that the item would not involve a public hearing and there would be no speakers from the floor; Planning Board members were asked to make any comments they thought useful to the matter but the Board would not be making a recommendation on the matter.

Chair Truby asked what the comments had been from the earlier request. Ms. Cockburn stated that the one comment offered in December 2013 was that “the area is in transition”. She noted that a Board member had asked how the request had come to the Planning Board, and staff had provided the Land Development Ordinance provision requiring a GFLUM amendment when a rezoning request is not compatible with the GFLUM of record.

In response to a question by Mr. Martin, Ms. Cockburn stated that the office building at the corner of Holden Road and W. Friendly is shown on the GFLUM as Moderate Residential. She also responded to Mr. Isaacson's question by noting that the area at Friendly Center is designated as Mixed Use Commercial.

Comments:

Mr. Bryson commented that his main concerns were whether the proposal represented the highest and best use of the property, and whether any development that would take place on the site would be respectful of the neighboring properties. Mr. Isaacson noted he still agreed that this is an area in transition. Mr. Truby stated that he agreed with that assessment, and that whatever is done on the property needs to reflect that it is a transitional property and so be designed to be sensitive to that fact. Mr. Martin noted that every month the Board talks about infill, and what makes for good infill. He stated that he agreed with the other members' comments and that it is important to note that everyone should be conscious of what type and intensity of development is allowed.

Mr. Allen arrived for the remainder of the meeting at 2:10 p.m.

ANNEXATION PETITION(S):

Chair Truby noted one applicant for an annexation was present and suggested that the Board take that item ahead of the other annexations. The Board agreed to take PL (P) 14-18 first.

PL (P) 14-18 Proposed Contiguous Annexation of 817 Guilford College Road, 1.99 acres generally between Guilford College Road and Sapp Roads. **(APPROVAL RECOMMENDED)**

Nicole Ward stated that the contiguous property, within the Tier I Growth Area, is proposed to be developed for commercial use. City water and sanitary sewer services would be available by developer extension. She noted the site was served by Pinecroft/Sedgefield Fire Station 23 and would be served by City Fire Station 52 upon annexation; the Police Department could provide service with little difficulty; and provision of other City services would involve a travel distance almost equal to that necessary to provide service to adjacent property. She further noted the Technical Review Committee (TRC) had reviewed and recommended approval of the annexation to the Planning Board and to City Council.

Mr. Isaacson moved to recommend approval of the proposed annexation as described by staff, seconded by Mr. Bryson. The Board voted unanimously (7-0) in favor of the motion.

PL (P) 14-12 Proposed Contiguous Annexation of alignments involved in extensions of East Cone Boulevard eastward to its intersection with the extension of Nealtown Road northward to White Elder Road. 12.41 acres **(APPROVAL RECOMMENDED)**

Nicole Ward stated that the contiguous property, within the Tier I Growth Area, is the proposed area for the construction of the East Cone Boulevard and Nealtown Road extensions. She noted the site was served by County Station 55 on Hicone Road and would be served by City Station 7 on Gatewood Avenue upon annexation; the City Police Department could provide service with little difficulty; and provision of other City services would involve travel time almost equal to that necessary to provide service to the adjacent properties. She further noted the Technical Review Committee (TRC) had reviewed and recommended approval of the annexation to the Planning Board and to City Council.

Mr. Bryson moved to recommend the proposed annexation as described by staff, seconded by Mr. Martin. The Board voted unanimously (7-0) in favor of the motion.

PL (P) 14-13 Proposed Contiguous Annexation of 1918-1920 Trospen Road, on the north side of Trospen Road across from Bedstone Drive, west of Lake Brandt Road, 18.27 acres. **(APPROVAL RECOMMENDED)**

Mr. Isaacson asked that he be recused from this matter. Mr. Isaacson was recused by unanimous vote (6-0).

