

**REGULAR MEETING OF THE
REDEVELOPMENT
JANUARY 5, 2022**

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, January 5, 2022, beginning at 5:01 p.m. via Zoom satellite. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, Pam Turner and Thomas Sinclair. Also present were Councilwoman Nancy Hoffmann and Councilwoman Sharon Hightower. Staff present were Hart Crane and Russ Clegg, Planning Department. Andrea Harrell, Assistant City Attorney was present.

Approval of Meeting Minutes

Mr. Sinclair recused himself as he was newly appointed to the Board and not present at the November 23, 2021 meeting. Vice Chair Adams made a motion to approve the November meeting minutes; second by Ms. Turner. The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Ms. Turner).

New Commissioner Introduction

Chair Heberle welcomed the newest member to the Greensboro Redevelopment Commission. Councilwoman Hoffmann stated Mr. Sinclair reached out to her indicating his interest in Redevelopment. Mr. Sinclair's background and experience in engineering and economic development will bring critical expertise to the Redevelopment Commission. Chair Heberle thanked Councilwoman Hoffmann for the nomination. Staff had shared Mr. Sinclair's credentials and Chair Heberle was very excited to have Mr. Sinclair on board with his expertise and enthusiasm for the City of Greensboro and the Redevelopment Commission, in particular. Mr. Sinclair introduced himself and provided background information. Mr. Thomas Sinclair, a 20-year resident of Greensboro, retired Air Force officer and Engineering Chief for institutions in South Carolina; and over 25 years plus dealing with facilities and facility maintenance, strategic planning for cities or institutional bases, such as military bases, and cities in attempting to mesh with the city and those governmental bases while on active. Mr. Sinclair was happy to lend his expertise in retirement with the Redevelopment Commission and to help make the city better.

Concerned Citizens of Northeast Greensboro Lease Agreement

a. Consideration of execution for a new lease agreement allowing CCNEG to continue their Urban Farm operation through 2022.

Mr. Crane advised the community representative scheduled to speak to the Phillips Lombardy redevelopment area was unable to attend this meeting and would be speaking on his behalf. Mr. Crane displayed a map of the Phillips Lombardy redevelopment area. Directly in the center was an operating urban farm on property the Redevelopment Commission owns. There is a Use Agreement in place between the Concerned Citizens of Northeast Greensboro and the Redevelopment Commission. The lease agreement expires at the end of January. Concerned Citizens have been excellent partners and run a great operation. Mr. Crane stated until there would be development interest, it was in the best interest to allow Concerned Citizens to continue their work. Over the past year, there has been more development interest around these lots. Typically, the lease agreements are for 3 years. Staff is proposing to enter into a new agreement with Concerned Citizens for one year. The new agreement would allow Concerned Citizens to be there for one more year to find a new area, and staff will be attempting to obtain interest for builders to build on that property. In discussion with Chair Heberle, it was discovered there was no language in the agreement allowing Concerned Citizens the opportunity to renew as opposed to expiring at the end of January, and Redevelopment executing a new agreement. Chair Heberle suggested adding language allowing Concerned Citizens to renew, which is not an option currently. If the Commissioners are favorable to the agreement, the motion would be to enter into this agreement with Concerned Citizens with the

amended language allowing them to renew. Chair Heberle advised with that caveat on the potential renewal language for the Concerned Citizens group, the Redevelopment Commission would still have the right to stop that if a development project ensued. Chair Heberle stated the question was asked by him if that would be the only fundamental difference between the old agreement and the current agreement is that it is reduced from 3 years to 1 year and adding an option to renew if Redevelopment does not have plans for the property in the future. It will be on a year to year basis. Chair Heberle inquired if there was anyone present to speak on behalf of Concerned Citizens or questions from the Commissioners regarding the renewal of the lease agreement. Ms. Turner asked if the verbiage would allow for Concerned Citizens to automatically renew every year as long as no one else was interested in the property. Chair Heberle responded that was correct; as long as Concerned Citizens indicated they wanted to renew and the Redevelopment Commission had no other plans for the property. Mr. Crane advised Concerned Citizens is sympathetic with Redevelopment wanting to develop the land but until there is something solid, appreciated being able to continue their operation, and from a community standpoint are aware of what this proposal is. Chair Heberle stated moving forward with attempts to redevelop, there was also interest in potentially relocating that operation to another place. Ms. Turner inquired if staff was actively looking for another property so when there is an interest it would be moved or waiting. Mr. Crane responded it was a question of whether that property would be developed or not. There are no specific lots identified as this time. Chair Heberle stated there would not be any immediate displacement if a redevelopment project came along. There would be enough lead time to advise Concerned Citizens of a certain property to be developed and provide both them and Redevelopment time to locate a replacement. Mr. Clegg added he had spoken with the person who manages the farm from A&T. They are aware of the situation and actively pursuing another spot. With no further questions or comments, Chair Heberle requested a motion. Vice Chair Adams moved to approve entering a lease with CCNEG as presented, with the condition of an option to renew that lease with staff to add that option before execution of the lease. Second by Ms. Turner. The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Turner, and Sinclair.)

Staff Updates

a.) Eastside Park

Mr. Crane advised there was an interested developer on the Eastside Park area. Mr. Crane depicted on the screen the Eastside Park area and indicated the properties owned by the Redevelopment Commission. An interested developer, Mr. Faucette, will be working with staff over the next months to determine the specifics of what it is and what it looks like. Mr. Faucette is interested in 3 development properties in the north part of the redevelopment area.

J. Faucette, Senior Managing Director of Building Blocks, LLC. Mr. Faucette provided a brief overview of being born & raised in Greensboro and attended public schools in Greensboro and NCA&T. Building Blocks was established in 2020 to address the lack of housing in Greensboro. With the goal to build 8 townhomes on the properties. Mr. Faucette and his brother, Anthony Faucette, felt this location would be ideal for Craftsman type townhomes, approximately 1200 square feet and a one car garage. The townhomes will improve the esthetics of the property, the perception of East Side Park and the dynamics of that community. The strategy in place currently is to sell the townhomes to working class families that will be managed by Building Blocks, LLC to maintain the integrity of the property and guarantee the appreciation of the homeowner's investment. Mr. Crane advised staff will be working with the community and ensuring the vision Mr. Faucette and his brother laid out what is compatible with the Greensboro Comprehensive Plan and the East Side Redevelopment Plan. This meeting with Mr. Faucette was very preliminary.

Councilwoman Hightower, stated Mr. Faucette has done attractive work within the community and looking forward to the partnership. Councilwoman Hightower was appreciative of thinking outside the

box by placing townhomes, with one car garages in that vicinity. Councilwoman asked staff if these lots were the ones there had been an issue related to an encroachment issue. Mr. Clegg responded there was one lot with an encroachment issue and was in the final stages of working out the issue with the property owners. Mr. Faucette stated the encroachment should be the 208 York Street property that had a driveway. Mr. Faucette inquired if that portion of the land would be sold. Mr. Clegg stated there was a small encroachment, and the driveway was actually on Redevelopment property. The small piece of encroachment was being purchased from the Redevelopment Commission to rectify that situation and leaving enough room for development. Mr. Faucette expressed his concern regarding zoning of the lot as RM-18 requires X amount of square feet to build townhomes. Mr. Crane advised staff will look at those specifics to ensure it is worked out. Councilwoman stated that was her next question in how to determine what lot size would be left and remaining and would 8 townhomes still fit within the body of that lot size after the encroachment is corrected. These discussions need to be held to make sure that the builders know the size to ensure their product would actually fit. Councilwoman Hightower stated she liked the townhomes because larger homes are needed and to stop building box spaces for people. Home ownership needs to be created and opportunities on the east side, which Redevelopment has stated they wanted to do. It is time to move forward in that direction. Councilwoman Hightower was hopeful there will be open discussions with Mr. Faucette and the challenges understood by all. Councilwoman Hightower stated this sounded like a great project and hopeful for a resolution with the encroachment issue. This community has not seen any development in a while and it is now time.

Chair Heberle appreciated the thoughts expressed and thanked Mr. Faucette for attending the meeting and introducing himself. The Redevelopment Commission wants to resolve any of the redevelopment issues that may be facing the property such as the encroachment. Chair Heberle asked if the plan was to reassemble all three lots and do a single lot and development of the 8 townhomes on that single larger lot or was it to develop a certain number on each of the lots. Mr. Faucette stated it was correct with the first statement of reassembling all three lots to make one lot. Chair Heberle stated that would require a re-platting that would take care of the encroachment issue. There needs to be enough square footage for the development. Mr. Crane stated staff will be working with the Faucettes' to work out the feasibility of the project and determine what will work. Chair Heberle inquired if there were any other questions. Hearing none, Chair Heberle requested to move to the next item on the agenda.

b.) South Elm

Mr. Clegg provided an update on the South Elm redevelopment area and provided boundary information of the property. Staff is actively working on two blocks extending from Gate City Boulevard to Bragg Street. The east block includes the USCI campus. The west block is a portion between Elm Street and the railroad tracks. The redevelopment area is approximately 10 acres and the key gateway into downtown Greensboro. Gate City Boulevard, is one of Greensboro's front doors to the city that connects with several major highways and major institutions downtown. Gate City Boulevard is adjacent to several redevelopment areas, to include Ole Asheboro and Arlington Park neighborhoods currently undergoing revitalization efforts, and South Side which is the city's first traditional neighborhood and redevelopment area. In the past it had been developed with commercial uses since about 1890, to include gasoline stations, auto repair facilities, coal and fuel companies, and print shops. There was a proposal for a baseball stadium in the early 2000's that went somewhere else but alerted the community to the potential and a need for redevelopment in that area and also became aware of some Brownfield issues. The City obtained a Brownfield Grant to declare blight and began the process of creating a redevelopment plan for it. Staff put together a community advisory team and worked with the community to create the Redevelopment Plan adopted in 2007. Some of the goals included transformation of the Gateway to become visually attractive and a vibrant destination for a broad range of users. Connections were forged

in the neighborhood east and west of the planning area and creating continuity between the neighborhoods and downtown that would support the area's cultural heritage and addressed environmental issues to create a safe, economical, and viable area to restore the economic use and attract investments. The goal for Gate City Boulevard was to have a mix of uses and create unique identity to support users with a variety of ages and income levels and creating a place for everyone.

Mr. Clegg stated since the plan was adopted, staff began to acquire the property and a demolition was done in the first few years of adoption. In 2008, there were several grants from EPA for Brownfield to have mediation that consisted of replacing soil, removing underground storage tanks, and obtaining a Brownfield's Agreement for future development with the North Carolina Division of Environmental Quality. A master developer was selected, South Elm Development Group, in 2012 who procured component developers and created standards for development, Design Guidelines and Green Development Standards. South Elm Development worked with the Railroads to ensure there was adequate space to develop on that lot and CCRs were created for future development. Union Square Campus was opened in 2017. The current status on the east block where USCI is located, there is a Sales Development Agreement in place and finalized in May of 2021, spelling out the terms for the sale. If the terms are met, the property will be sold to the component developer for that specific project under the terms and conditions spelled out in the agreement. Staff is working with Cagan Properties and South Elm Development Group as component developers for the closing date of the property currently set for May of 2022. Improvements should be completed within two years from that closing time. An update should be provided by Cagan Properties at the next Redevelopment meeting. Staff has been working closely with Cagan regarding current market conditions and costs, and re-evaluating the original proposal. A proposal from Cagan is expected at the next meeting also. Staff is working towards a Sales Development Agreement for the west block. Staff is under a non-disclosure period limiting what can be said publically. If the Sales Development Agreement moves forward in the next few weeks, staff will speak about those contents at the next meeting. Mr. Clegg inquired if there were any comments and stated staff looked forward to providing more substantial updates in the next few weeks. At the next Commission meeting staff will be able to speak freely.

Chair Heberle asked if the east block was where there was an existing cell tower issue. Mr. Clegg responded it was. The cell tower lease expires in spring of 2022 close to the time of the property being closed and should be able to be removed. It is one of the things physically in the way for developing. Chair Heberle thanked Mr. Clegg for the update and inquired if the Commissioners had comments or questions regarding the update. Chair Heberle stated in the 2002 or 2003 timeframe, he was employed by Downtown Greensboro, Inc. and worked with the City of Greensboro and Brownfield's Economic Grant. It has been full circle on a very interesting piece of property and was glad it moving forward with a lot of interest in making the area vital.

5. Adjournment

Chair Heberle requested a motion to adjourn. Mr. Sinclair made a motion to adjourn the meeting; second by Vice Chair Adams. The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Turner and Sinclair).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

February 2, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, February 2, 2022, beginning at 5:00 p.m. via Zoom satellite. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, Pam Turner and Thomas Sinclair. Also present were Councilwoman Nancy Hoffmann and Mayor Nancy Vaughn. Staff present were Hart Crane and Russ Clegg, Planning Department. Sue Schwartz, Planning Director. Andrea Harrell, Assistant City Attorney were present.

Mrs. Schwartz introduced Taiwo Jaiyeoba as the New City Manager. Mr. Jaiyeoba thanked the Commission for all that they do. The cost of land in Greensboro is very important. Mr. Jaiyeoba stated he was here to support staff. Mr. Jaiyeoba would like to meet all of the Commissioners. Greensboro is having a lot of good things happening and a time everyone can be proud of. Chair Heberle thanked Mr. Jaiyeoba for joining the meeting and expressed the Commission was glad to have him. Chair Heberle asked if all the Commissioners had the opportunity to review the minutes and if there were any questions regarding the minutes. Mr. Sinclair advised in the minutes it stated he was an Engineer at North and South Carolina. It was only South Carolina.

Approval of Meeting Minutes

Vice Chair Adams made a motion to approve the January meeting minutes subject to the amendment of removing North Carolina regarding Mr. Sinclair. Second by Ms. Turner. The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Ms. Turner and Mr. Sinclair; Nays 0). The minutes were approved subject to the modification.

Consideration of Purchase and Sales Agreement for the West Block of the South Elm Redevelopment Area.

Mr. Clegg introduced himself to those present. Mr. Clegg stated after the presentation, the Commission will be asked to consider a purchase and sale agreement for the West block of the South Elm Redevelopment area. The recommendation from the Commission will go to City Council, who will hear the item at their meeting on February 15, 2022. City Council will have the final decision on authorizing the Commission to enter into the Purchase Sales Agreement. Mr. Grant Whitaker was present from LIDL US and will speak after Mr. Clegg's presentation. Both Mr. Clegg and Mr. Whitaker will answer questions from the Commission. Mr. Clegg explained what a purchase and sale agreement was; an agreement between this Commission and LIDL US, in this case. It will include the terms and conditions for the eventual sale of the 734 South Elm Street property. If the terms are met, the sale will go forward as described in the agreement. The terms will include the description of what will be built, the timeframe for moving forward, price, property under consideration, what is required prior to closing, and the duties and responsibilities of each party. The property is in the west block of the South Elm Redevelopment Area. The Redevelopment Area is bound by Gate City Boulevard on the north, railroad tracks west, Arlington Street to the east, runs along Bragg Street, and the downtown Green Way south. A portion of the Redevelopment extends south of Bragg, to include the former Mill Building, which is not owned by the Commission. At the last meeting the history was spoken about in detail. Conversation for this area started in the early 2000s with a proposal for a baseball stadium. When that moved elsewhere, the City acquired Brownfield's grants and began a planning process with the formation of a Citizens Advisory Team and the resulting Redevelopment Plan was adopted in early 2007. The principles of the plan include; making the Gateway to the City visually attractive, safe, a vibrant destination forging connections to the

neighborhoods east and west of the planning area and downtown, supporting the areas cultural heritage, addressing the existing environmental issues, restoring economic use to the area and attracting private investment, and establishing a mix of uses that create a unique identity while supporting users of a variety of ages and income levels. Mr. Clegg stated the development program in this agreement moves toward those principles. Lidl would like to purchase the property to build and operate a full-size grocery store between 25,000 and 36,000 square feet with. Parking for the site will have at least 100 - 150 parking spaces. There has been a lot of support for the in the Redevelopment Plan which is specifically mentioned in several places that include, market findings that notated the lack of grocers nearby. The plan for the core area which mentioned the market opportunity and the near unanimous public input for a grocery store and the illustrative map for the block in the plan does include a grocery store. The Comprehensive Plan, GSO2040, also supports the project. That plan's policies are in the Six Big Ideas and one is Filling in our Framework which in part calls for attractive, walkable, and compact mixed-use activities and states "People will choose to live in Greensboro because every neighborhood has convenient access to first rate schools, services, and shopping." In Creating Great Places Big Idea, Strategy 2 of goal C, it directs to continue to focus on recruiting retail downtown. The Becoming Car Optional Big Idea, stated in part, "to support indented development along commercial corridors to create a better environment for multiple transportation options such as walking and higher rates of transit use." Particularly important, in the Big Idea of Growing Economic Competitiveness states "strategic public investment in historically underserved areas of Greensboro attracts private investment that sets the stage for revitalization. "We market these strategic sites and recruit retail uses that are economically sustainable and meet neighborhood objectives." This relates to work being done to create the fresh food access plan that recognizes the prevalence of some food deserts in Greensboro, including the area around the site. Adding a store to this location will be critically important in addressing that issue. Two current projects near the redevelopment area reaffirm that need. It is in the beginning stages of talking about a much larger segment of the South Elm corridor as part of an innovation district. There is a multi-department effort to create a plan for East Gate City Boulevard. In both of the processes, residents have continued to express the need and support for a grocery store.

Mr. Clegg presented the basic terms and conditions for the agreement. The purchase price of \$1,450,000.00 based on a formula set in the Master Development Agreement, and is a per acre price for a total of slightly over 3 acres. Closing will be contingent on approval of the details of the building and site plan. There are touch points for the Redevelopment Commission throughout the process. An agreement with the City regarding parking arrangements, an agreement on phasing and scheduling of improvements, and the release of the option to purchase from the South Elm Development Group. The west block is under the Master Development Agreement with the South Elm Development Group and this release will allow Lidl to own the property outright. Mr. Clegg depicted on the screen emails to Lidl and the Commissioners. Lidl has asked for some minor changes to the agreement since the packet was mailed out. Updated versions were sent and Mr. Clegg reviewed them for the Commissioners. The language and definitions on page 2, defining earnest money has been changed to include both the money required as part of the upset bid process and the earnest money. There are subsequent additions to the "initial" work through the earnest money on page 3, and the words "upset bid deposit" in the description of the Upset Bid on page 9. The languages were added on pages 8 and 9 to clarify that the site plans of the agreement will not be changed by the Commission, although they still need to go through the site planner approval process. Page 12, a change that will clear up a discrepancy between the timelines set in the Declaration of Convenience Conditions and Restrictions. The timeline in the agreement was being reviewed this evening. Added language states "prior to closing a document will be recorded stating that the PSA of the agreement that will be looked at this evening will govern. The next step will be staff making a recommendation to City Council from the Redevelopment Commission. There will be a 10-day upset bid

period that will start on Friday, February, 25, 2022. City Council will consider the item at their meeting on February 15, 2022. The recommendation tonight would be for City Council to authorize the Commission to enter into the purchase and sale agreement with Lidl. Following that, there will be an inspection period of up to 180 days, to include items. The closing which be either the earlier of 45 days after getting approvals listed on Section 8.e; or up to 8 months after the inspection period. Completion of the project must come within 5 years of closing with an option for two extensions of up to 1 year. Mr. Clegg ended his presentation and introduced Grant Whitaker, a representative of Lidl who staff has been working with.