Nicole Ward stated that the contiguous property, within the Tier I Growth Area, was proposed to be developed for single family residences. She noted that City water was available by connecting to an existing 8" line located along Trospen Road, and sanitary sewer service could be provided with the installation of a sewer lift station, extension and connection. She noted the site was served by Summerfield Fire Station 39 on Lake Brandt Road and would be served by City Fire Station 41 on Lake Brandt Road upon annexation. She also noted that the City Police Department could provide service with little difficulty, and provision of other City services would involve a travel time almost equal to that necessary to provide service to the adjacent property. She further noted the Technical Review Committee (TRC) had reviewed and recommended approval of the annexation to the Planning Board and to City Council.

Mr. Atkins asked if the zoning would remain the same. Ms. Ward stated that the current zoning was (County) Agriculture; Mr. Galanti stated rezoning was necessary to accommodate the proposed use.

Mr. Bryson moved to recommend the proposed annexation as submitted by staff, seconded by Mr. Martin. The Board voted unanimously (6-0) in favor of the motion.

Mr. Isaacson returned to the dais for the remaining items on the agenda.

PL (P) 14-14 Proposed Annexation of 1306, 1307, 1308, 1309, 1310 Roosevelt Court, 1307 REAR, 1308 REAR, 1309 REAR, 1310 NEAR Roosevelt Court, and 5692 NEAR Millstream Road, 18.36 acres south of Millstream Road, between Stewart Mill Road/Creek Road and Village Road. **(APPROVAL RECOMMENDED)**

Nicole Ward stated that the property, within the Tier II Growth Area, was considered a satellite annexation. She noted the site, currently vacant, was proposed to be developed as an industrial use, and that City water and sanitary sewer service were available by connection to lines on Roosevelt Court. She noted the site was served by McLeansville Fire Station 37 on Knox Road and would be served by the City Fire Station 57 on Mount Hope Church Road upon annexation, and that the Police Department had indicated they could provide service with little difficulty. The Technical Review Committee (TRC) had reviewed and recommended the annexation to the Planning Board and to City Council.

Mr. Bryson moved to recommend the proposed annexation as described by staff, seconded by Mr. Isaacson. The Board voted unanimously (7-0) in favor of the motion.

PL (P) 14-15 Proposed Contiguous Annexation of 200 Willowlake Road and NCDOT right-of-way, 27.82 acres. Northeast corner of Willowlake Road and Burlington Road, between Willowlake Road and I-840 right-of-way. **(APPROVAL RECOMMENDED)**

Nicole Ward stated that the contiguous site, within the Tier I Growth Area, was proposed to be developed for commercial use. She noted that city water and sanitary sewer service were available by extension, and that the site, currently served by the McLeansville Fire Station 37 on Knox Road, would be served by the City Fire Station 57 on Mount Hope Church Road upon annexation. She noted the Police Department estimated additional personnel and equipment would be required in order to provide service to the site upon full build-out, and provision of other City services would involve a travel time almost equal to that necessary to provide

service to adjacent properties. The Technical Review Committee (TRC) had reviewed and recommended the annexation to the Planning Board and to City Council.

Mr. Bryson moved to recommend the proposed annexation as described by staff, seconded by Mr. Martin. The Board voted unanimously (7-0) in favor of the motion.

PL (P) 14-16 Proposed Satellite Annexation of 2523-Rear McConnell Road, 16.88 acres north of McConnell Road, at northern end of Waterlyn Drive and Langston Drive. (APPROVAL RECOMMENDED)

Nicole Ward stated that the site, within the Tier I Growth Area, was considered a satellite annexation and was proposed to be developed for single family use. She noted city water and sanitary sewer services were available by extension; that fire service would continue to be provided through City Fire Station 14 on Summit Avenue; that Police service could be provided with little difficulty; and the provision of other City services would involve a travel time almost equal to that necessary to provide service to the adjacent properties. The Technical Review Committee (TRC) had reviewed and recommended the annexation to the Planning Board and to City Council.

In response to a question by Mr. Bryson, Ms. Ward stated that this is another phase of the existing development.