Grant Whitaker, Real Estate Manager for Lidl from Charlotte office. Mr. Whitaker covers both the North and South Carolina regions. Mr. Whitaker provided his background of a Bachelors in Science and Geography from the University of North Carolina in Charlotte. Mr. Whitaker advised he was not originally from Charlotte but is a North Carolina Pittsboro native. Mr. Whitaker has been with the Lidl Company for approximately 2 and a half years. Mr. Whitaker advised Lidl has one open store within the City of Greensboro and are dedicated to expanding in the area. Mr. Whitaker inquired if there were questions, he would try to answer them, if he could not answer them, he would take them back to his team.

Chair Heberle thanked Mr. Whitaker for being present and Mr. Clegg for the presentation. For Clarification purposes, Chair Heberle asked if the Commission was being asked to recommend approval to City Council for this. The Commission does not actually have the authority and will not be approving the sale, that action occurs at the City Council level. This Commission was only being asked to make a recommendation.. Mr. Clegg responded that was correct. Chair Heberle requested to have questions just from the Commissioners for Mr. Clegg or Mr. Whitaker and then when that comment period is up, if there are any other questions from participants on the call, will open it up to that. Both for the Commissioners and those not on the Commission, because there may be a lot of interest in this, comments will be limited to 3 minutes.

Chair Heberle stated the need for a grocery store in the area was identified earlier on in the planning process and that it is described as a food desert there. Chair Heberle presumed that in the time from the development of that report and now, no significant grocer has been added to the area and it remains in a food desert status. Mr. Clegg responded that was correct. According to USDA Food Desert Maps, it is still located in food desert and staff has not seen any other grocery stores in that part of town. It will be a big addition to the retail market there. Chair Heberle asked if the Commission moves forward with this recommendation then City Council moves forward and approves this plan, the timeline would come in somewhere around 5 to 6 years adding in the inspection period. Mr. Clegg responded he would be working with Lidl. Mr. Whitaker and Mr. Clegg have talked about moving forward and touching base frequently to ensure they are in the loop of discussions, regarding any adjustments that may have to be made to the site plan and ensuring that the architectural designs makes it pedestrian friendly. Approvals from other departments will be needed, it will go through the technical review process and approvals from other agencies. Mr. Clegg will keep the Commission abreast of where they are with those and updated with where they are in the approval process. Mr. Clegg will be the liaison between Lidl and the Commission in terms of the pieces staff is involved in. Chair Heberle asked if Mr. Clegg would be the one who stewards the process through all the different departments with the city for various approvals and reports back to the Commission on progress, etc. and so on. Mr. Clegg responded that was correct. Chair Heberle stated it was mentioned the South Elm Development Group has to consent to release the property from what. Mr. Clegg responded the South Elm Development Group currently has a Master Development Agreement on both. They are releasing their option so that Lidl can own the property outright. Chair Heberle asked if they've already agreed to that and are in favor of it. Mr. Clegg responded they have.

Chair Heberle asked what kind of outreach has been done to the neighborhoods in the area to make sure that this is something they support and want it. Mr. Clegg responded they have not spoken to the neighborhood specifically about this proposal. But there were a lot of conversations because of other public involvement staff has done and working closely with a lot of the other neighborhoods in Ole Asheboro and surrounding communities. Chair Heberle felt there were other parties to the CCRs. Ms. Harrell advised Mr. Clegg was kind enough to assist in having those parties come to an agreeable and mutual agreement plan to ensure that that happens. There will be something recorded that supplants those few terms off the CCRs.

Chair Heberle inquired if there was anyone else on the commission with questions for Mr. Clegg or Mr. Whitaker. Ms. Turner confirmed that there was no engagement of the community as far as questionnaires to survey that community on what the community felt. There was no input from any community members or no structured survey or questionnaire for the community. Ms. Schwartz responded she has been with this project from the beginning. In creating the plan by which the Commission is implementing, there is a ton of community input. It was all the neighborhoods surrounding Warnersville, Ole Asheboro, downtown, etc., and in that process in developing the plan, is where a lot of input derived from. Subsequent input has been received in other processes that have brought to light the need for a full-size grocery store. There have been other models suggested. Mr. Crane works with Ole Asheboro every month and can tell the Commission a grocery store is one of the top things asked for by the community. In working with this Sales Development Agreement, staff has been bound for confidentiality in the specifics but the concept of needing a grocery store, and specifically a grocery store downtown, and needing a grocery store in a food desert. That has been resounding and staff has heard in that community. There are council members present who may have other input. A targeted and specific survey about wanting a Lidl at this spot, has not been conducted, but as part of the implementation of this plan, the community will be updated frequently, and this was one of the things that has been in pursuit since this plan was adopted into 2006.

Ms. Turner stated she was not familiar with this particular store and questioned pricing when it comes to the various communities. There is a big demand for a grocery store in their community and especially in that area. Ms. Turner asked what the price comparison was with this store and other stores or has it been addressed. Ms. Schwartz was not speaking for Mr. Whitaker but there was another Lidl between Greensboro and Jamestown. It is not Harris Teeter or Publix high, but is not Save a Lot low. Mr. Grant stated Lidl's slogan is high quality, low prices. Recently Lidl rebranded in terms of marketing as "suspiciously low prices". Going into the store, there is a rebrand of flowing playful yellow signs stating "suspiciously low-price quality goods". About 85 to 90% of Lidl's products are their own with the Lidl logo on it. That way the quality can be controlled, and to an extent, some of the pricing. That being that, there are some non-negotiable brands such as Oreos and things like that. Chair Heberle shops at a Lidl near his home and felt Lidl had good products and where he shops regularly. Chair Heberle asked how far was the nearest alternative to those living in the area.

Mr. Clegg stated there was a lot of number crunching while working with Lidl to have an understanding of the market and to explain why staff felt it was a good place to put a store. There is a Food Lion on East Market and English Street. There is a big hole in the grocery store market. Ms. Schwarz advised there was a Food Co-op on the north end of downtown but it a limited type grocer and pricing. Mr. Whitaker advised a fully built out grocery store is about 1.5 miles away to the Food Lion store from this particular location. Chair Heberle inquired if there were any other Commissioners for questions or comments.

Mr. Sinclair asked how the store was doing in Jamestown, profit wise. Chair Heberle stated it appeared to be doing well every time he drives past it. The parking seems full and they're doing a good business. Mr. Whitaker, advised Lidl is a private company and cannot disclose direct sales numbers. Mr. Whitaker does

not receive sales numbers, but that location is doing well and are dedicated to finding more locations in the City of Greensboro. Mr. Sinclair asked if they have done market research to support the store there, given the demographics of the area, location or non-location of any other full-service grocery store so it can be supported. Chair Heberle responded that was why this was an attractive option for that area.

Councilwoman Hoffmann asked Mr. Whitaker to characterize Lidl against Trader Joe's. Mr. Whitaker responded he uses the Walmart -Target comparison. Walmart is similar to Aldi and Target is correlated to the Lidl. Lidl has a smaller footprint are not up there with some of the larger footprint grocers such as Harris Teeter or Publix. The quality of Lidl is higher and is more versatile in proving a quality assortment while still maintaining lower priced goods. Ms. Hoffmann stated Lidl was a very good German company and provides an outstanding shopping experience in terms of the merchandise offerings. Chair Heberle inquired if there were more Council members who would like to speak. Vice Chair Adams stated she wished Lidl was coming to east Greensboro. This area has been talked about for a long time and was pleased the Commission is about to come a good start. Vice Chair Adams was glad this would be on the corner there. Chair Heberle inquired if there were any further question or comments.

Mayor Vaughn asked what the hours of operation for the grocery store would be. Mr. Whitaker responded it was dependent on location to location. Generally, 8:00 to 9:00. The Greensboro store hours are 8:00 to 9:00 p.m. Chair Heberle stated with no other questions, Chair Heberle reiterated the request was only to recommend to City Council who will then make the final decision and put it through if they chose to. Chair Heberle stated based what he has heard from Mr. Clegg and his experience with the area. Mr. Sinclair moved to approve the purchase and sale agreement between the Redevelopment Commission and the LIDL US Operations as presented. Seconded by Ms. Turner. The Commission voted 4-0. (Ayes: Chair Heberle, Vice Chair Adams, Ms. Turner, and Mr. Sinclair; Nays: 0). Chair Heberle advised it will be heard before the City Council on February 15, 2022.

1. Staff Updates

a). Redevelopment Area Property Portfolios. Mr. Crane advised of the efforts undertaken by staff to better market the properties and make them more outward facing. When the last annual report was adopted, there was a test Property Portfolio with the idea there could be one-sheeter for each RCG owned property and could be a resource for the Commission to market the properties individually more effectively. Mr. Crane provided a photograph of Eastside Park, first page of the portfolio that gives some background for the area, map of the property that the Commission owns with a list of the addresses. From that point, it is property by property. The example was what would be handed to people. So that if someone were to ask about opportunities out there or things to know about a certain property. It is not public yet but wanted the Commissioners to see them before they are distributed to provide input.

Chair Heberle thought this was a great tool to market Redevelopment properties better and provides everyone a quick snapshot of something they may be interested in. It is competing with the Commercial Real Estate providers and things like that. Chair Heberle is hopeful it will generate more interest in the areas. Mr. Hart stated there were interactive maps for the Redevelopment Commission properties. One of the next steps, if the Commission is in favor, was to link these PDFs to the interactive maps so when you click on the properties information will be easily attainable. Chair Heberle asked if it would also be on the Web. Mr. Crane responded each property portfolio will be on each Redevelopment Areas web page. There will be a physical version distributed to each neighborhood leader of each Redevelopment Area so that they can market on their own behalf as well. Mr. Crane advised staff was happy to give one to each of the Commissioners and will make easily accessible on the interactive map. Staff is also considering doing a press release of some sort to let people know that it was a resource. Chair Heberle asked if there would be a link to go forward and back to the Redevelopment page. Mr. Crane named the links that were

listed within the booklet. Chair Heberle inquired if there were questions for staff. Seeing none, Chair Heberle moved to the next item.

b). South Elm: Mr. Clegg provided an update on the other block in the South Elm Redevelopment area. The east block where the Commission entered a Sales Development Agreement for the construction of the apartment building. Staff has been working with the Cagans to refine their plans. They are studying the market and looking at size and count up units they feel are appropriate and are working on those buildings and working on figuring out a few details for parking. Mr. Clegg did have pictures or updates to show the Commission. Staff is still moving towards the deadline of the Sales Development Agreement that expires in May. Chair Heberle advised he was happy to hear everything is still moving forward and was looking forward to seeing future updates.

Additional Business

There was no additional business.

5. Adjournment

Chair Heberle requested a motion to adjourn. Vice Chair made a motion to adjourn the meeting; second by Ms. Turner and Mr. Sinclair. The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Turner and Sinclair; Nays: 0).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

March 6, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, March 6, 2022, beginning at 5:00 p.m. via Zoom satellite. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, and Thomas Sinclair. Also present were Councilwoman Nancy Hoffmann and Councilwoman Hightower. Staff present were Hart Crane and Russ Clegg, Planning Department. Sue Schwartz, Planning Director. Andrea Harrell, Assistant City Attorney were present.

Absent Commissioners: Pamela Turner

Approval of Meeting Minutes

Prior to voting, Mr. Sinclair noted a change to be made to February minutes, from saying he stated something versus him asking a question located on the top of page 9 of the agenda packet. Those changes were incorporated into the approved February minutes.

Mr. Sinclair motioned to approve February meeting minutes subject to the aforementioned changes. Seconded by Vice Chair Adams.

The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Mr. Sinclair; Nays 0). The minutes were approved subject to the modification.

Second Amendment to the South Elm Master Development Agreement

Mr. Clegg led a presentation covering an amendment to the South Elm Master Development agreement per the directions of the Agreement in Section 10 Item B that states prior to closing we will release the South Elm Development Group (SEDG) from their option. This transaction won't happen immediately but this amendment will set up to occur seamlessly in the future. The amendment is to the Master Development Agreement and gives SEDG the right to purchase property as component developers come into the process; this amendment states they are releasing their right to monetary compensation. There are three conditions to the proposed amendment, 1) Transaction will occur prior to closing with LIDL, 2) The amount will total to \$575,000, and 3) The amendment will be voided if closing does not occur within 16 months.

Chair Heberle asked, in regards to timing, when does the deal lock in for the closing? What is the time schedule for that process? Mr. Clegg replied approximately a year to close, but they will be coordinating with staff and submitting necessary items throughout that period. Once we hit the closing date, then that triggers the clock for the 5-7 year development timeline. Chair Heberle expressed concern about what happens if we approve this amendment but then the LIDL sale falls through, and stated he'd like to see this amendment contingent upon the LIDL sale occurring. Mr. Clegg replied that the way the agreement is set up, staff would be almost certain the deal would close before this amendment would take effect.

Vice Chair Adams asked if the City will be compensated in anyway if the sale falls through. Mr. Clegg stated the Commission would be reimburse by LIDL when the property sells to them. Vice Chair Adams asked if there's anything similar to due diligence that will protect the Commission. Mr. Clegg replied there are mechanisms within the agreement that act in this way and protect the Commission. Chair Heberle clarifies and states that RCG is protected if for any reason LIDL walks away, because that's part of the agreement that was approved at council in February, but for the amendment request being discussed this evening was related to the South Elm Master Development Agreement which would release

their option that would allow the sale with LIDL to go through. LIDL does have earnest money that they would forfeit if they walked away from the deal.

Vice Chair Adams motioned to authorize the chair to sign the Second Agreement to the Master Development Agreement as outlined by staff. Mr. Sinclair seconded.

The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Mr. Sinclair; Nays 0). The amendment was approved.

Consideration of Sales Development Agreement for 400 E Bragg Street

Mr. Crane led a presentation that covered a request for the Commission to consider entering into a Sales Development Agreement with Hinson Realty for the development of Redevelopment Commission owned property located at 400 E Bragg for a for-sale twinhome project. The slides showed some background information about the property, conceptual site plans from the developer, conditions precedent to closing within the proposed agreement, components of the sales development agreement, and pictures of relevant work of the developer.

Chair Heberle asked if this is the same lot where the community garden is located. Mr. Crane replied that there is an existing community garden at the location but the community is aware they will need to be moved at the time of the development and are supportive of the project.

Mr. Crane invited Mr. Hinson to make a few comments. Mr. Hinson described some of the details about the project at 504 MLK, the adjacent lot. For the twinhome project, Mr. Hinson stated it was important that the project will provide homeownership opportunities within the Ole Asheboro neighborhood, is excited to be investing in the community, and to be working with the Commission.

Vice Chair Adams asked what the timeline is for the project. Mr. Crane replied that once we close on the agreement, Mr. Hinson would have 60 days to commence the work and 16 months to complete the improvements.

Mr. Sinclair motioned to approve the Commission entering into a Sales Development Agreement with Hinson Realty Group Inc., for the development of 400 E Bragg St. Vice Chair Adams seconded.

The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Mr. Sinclair; Nays 0). The Sales Development Agreement was approved.

Staff Updates

Ole Asheboro

a). Ole Asheboro Single Family Lot Initiative. Mr. Crane gave an update regarding a recently developed and adopted bond program in coordination with the Greensboro Housing Development Partnership, which will help provide gap financing for the development of Single Family homes within the Ole Asheboro neighborhood.

b). South Elm: Mr. Clegg led a presentation regarding an update on the progress of the east block in the South Elm Redevelopment area, in coordination with Cagan Development. The presentation provided some background information to refresh the commission about the specifics of the agreement with Cagan Development for the east block and also foreshadowed a potential extension to their agreement at a future meeting due to unexpected delays in the development timeline. Brian from Cagan development reiterated the points Mr. Clegg made and stated they're headed in the right direction but a few items have delayed their progress a bit, specifically, parking as it relates to environmental issues i.e., past brownfield issues on the site. Mr. Cagan states they are continuing to work through these items and are headed in the right

direction but will likely need an extension to their agreement at a future meeting. Another challenge they incurred is the topography of the site, specifically as the site moves north to south there is a significant drop off, this topographical challenge has delayed their design and architecture work needed to move forward. Mr. Cagan scrolled through some slides showing the conceptual site plan, parking plan, grading issues, and preliminary floor plans for different unit types within the development.

c). Willow Oaks: Mr. Clegg and Cari Hopson led a presentation that covered background information about the history and geography of Willow Oaks, as well as specifics from the plan and the different Zones/areas that seek different types of development types as dictated by the adopted plan. Ms. Hopson then showed some pictures of ongoing development in the neighborhood and talked about general progress within the community.

Additional Business

Mr. Crane foreshadowed an item that the Commission will likely see at their next meeting, regarding a small undevelopable lot located at 1002 Caldwell St. The property will be transferred to 1000 Caldwell St through a quitclaim deed and will likely be an action item at the April regular meeting.

5. Adjournment

Chair Heberle requested a motion to adjourn. Mr. Sinclair made a motion to adjourn the meeting; seconded by Vice Chair Adams. The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Mr. Sinclair; Nays: 0).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

April 6, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, April 6, 2022, beginning at 5:00 p.m. via Zoom satellite. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, Pamela Turner, Peter Isakoff, and Thomas Sinclair. Also present was Councilwoman Hightower. Staff present were Hart Crane, Cari Hopson and Russ Clegg, from the Planning Department. Andrea Harrell, Assistant City Attorney was also present.

Absent Commissioners: None

1) Approval of Meeting Minutes

Mr. Sinclair motioned to approve the minutes as presented, seconded by Vice Chair Adams.

The Commission voted 3-0. (Ayes, Chair Heberle, Vice Chair Adams, and Mr. Sinclair; Nays 0). The March 2nd meeting minutes were approved.

2) Introduction of New Commissioner

Commissioner Isakoff, newly appointed, introduced himself and gave the Commission some background information about him and his relevant experience. Mr. Isakoff states he is a Real Estate and Business litigation lawyer in Greensboro. Deals a lot with construction law landlord-tenant, commercial leasing disputes. He also recently served on the Minimum Housing Commission. Chair Heberle welcomed Mr. Isakoff and stated someone with his background and qualifications will be a great benefit to the Commission.

3) Transfer of 1002 Caldwell St.

Mr. Crane led a presentation that covered a request for the Commission to consider transferring a small unbuildable lot located at 1002 Caldwell Street within the Arlington Park Redevelopment Area to the adjacent property, 1000 Caldwell St. If approved, Mr. Crane, stated the property would be transferred through a quitclaim deed to the owner of 1000 Caldwell St.