Mr. Isaacson moved to recommend the proposed annexation as described by staff, seconded by Mr. Bryson. The Board voted unanimously (7-0) in favor of the motion.

Mr. Isaacson pointed out that the several annexations underscored the returning interest in development and growth. Chair Truby stated that he agreed this was likely a sign of a turn-around in the local economy, and good for Greensboro.

EASEMENT RELEASE:

Proposed release of a portion of a 10' wide utility easement located at 2917 Round Hill Road, as recorded in Plat Book 46, Page 43. **(APPROVED)**

Nicole Ward stated that the release had been evaluated by all involved utility companies, which had supported the request

Mr. Isaacson moved approval of the easement release as described by staff, seconded by Ms. Parker. The Board voted unanimously (7-0) in favor of the motion.

AMENDMENT OF RULES OF PROCEDURE RE: MEETING TIME

- a) Vote on revision to Subsection III of Appendix "J" within the "MANUAL ON GREENSBORO PLANNING BOARD" (prepared by the Office of City Attorney, Fifth Revised Edition, dated 5/8/09) concerning Rules of Procedure – Moving meeting time from 2:00 PM to 4:00 PM, effective January of 2015. **(APPROVED)**

Mr. Bryson moved to approve the Amendment, as submitted by staff, seconded by Mr. Allen. The Board voted unanimously (7-0) in favor of the motion.

ITEMS FROM THE DEPARTMENT:

a) Affordable Housing Development Request For Proposals

Cynthia Blue noted the information on the RFP that had been provided in each Board member's packet, and that she would answer any questions the Board might have. She noted she has been getting a lot of calls from interested developers so there is likely to be a good pool of projects to consider this year.

In response to a question, Ms. Blue stated that while the amount budgeted this year is \$424,000, there is about \$500,000.00 from last year that has been rolled into the program for this year, so the total amount to go out in the RFP is actually closer to one million.

Ms. Blue noted that Board comments were welcome in the process, which starts in January with the release of the RFP. RFP responses would be due back in February. The process would be wrapped up in May, when staff's recommendations would come back to the Planning Board, which allows those projects seeking low income housing tax credits projects to submit their final proposals to the NC Housing Finance Agency.

b) Initial Briefing on Consolidated Plan Process

Hanna Cockburn noted the information on the Consolidated Plan process that had been provided in each member's packet. She noted the first public meeting regarding the Consolidated Plan will be held January 27, 2015, with more details to be provided closer to the time of the meeting. She noted that she would be at the Board's January meeting to summarize the base data informing the Plan.

The purpose of the Consolidated Plan helps the community that receives entitlement funds from the Housing and Community Development and the federal government identifying the most pressing housing needs and allocating funds accordingly. The role of the Planning Board in this process is similar to the role related to the Comprehensive Plan so it will come back to the Planning Board for review. It is anticipated that this process will be wrapped up in April or May. At the January meeting some of the base data will be submitted for review, concerning the community that is informing the plan.

In response to questions, Ms. Cockburn stated that the community receives entitlement funds from the federal government for housing programming, and the Plan identifies the most pressing housing needs and provides a policy framework that helps allocate funds within the community.

She noted that the general public will be invited to a public hearing where staff will share information about where the city is today, what the needs are as indicated by the data collected, and seek to identify and understand people's priorities about how those needs are and should be addressed. She noted that details of the meeting time and location will be sent to the Board as soon as possible.

c) Update on Council action on Entertainment Facility Use Standards

Mike Kirkman stated that Council had directed that staff prepared some adjustments to the City Code relative to Entertainment Facilities in partial response to incidents that had occurred. He noted that Council had discussed moving regulation of these facilities to Chapter 18 in the City Code, which meant that enforcement would follow a different path than had been so far taken. Other provisions were also being built in, in terms of requiring certain levels of security with staffing and minimum required training for facilities with different occupancy limits and track records for problems. The change that Council adopted left other sorts of entertainment facilities still within the purview of Chapter 30 of the LDO. Council has not finalized their debate on the measures and may make some additional adjustments. If so, the Planning Board will be notified of those possible changes.