Chair Heberle asked if after the transfer is complete, would the owner then have to recombine the properties or would the quitclaim deed satisfy that? Ms. Harrell stated the new owner would have to recombine the properties and the quitclaim deed alone would not facilitate the recombination.

Vice Chair Adams motioned to approve the chair to sign a quitclaim deed transferring 1002 Caldwell St. to 1000 Caldwell St.

The Commission voted 5-0 (Ayes, Chair Heberle, Vice Chair Adams, Pamela Turner, Thomas Sinclair, and Peter Isakoff; Nays 0).

4) South Elm Cell Tower Extension Request

Mr. Clegg led a presentation that covered a request from American Tower, who has a cell tower located on the east block of the South Elm Redevelopment Area, for an extension to their ground lease that is set to expire on May 14th of this year. The reasoning for the extension request is to add language about the removal of the structure once the lease is up and to add a few months to the agreement to give time to American Tower to find another location. The proposed extension asks for an additional three months.

Chair Heberle asked Bryan Cagan of Cagan Development if this extension would conflict with any of their development plans and timelines. Mr. Cagan expressed that this extension would not conflict with any of their plans.

Ms. Harrell expressed that there have been last minutes edits to the extension language and are still in conversations with American Tower about the agreement. That being said, Ms. Harrell advised that the Commission hold off on voting on the extension until the next meeting, as the proposed changes are material to the agreement. She recommended to the Commission to let staff work out the details over the next few weeks, and bring finalized language to the Commission at their May meeting.

Chair Heberle asked the other Commissioners to express whether or not they would be inclined to vote yes on this extension at the May meeting, the other Commissioners were comfortable with moving forward with this extension language in May after it is finalized.

5) Extension to Development Agreement for the South Elm East Block

Mr. Clegg led a presentation regarding the component developer for the South Elm East Block, Cagan Development, specifically for the items required in the Sales Development Agreement that are required precedent to closing, and requesting more time to satisfy those items. Cagan Development is asking for an extension to the timeline for certain items due one year from the “Effective Date” of the Agreement. The particular sections being addressed in this request are Sections, 3.3, 4.13, 4.14, and 5.7 of the Agreement, additionally the section that outlines the process for a waiver is 9.2.

Mr. Clegg also foreshadowed some potential amendments to the agreement that the Commission will likely see at a future meeting, specifically as it relates to the “improvements” section of the agreement that may change; “Approximately 250 rental apartment units” and “Parking Structure with a minimum of 500 parking spaces”.

Chair Heberle asked if the term is waiver is appropriate language for this request, and would it make more sense to be worded as “amendment”? Ms. Harrell responded that the original agreement has language that speaks to “implied and expressed waivers of timelines” and since the original agreement uses that language that’s why staff has worded it in this way, but agrees with Chair Heberle that this request does function and operate effectively as an amendment.

A discussion ensued regarding what date to best extend the deadline to, that will line up well with the already scheduled Commission meetings.

Commissioner Sinclair motioned to approve that the Redevelopment Commission of Greensboro, under the provisions of section 9.2, waive the current requirement that items in sections 3.3, 4.14, and 5.7 be completed by the Effective Date of May 4, 2022, and require instead that they be completed no later than September 7, 2022, and extend the date to require construction to begin in section 4.13 to October 26, 2022. Commissioner Isakoff seconded.

The Commission voted 5-0 (Ayes, Chair Heberle, Vice Chair Adams, Pamela Turner, Thomas Sinclair, and Peter Isakoff; Nays 0).

6) Staff Updates

a). Ole Asheboro. Mr. Crane gave an update regarding the Sales Development Agreement with Hinson Realty that was approved at the last meeting and said that staff is working with the developer specifically as it relates to the architectural guidelines. Additionally, he noted a spike in interest for Commission owned land in the Redevelopment Area and noted that was positive.

b). South Elm: Mr. Clegg gave an update on the most western block in the South Elm Redevelopment Area and that he’s been in preliminary discussions with a developer for a residential use on the parcel. Working with NCDEQ in regards to the Brownfield agreement as well. More info to come on that front.

7) Additional Business

Meeting Format

Mr. Crane brought up the topic of the Commission meeting in person or remaining remote. The Commission agreed that sending a follow-up online preference survey to the Commissioners would be the best method to gauge interest levels for the meeting format.

Adjournment

Chair Heberle requested a motion to adjourn. Mr. Sinclair made a motion to adjourn the meeting; seconded by Commissioner Turner. The Commission voted 5-0 (Ayes, Chair Heberle, Vice Chair Adams, Pamela Turner, Thomas Sinclair, and Peter Isakoff; Nays 0).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

May 4, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, May 4, 2022, beginning at 5:00 p.m. via Zoom satellite. The following members were present; Vice Chair Trisha Adams, Peter Isakoff, and Thomas Sinclair. Also present was Councilwoman Hightower, Councilwoman Hoffman, Assistant City Manager Chris Wilson, and City Manager Taiwo Jaiyeoba. Staff present were Hart Crane, Cari Hopson and Russ Clegg, from the Planning Department. Andrea Harrell, Assistant City Attorney was also present.

Absent Commissioners: Chair Heberle and Commissioner Turner

Mr. Crane opened the meeting by noting that item 3 on the published agenda needed to come off the agenda and advised this removal be facilitated by a motion from a commissioner.

Mr. Sinclair motioned to remove Item 3 from the May Agenda, seconded by Vice Chair Adams. The Commission voted 3-0 (Ayes, Vice Chair Adams, Commissioner Sinclair, and Commissioner Isakoff; Nays: 0).

1) Approval of April 6, 2022 Meeting Minutes

Mr. Isakoff motioned to approve the minutes as presented, seconded by Vice Chair Adams.

The Commission voted 3-0. (Ayes, Vice Chair Adams, Mr. Isakoff, and Mr. Sinclair; Nays: 0). The April 6 meeting minutes were approved.

2) Cell Tower Extension Request

Mr. Crane introduced Mr. Clegg to present this item. Mr. Clegg explained that within the South Elm Redevelopment Area there is a cell tower located on the east block. The cell tower company, American Tower, entered into a lease agreement over 30 years ago that is now set to expire. The lease agreement allows the cell tower use of Redevelopment Commission land for the specific purpose of their cell tower. American Tower has requested an additional 3 months for the lease agreement that would allow them more time to find a new location and properly move off of Commission property. The proposed extension adds 90 days, to August 14, 2022. It also adds language regarding site cleanup, and also added language in the event of holdover which would double the current rent that American Tower pays to lease the land each month. The extension language clarifies the time frame for removal and also adds language that allows RCG the right to enter the land where the tower is located. Respectively, these changes update Sections 4 & 7 within the lease agreement.

Mr. Sinclair motioned that the Redevelopment Commission of Greensboro sign an extension to the current lease for the cell tower located at 508 Arlington Street for 90 days, with the new expiration date of August 14, 2022, as presented. Vice Chair Adams seconded.

The Commission voted 3-0. (Ayes, Vice Chair Adams, Mr. Isakoff, and Mr. Sinclair; Nays: 0). The extension request was approved.

3) Transfer of Properties into Single Family Lot Initiative Program

Removed from agenda.

4) Interested Buyer in 213 S. English St. in Willow Oaks

Ms. Hopson led a discussion regarding an interested buyer in a property located in the Willow Oaks Redevelopment Area, addressed as 213 S. English St. The potential buyer is looking to move two duplex

structures from their current location on Tucker St. onto this RCG owned lot on English St. The potential buyer has been working with Ms. Hopson to get the necessary materials submitted in order to make a proposal on the land. Ms. Hopson noted that the information requested from the potential buyer has not been received yet, and also that the timeline is tight due to the buildings being slated for demolition in June. Ms. Hopson did not have an action item for the Commission to vote on but wanted the Commissioners to be aware of the context should they see this request at their next meeting.

Vice Chair Adams asked how she intends to situate the two duplexes on the lot, and if there are any setback requirements should would need to adhere to? Ms. Hopson said she asked the interested buyer for a site plan, information for how they will be moved, and who she would be using for that service. But none of the requested information has been submitted at this point. Councilwoman Hoffman is the interested buyer owns the duplexes currently, Ms. Hopson replied that she doesn't believe she does. Mr. Crane asked, in the event she is able to facilitate the moving of the structures, do the design of the duplexes fit within the architectural requirements for this specific zone in the Willow Oaks area? Ms. Hopson replied this parcel is within Zone I which asks for a mix of single and multi-family uses, so she believes it fits within the plans guidelines, but would need to get more familiar with the site and structures before making a final determination on compatibility.

5) Staff Updates

No staff updates.

6) Additional Business

Ms. Hopson introduced an interested buyer, Mr. Santana, for a property located at 1520 McConnell Rd in the Willow Oaks Redevelopment Area. Mr. Santana introduced himself, stated he owns a small construction company called Risa Construction and just recently purchased 1514 through 1524 McConnell Rd, with the exception of 1520 McConnell Rd, which is owned by the Commission. Mr. Santana stated he would like to purchase the lot from the Commission so that his development project of 5 single-family homes is feasible. As it stands now, the RCG property sits right in the middle of the other 5 properties Mr. Santana purchased and makes the development infeasible. He also stated he intends to fund the development with private funds.

Ms. Hopson stated she did not see any conflict between the preliminary designs submitted by Mr. Santana and design guidelines of Willow Oaks in this particular zone, but said she will work with him to ensure compatibility.

Mr. Santana said due to the limited width of the property at 1520 it would make development on the lot challenging and if he were to purchase the lot from the Commission would recombine the lot with the adjacent properties to make the development feasible.

Vice Chair Adams asked if the intended house on this lot would need to be different from the houses surrounding it? Mr. Santana replied that if they are able to recombine the lots then it would not be different. Vice Chair Adams asked what the intended price point is for the homes once completed? Mr. Santana replied likely between \$200,000 and \$210,000, based on the current market in the area. Vice Chair Adams asked Ms. Hopson if there are any other deed restrictions that would determine the income level of the initial occupant? Ms. Hopson said that they will need to look further into that, but is unsure at the time.

Mr. Commissioner asked how many homes he intends to put on these lots? Mr. Santana replied he intends to build 5 homes. Ms. Hopson asked Mr. Santana if he expects to have the requested materials ready for the next Commission meeting and Mr. Santana replied he is confident that he will have all the requested materials ready to present at the next meeting.

Andrea Harrell provided an update regarding Heritage House and that a contract for demolition is underway.

Adjournment

Mr. Sinclair made a motion to adjourn the meeting; seconded by Commissioner Isakoff. The Commission voted 3-0 (Ayes, Vice Chair Adams, Thomas Sinclair, and Peter Isakoff; Nays 0).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

June 1, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, June 1, 2022, beginning at 5:00 p.m. via Zoom satellite. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, Thomas Sinclair, and Pamela Turner. Also present were Councilwoman Nancy Hoffmann. Staff present were Hart Crane, Planning Department. Sue Schwartz, Planning Director and Andrea Harrell, Assistant City Attorney were also present.

Absent Commissioners: Peter Isakoff

Approval of Meeting Minutes

Mr. Sinclair made a motion to amend the agenda to approve the previous meeting's minutes later pending the anticipated arrival of Mr. Isakoff. Seconded by Ms. Turner.

The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Mr. Sinclair, Ms. Turner. Nays 0).

1015 and 1201 S. Eugene Street Letter of Intent

Mr. Crane led a presentation regarding two properties owned by the redevelopment but which are just outside the redevelopment boundary. Marvin Wilmoth and Anthony Ceroy of Generation Development Partners presented their proposal for rental units in these currently vacant sites. They are seeking a letter of intent and express a desire to cooperate with the commission, respecting its goals and intents. Chair Heberle asked if the details of a letter of intent have been negotiated with the City yet. Mr. Ceroy stated that they have communicated with Russ Clegg and believe the letter of intent is already negotiated with council, which Mrs. Harrell concurred. Chair Heberle asked if there was a draft letter, which Mr. Crane noted was not present in the agenda packet provided to the commissioners. Councilwoman Hoffman asked what the total number of units would be and how many would be available for purchase. Mr. Wilmoth stated that the plan includes a rent-to-own program for potential homeownership. Councilwoman Hoffman asked what the rental units would be like and what the rents would be. Mr. Wilmoth stated that affordable units would be available along with market rate units but specifics are not settled yet. Councilwoman Hoffman asked what median income would be considered for the reserved units. Mr. Wilmoth stated that the group intends to conduct further study after a letter of intent is approved. Chair Heberle asked if this request was to allow the developers to move forward with setting market rates and income levels, given that the terms of the letter of intent are not binding. Mr. Ceroy stated that the group's intention is to engage with the commission and community leaders to find a practical path which also advances the goals of the city and that a letter of intent would permit the group to work with its stakeholders in moving forward. Mr. Hart displayed the draft letter and forwarded it to the commission. Ms. Turner stated that with her joining the meeting via a mobile device, she could not see the document clearly. Chair Heberle summarized the draft letter and Ms. Turner asked if there is a timeframe for when this would be re-assessed should it be approved. Mr. Wilmoth stated that their timeline was based on the approval of a brownfield agreement with the State regarding the W Bragg St. property and that the group will draft a more concrete agreement after that. Chair Heberle asked for a loose estimated time on the brownfield process. Mr. Wilmoth stated that they did not have an estimate but the group believes having the letter of intent would potentially accelerate the process. Mr. Ceroy stated that the City is the lead agency locally and that he understands the estimate to be anywhere from 18 to 24 months but that this could be expedited if there was a more formal relationship established. Chair Heberle asked if the W Bragg St. property is owned by the redevelopment board. Mr. Wilmoth stated it is and that

its current brownfield agreement prohibits residential development. Vice Chair Adams asked if the sale price was going to be solely left to the appraisal or if the group had a target price. Mr. Wilmoth stated that their group preferred to tie their offer to appraisal value. Ms. Harrell stated that the purchase price will be up to the value of the appraisal but that the final price could be lower. Mr. Sinclair asked if more conceptual materials of the project are available. Mr. Wilmoth stated that the group can provide information show that the development will fit the character of the community. Chair Heberle summarized the discussion.

Mr. Sinclair motioned to approve the Chair of the Redevelopment Commission executing the letter of intent on the properties. Ms. Turner seconded.

The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Mr. Sinclair, and Ms. Turner; Nays 0). The [request?] was approved.

Commissioner Survey for Meetings and Site Visits

Mr. Crane presented anonymous survey data indicated that 4 of the commissioners wished for virtual meetings to continue and one wanted to return to in-person. Mr. Crane stated that they intend to remain virtual unless directed otherwise by City management, in which case Planning staff will provide support to conduct hybrid meetings as required. Mr. Crane presented data about commissioners' preferences for site visits. 3 commissioners wish for site visits to be conducted during the work day and 2 prefer after business hours. Mr. Crane proposed potential meetings with lunch on Thursdays or Fridays.

Staff Updates

Heritage House

Mr. Crane stated that council approved funding for the demolition of the Heritage House, allowing redevelopment activity to start. Ms. Harrell noted that contractor D.H. Griffin's bid was selected for this task.

Additional Business

Andy Zimmerman asked when observers can comment during meetings.

Approval of Meeting Minutes

Chair Heberle noted that Mr. Isakoff was not present and minutes could not be approved. Ms. Harrell concurred.

Mr. Sinclair motioned to postpone the approval of minutes until a quorum can be established. Ms. Turner seconded.

The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Mr. Sinclair, and Ms. Turner; Nays 0). The motion was approved.

Adjournment

Mr. Sinclair made a motion to adjourn the meeting. Ms. Turner seconded.

The Commission voted 4-0. (Ayes, Chair Heberle, Vice Chair Adams, Mr. Sinclair, and Ms. Turner; Nays 0).

Respectfully Submitted,

Sue Schwartz, Director

SS/cs

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

August 3, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, August 3, 2022, beginning at 5:03 p.m. online via Zoom. The following members were present; Chair Doug Heberle, Vice Chair Trisha Adams, Pamela Turner, Thomas Sinclair, and Peter Isakoff. Staff present were Russ Clegg, Hart Crane and Kelly Larkins, Planning Department. Andrea Harrell, Assistant City Attorney was also present.

Absent Commissioners: None

Ms. Turner joined the meeting in progress at 5:05 pm.

1. Approval of meeting minutes (APPROVED)

Mr. Sinclair made a motion to approve the previous meeting's minutes, Seconded by Vice Chair Adams. The Commission voted 4-0, (Ayes: Mr. Sinclair, Ms. Turner, Vice Chair Adams, Chair Heberle; Nays 0).

Mr. Isakoff joined the meeting in progress at 5:06 pm.

2. Interested Buyer for 704 Martin Luther King Jr. Dr.

Hart Crane presented, providing background information on the property and neighborhood. He stated that the buyer interested in the Commission property has been involved with redevelopment in the Gorrell Street area has recently closed on a neighboring parcel at 706 Martin Luther King Jr. Drive. Their intent is to rehabilitate the area and add a residential development on the subject property. It is particularly advantageous having the same owner for both neighboring parcels as the parking and driveway access situation can be simplified. He stated that because the property was purchased with federal funds, the initial occupant must meet the 80% Area Median Income requirements. The subject property is also in a National Historical Register district, so design for the project will need to be approved by the State Historic Preservation Office. Mr. Crane stated that the buyer is aware of both requirements and comfortable with moving forward, and is working with staff on a Sales Development Agreement. Chair Heberle asked if the Commission has visited other properties owned by the prospective buyer. Mr. Crane confirmed they had, near the Magnolia House around Martin Street in the Gorrell Street redevelopment area. The buyer has rehabilitated 6-8 houses in the area and done follow-up work to find residents to help stabilize the neighborhood. Chair Heberle stated that he remembered the properties, the Commission knows the prospective buyer's work and that it was a positive development in the area. He asked if the houses on Marin Street were also in a historic district, or if working in those restrictions is new for the buyer. Mr. Crane stated that the Gorrell Street redevelopment area would have potential restrictions due to the adjacent Bennett College historical area, but the properties the prospective owner had previously dealt with were private purchases compared to this potential sale facilitated by the Commission which would have a different type of review. He stated that an SDA may be available as early as September. Chair Heberle asked to confirm that there was nothing to approve at this meeting, which Mr. Crane stated was correct.