Counsel Schneier stated that she has received phone calls from concerned business owners wanting to know if they are exempt as they had no violent acts associated with their establishments in the past 3 years. There is also the concern about the training that is required for establishments and she has spoken with GTCC about their training classes.

d) Update on Council action of Electronic Sweepstakes Operations

Mike Kirkman stated that in response to Council direction the Board had considered a possible addition to the LDO regarding Electronic Sweepstakes Operations to establish development and use standards if the upshot of various court cases was to define the use as legal, or legal under some circumstances. After the Planning Board action, staff was informed of a determination by the Court of Appeals that these operations appeared to be illegal, relative to what the state legislature had adopted. The City Council extended a previous moratorium until January 30th, 2015, to see if that determination was going to be appealed further. Mr. Kirkman noted that as of the Board's meeting, nothing else has been heard about the potential filing of a further appeal. Similarly, the text amendment that had been on Council's agenda was also continued. If the use is deemed an illegal use, statewide, then the City would not need to adopt anything further. If the use is deemed in some form or fashion to be legal, then the framework for regulating the use has been developed and can be put before the Council for a final call.

e) Update on Council action of Watershed Stream Buffers

Steve Galanti stated that City Council adopted the LDO amendments as recommended by the Board regarding stream buffers.

f) Update on Renaming of a block of Summit Avenue to Abe Brenner Place

Steve Galanti informed the Board of Council's adoption of an ordinance renaming the stretch of Summit Avenue immediately south of the proposed Steven Tanger Center for the Performing Arts. He noted that Council had also approved a budget change for the work to relocate the road southward so there will be a "T" intersection with Summit and Davie Street. This street name change came about due to a Memorandum of Understanding between the City and the Community Foundation of Greater Greensboro, which pre-empted the normal renaming process.

g) "Trends in the News November 2014"

Noting the distribution of this monthly newsletter, Mike Kirkman commented that staff was happy to look into development trends about which that Board members had interest. Mr. Martin commented that he complimented staff on providing the information and offering relevant training.

h) 2015 Calendar for Planning Board meetings

Steve Galanti stated that the 2015 calendar for Planning Board meetings has been included in the packets for information.

Items from the Chairman

None

Items from Board Members

In follow-up to the earlier Board discussion on GFLUM amendments, Mr. Isaacson commented that he felt the Board was considering the proposed changes in a vacuum, and it was really quite difficult to evaluate

what was proposed and to say anything useful. He requested that staff memos and presentation outline the factors and criteria to use in evaluating the request. He suggested, for instance, that the Board should be informed about what had changed since the 2003 adoption of the GFLUM for the area.

Mr. Bryson commented that he felt it would be helpful to have more information on developments, present surrounding zoning, and other relevant matters provided to help the Board really understand the issues involved in the cases on which they were asked to comment.

Chair Truby noted that the Planning and Zoning Board in High Point considers both comprehensive plan changes and rezoning, and asked if that had been considered in Greensboro.

Mike Kirkman commented that when the Comprehensive Plan was put in place very few amendments were allowed, as the adoption was so recent few circumstances could really be considered to have changed. As more time passed Council found that insufficiently flexible. A hybrid was developed around 2008; up to that point Council had made all decisions on Comprehensive Plan amendments. After that point, the Zoning Committee was able to take final action on rezoning and comprehensive plan amendments if the vote was unanimous. If not, the decision would go to Council.

Mr. Martin commented that the GFLUM amendment discussion was difficult in part because realistically the rezoning drives the amendment, and the 'long range' considerations were often not as valued.

APPROVAL OF ABSENCES

The Board approved the excused absences of Seth Steele and Richard Mossman.

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 3:04 p.m.

Respectfully submitted,

Sue Schwartz
Planning and Community Development, Director
SS:jd