3. Request to Install Monitoring Wells at 2110 Phillips Avenue (APPROVED)

Mr. Crane presented this item and stated that an environmental consulting firm had recently been in contact about a Commission property adjacent to a property under environmental review. The firm has reason to believe that underground petroleum storage tanks on that property have leaked, potentially contaminating the Commission-owned property, and they are offering to install monitoring wells at no charge. He stated that the firm sent an agreement for this, which staff has sent to the City Attorney's office for review. Andrea Harrell stated that they were clarifying the language of the agreement so there is certainty on the specifics of how the firm was to handle its obligations. She stated this should be completed by the early part of next week, and that the motion tonight would be authorizing the Chair to sign the document, not approving the document itself. Mr. Crane stated that this agreement would permit the engineers to schedule the soil boring and installation process and this motion would accelerate the process. A concern is that there is an operating urban farm on the property and that getting an understanding of any potential contamination as soon as possible justifies authorizing the Chair to sign the agreement before it is presented to the Commission, which would be the normal procedure. Chair Heberle stated that a significant concern was the language concerning terminating the agreement and making sure the other party was accepting responsibility for repairing any damage to the property while sufficiently indemnifying the Commission. Ms. Harrell stated that they are in the process of adding these clauses to the agreement and that the firm has preliminarily agreed to it. Mr. Crane displayed an engineering drawing provided by the firm and stated that the adjacent property is southwest of the Commission's property. Mr. Sinclair asked if the drawing showed where on the Commission's property the firm proposed installing the monitoring wells. Mr. Crane explained the property in relation to this drawing. Chair Heberle and Mr. Sinclair asked about the topography in the area. Mr. Crane stated that this area used to be a quarry, but the part in question is generally flat. The slope may have influenced any potential contamination, potentially to the benefit of the Commission's property, but there is not enough information right now to know. Russ Clegg stated that the Commission's brownfields agreement consultant has been brought in to the situation to help assess it and determine if additional monitoring is necessary. Vice Chair Adams asked if there had already been soil solubility tests conducted given their proposal to install monitoring wells. Mr. Crane stated that such tests had not been done on the Commission's property recently. Chair Heberle asked if there had been something discovered on the adjacent property. Mr. Crane responded that some activity caused this to come to the attention of the adjacent property owner and the extent of that suspected contamination likely indicated adjacent properties would be effected as well, requiring their offer to start monitoring at their cost. Vice Chair Adams asked if there is any intention to conduct a soil solubility test on the Commission's property, as her concern is that the activities of the adjacent property owner may be an indication there is a larger problem. Mr. Clegg stated it is likely there is an issue on the adjacent property. Mr. Sinclair asked if the well positions indicated on the engineering drawing were representative of the slope on the Commission property. Mr. Crane stated that he was going to visit the property to assess the situation and will provide updates to the Commissioners. Mr. Clegg stated that staff will produce a topographic map of the subject properties for the Commissioners.

Mr. Sinclair made a motion to authorize the Chair to sign an agreement that allows Paragon Environmental Consultants to install monitoring wells on Commission land located at 2110 Phillips Avenue, Seconded by Mr. Isakoff. Ms. Turner asked a question about the motion, and Chair Heberle tabled the motion.

Ms. Turner expressed her concern that this situation may be more serious given the offer from the third party to pay for the monitoring. Vice Chair Adams concurred and asked if the installation of the wells

could potentially alleviate future liability by the adjacent parcel owner, and asked to confirm that any agreement signed would have language preventing that. Chair Heberle stated he believed the concerns were about how this was discovered and requested staff to find out why they initiated the investigation, and asked Ms. Harrell to confirm that the agreement would create no risk that the Commission would have future liability for cleanup if the installation of the monitoring wells is permitted, and that the adjacent property owner would still have subsequent obligation for cleanup if something is discovered. Ms. Harrell stated that was correct, and that the firm has communicated that there has been some kind of release but they cannot tell how significant it is without conducting monitoring on the Commission's property. She stated that the City is drafting the agreement to be very limited and direct, permitting only the installation of the wells, allowing for termination by the City at any time, and that any damage to Commission property must be handled by the firm. Ms. Turner stated that after this clarification she supports the motion. Chair Heberle asked if the vote could be resumed, and Ms. Harrell asked Ms. Turner to confirm that she had heard enough information to allow her to feel comfortable voting on the motion. Ms. Turner confirmed she had.

At approximately 5:25 pm, Mr. Sinclair lost connection to the meeting, and did not vote on the motion. The Commission voted 4-0, (Ayes: Ms. Turner, Mr. Isakoff, Vice Chair Adams, Chair Heberle; Nays: 0).

4. American Tower Request for Lease Extension (APPROVED)

Mr. Sinclair rejoined the meeting in progress.

Mr. Clegg presented this item and provided background information on the situation involving the cell tower on the South Elm redevelopment area's east site, behind the Union Square Campus. The original agreement was to expire on May 14th until the Commission's vote to permit an extension until August 14th. That extension allowed the Commission to insert contractual language obligating American Tower to pay for the removal of the tower and associated site clean-up, which the original contract did not specify. Verizon, American Tower's client, has instructed them to request another 90-day extension to November 12th. The requested agreement would state that within 30 days of termination, the tenant shall remove all equipment and personal property, including foundation up to 6" deep, and in the event of holdover, the Tenant shall pay \$2,068.94, or roughly double the current lease rate. Mr. Clegg stated that the previous extension gave the Commission clarity on how the tower would be removed, but this extension does not do much for the Commission other than generating extra rent. They have been asked for the extension, and it does not interfere with the timeline proposed by Cagan Development. Chair Heberle asked Bryan Cagan to confirm that this request would not cause any delays. Bryan Cagan confirmed that was correct. Chair Heberle stated that the first extension was done because it provided benefit vis-à-vis the tower's removal. In this instance, the Commission would be looking for an increased rental payment for the extension period as there is no upside to the extension except the rent. Ms. Harrell stated that the Commission is at an advantage in this situation, and there are no legal issues involved with asking for increased rent. Chair Heberle stated that increasing the rental rate makes business sense given the circumstances and is not an attempt to take advantage of the situation. Mr. Clegg stated that development needed to move forward on the site eventually, and that increasing the rent is not unreasonable given the additional extension request. Mr. Isakoff stated he supported requesting a rent increase. Mr. Sinclair asked if the \$2,068.94 per month figure would be the going rate, and to confirm that allowing this extension does not delay any development. Mr. Clegg confirmed that there would be no delay. Chair Heberle asked to clarify that the current rent is roughly half the \$2,068.94 figure, if they did not grant an extension, would American Tower automatically go into holdover and thus the rent would increase, and if they were to grant an extension, would American Tower continue paying the current rate? Mr. Clegg confirmed that was correct, and noted that Councilwoman Hightower had joined the meeting in progress. Mr. Heberle

stated that the question was whether the Commission should grant the extension at the current rent, extend with an increase of rent, or grant no extension and give a 30 day notice from August 14th to remove the tower. Mr. Isakoff stated that he saw no problem with increasing the rent and going to a month-to-month basis. Ms. Harrell stated she did not recommend the City permitting this to go to a month-to-month situation, as they might take longer to vacate. She supported establishing an absolute end date, which the prior agreements did not have. The current agreement has strong termination language, and the City should keep that. Mr. Sinclair asked Mr. Isakoff to confirm he was in favor of extending the agreement into November. Mr. Isakoff agreed, if the rent was increased to the \$2,068.94 rate, which Mr. Sinclair also supported. He stated it may incentivize the tenant to accelerate their process to vacate. Chair Heberle stated his concern was that if they increase the regular lease rate, they would need to increase the holdover rate, and asked Ms. Harrell if the lease stated whether the holdover rate was twice the lease rate or cited a specific amount. Mr. Sinclair stated that he had technical issues and missed the previous motion, and asked what the result of it was. Chair Heberle stated that it had passed. Mr. Clegg stated that he examined the extension language, and noted that it gave the specific amount. Ms. Harrell stated that any language such as that can be renegotiated in the extension process should the Commission see fit. Chair Heberle asked what kind of motion was necessary. Ms. Harrell stated that the Commission needed a motion to authorize the Chair to sign a lease extension agreement, but if the lease and holdover amounts were to change then that would also need to be in the motion. Chair Heberle asked if they can make a motion authorizing staff to negotiate an increased rate. Ms. Harrell stated that was permissible, as long as staff was directed on the record to the Commission's wishes for the negotiation. Chair Heberle offered a range of increase of 50 to 100% of the lease and holdover rate, and to allow staff to negotiate within that range. Ms. Harrell stated there was no need to set a specific amount, just a minimum increase. Mr. Isakoff asked if they were establishing a maximum increase, and Chair Heberle stated they were not.

Mr. Isakoff made a motion that the Redevelopment Commission of Greensboro authorize the Chair of the Commission to sign an extension to the current lease with American Tower for property at 508 Arlington Street, which was set to expire on May 14th and which was extended until August 14th, for an additional 90 days, with the new expiration date of November 12th, 2022, with lease and holdover rates at least 50% higher than current rates, Seconded by Mr. Sinclair. The Commission voted 4-0, (Ayes: Mr. Sinclair, Mr. Isakoff, Vice Chair Adams, Chair Heberle; Nays: 0).

Ms. Turner briefly lost connection before the motion was presented and was not present for the vote.

5. South Elm Area Update from Cagan Development

Mr. Clegg introduced this item and provided context for Bryan Cagan's presentation. This is regarding the east site in the South Elm redevelopment area. The project site is next to the Union Square Campus and Grays on the Greenway who are not directly involved in the development but are part of the discussion. This is an informational update to confirm the Commission is comfortable with the emerging details of the plan which were originally due May 4th before the Commission's vote in April to extend the deadline to September 7th. The Commission's level of review is high, dealing mainly at the conceptual level. Adopting the site plan changes the master plan as well, without modifying conditions and restrictions established by the SDA. He stated that the context for the review is to confirm the changes satisfy the principles of the redevelopment plan and are in keeping with the Commission's overall vision for the redevelopment area. Mr. Clegg then read the principles of the South Elm Area redevelopment plan. In terms of activities by the Commission, while there were no HUD waivers or restrictions involved with this development, parking has been an issue in the last few months given its importance to the

development and its price structure and mixed use nature. The current proposal is to give the Union Square Campus 70 parking spaces in a new parking deck, and 115 spaces in a surface lot on the south end of the block. With this clarity, the developer has been able to proceed on site planning and elevations. He stated that the component developer's presentation tonight would address items which the SDA requires approval from the Commission prior to closing: site plan, development program, phasing schedule which is not pertinent in this project due to it being a single phase of development, elevations and interior layout, development budget, and any other matters pertaining to the proposed construction. Mr. Clegg stated that there were possible amendments to the SDA which will go to Council after the September meeting regarding the number of units and parking spaces as well as the timeline. The Commission will need to vote on the items prior to closing in September 7th, then the amendments would be taken to Council on September 20th if approved. He stated that the new proposed closing date was August of 2023, one year later than originally anticipated due to the issues related to parking which have delayed design tasks. While the proposed construction date has been pushed back to September 2023, the anticipated completion of construction remains Fall of 2024. Mr. Clegg stated they have discussed this with the City Manager's Office, and they are comfortable with the changes. Chair Heberle asked if a packet will be sent out to Commissioners before the next meeting with enough time for review, and Mr. Clegg stated it would be, as well as any other information Commissioners may need in the interim.

Bryan Cagan of Cagan Management Group presented their new design information. He displayed a conceptual grading plan and stated that their work had been very intense to solve the parking issues. The site has a large grading falloff from north to south, which required significant engineering work. Displaying the site plan, he stated that the proposed apartment building would wrap around a courtyard in an "L" shape, with amenities in the courtyard and a parking garage accessible off a new alleyway created bisecting the Cagan and Grays properties. The current design has a public plaza fronting on East Gate City Boulevard, with the retail component in the southern end of the property. He stated they are continuing to work with staff and Union Square to maintain necessary service access. Mr. Cagan then displayed conceptual elevations of the project, and noted how the design takes account of the grade falloff and makes productive use of it with good engineering creating on-grade units at the lower level. Parking garage access would be from the new alleyway and would be underneath the building. He displayed some internal architectural drawings showing floor plans of the apartments and parking decks, and older construction cost information but noted that these cost details were changing rapidly. The final proposed unit count was 156, a mix of 102 1-bedroom and 54 2-bedroom apartments, with approximately 340 parking spaces. He stated they are working very closely with staff to facilitate the parking issues, which are critical. Their plan is to continue on the current timeline. With the final approval of the city council, they can release the architect and civil engineers to do construction plans and drawings for bid proposals and concurrently work on finalizing financing which they have already begun. He stated that this process usually takes approximately 10 months, and they accounted for a little extra time as a contingency if the architectural plans take longer. He stated they will have a full packet available ahead of time for the meeting in September. Mr. Sinclair asked if an aerial projection of the site was available showing a three dimensional view of the project from a higher perspective. Mr. Cagan stated that they do not have a suitable rendering but they will instruct the architect to produce one for the information packet, however it may take a few weeks. Mr. Sinclair asked what the target market for the apartments was, and if students were emphasized. Mr. Cagan stated that the concept is workforce housing, anyone who wants to live in Downtown Greensboro. He stated that working professionals were the anticipated tenants, but they are happy to have students there. Chair Heberle asked if there were previous conceptual drawings with more retail, or if this was always the vision. Mr. Clegg stated that previous iterations of the Master Plan had a different mix, but this was before the SDA was drafted. At that time, the plan anticipated smaller buildings with more retail, but staff now see a larger need for residential more than retail in Downtown.

Mr. Cagan stated their design was attempting to be as efficient as possible, and the location of the retail component serves two purposes owing to the site specifications. It is located on the south end because the concrete construction mitigates fire separation requirements necessary for retail, and that takes advantage of the concrete podium structure to add the retail component at a much lower cost. And with the anticipated Lidl development, this new location should draw people into the area and increase activity, which Chair Heberle expressed his support for. Mr. Clegg stated that the additional parking would be located to the South as well, and that he will send out this and additional material to the Commissioners. Mr. Cagan asked Commissioners for technical questions to be provided as early as possible to ensure their engineers could provide detailed information. He also noted that this was a brownfield site and the State's response time on approval could delay the project, and that pending a meeting on August 12th they will have an update for the September meeting.

6. Staff Updates

a. Eastside Park

Mr. Clegg presented this item and gave background on the situation about potential development interest for the Commission's property at 206 and 208 York Street and 201 Gillespie Street. Because HUD funds were used in the purchase of the property, an environmental review process is mandated. This includes a first phase involving historical research to assess the potential for soil contamination. He stated that due to the proximity to train tracks, side topography, and the history of gas stations and dry cleaning facilities in nearby properties, the Commission's consultants identified the need for a second phase of study involving soil analysis. This identified some contamination requiring passive mitigation measures. The final report is not yet finished, but it will likely mean measures beyond a standard vapor barrier such as a gravel bed and PVC pipe ventilation system to mitigate the low level of soil gas, but groundwater contamination is not suspected. Mr. Clegg stated that the consultants found no indication of ongoing contamination, and that the source of the issues appeared not to be recent. His belief was that the prospective buyers are unlikely to move forward with this property. He stated that the cost for the mitigation measures was not currently known, but is being investigated.

b. Lidl

Mr. Clegg then presented this item, displaying the original site plan. He noted that he had been working to solve transportation concerns. The original site plan called for three curb cuts, one in the south for loading dock access off Elm Street, a northern Elm Street cut for customer access, and another on West Gate City Boulevard. Due to the proximity to the intersection of West Gate City Boulevard and Elm Street and the volume of traffic, there are concerns about traffic stacking back into West Gate City Boulevard. He stated that because the development goal includes narrow streets for pedestrian safety and there is not room for a median on Elm Street, this will likely require some kind of right-in/right-out access depending on how the building is located on the site. Mr. Clegg also stated that because NCDOT owns West Gate City Boulevard and has curb length requirements, having traffic access would significantly complicate the flow of traffic on the site. Engineers from the City and Lidl are working to solve the problems, and once that is settled further site planning work can proceed. He stated that this property also has similar grade issues as the East parcel previously discussed, but their work right now is on transportation.

7. Additional Business

Lamar Sullivan of LSNS Consulting stated he has interest in properties in the Ole Asheboro neighborhood for the development of affordable housing and looks forward to being present for future meetings as he and his partners move forward.

Adjournment

Isakoff made a motion to adjourn the meeting, Seconded by Mr. Sinclair. The Commission voted 4-0, (Ayes: Mr. Isakoff, Mr. Sinclair, Vice Chair Adams, Chair Heberle; Nays: 0).

There being no further business, the Commission adjourned at 6:20 pm.

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

September 7, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, September 7, 2022, beginning at 5:03 p.m. online via Zoom. The following members were present: Chair Doug Heberle, Vice Chair Trisha Adams, Pamela Turner, and Thomas Sinclair. Staff present were Russ Clegg, Hart Crane and Kelly Larkins, Planning Department. Alan Buansi, Assistant City Attorney was also present.

Absent Commissioners: Peter Isakoff.

1. Approval of meeting minutes (APPROVED)

Mr. Sinclair made a motion to approve the previous meeting's minutes, Seconded by Ms. Turner. The Commission voted 4-0, (Ayes: Mr. Sinclair, Ms. Turner, Vice Chair Adams, Chair Heberle; Nays 0).

2. South Elm East Block – Sales Development Agreement Update (APPROVED)

Russ Clegg presented this item, noting that the plans from the developer are substantially the same as the update last month, and that the Commission is considering the East Site project tonight. He stated the principles of the redevelopment plan and stated that tonight's update includes items required due one year after the effective date. After the previous developer left the project and Cagan Management stepped in, they have done considerable due diligence to complete the project and asked for an extension to the effective date until today. He stated that the Commission must review the project, and provide a recommendation or not to City Council for approval as some elements of the agreement have changed. The Commission has worked with the Union Square Campus to replace the eliminated surface parking, and Council will consider a memorandum of understanding about this. He then stated the terms and conditions requiring Commission approval prior to closing, and reiterated that the Commission's level of review is relatively high and much of this process will still go to the Technical Review Committee for final development work. He noted that economic issues relating to cost variability would require re-assessing exact budget figures and any potential gap funding from the City to complete the development. Mr. Clegg then detailed some of Cagan's work to fine-tune the SDA for their development program and laid out proposed SDA amendments. The number of units has changed to 156, while the footprint and height have remained the same. He stated that American Tower has agreed to a lease extension and that they do not anticipate that situation complicating development. Mr. Clegg noted that the State of North Carolina requires an approved Environmental Management Plan in place to complete requirements of the brownfield agreement, and the new SDA accommodates the State's unpredictable timing. He stated that the SDA no longer requires monthly updates, moving to quarterly and annual only. He stated that City Legal staff finds the revised agreement acceptable and Planning's policy level review is supportive.

Vice Chair Adams asked if the new plan removes all of the studio apartments, and asked to confirm the reduction in units. Mr. Clegg confirmed this, and stated that this is valuable for the long-term viability of the development and will not change affordable rent requirements.

Mr. Sinclair stated there was a loss of 98 units, down from the original agreement of 248. Mr. Clegg stated that the original plan did not specify the exact number of units and that the previous component developer's concept informed much of the earlier SDA.

Vice Chair Adams asked if there would be an increase in rent due to the reduction in units. Mr. Clegg stated that was subject to requirements from HUD that are not yet settled, and that the Cagan representatives would be speaking on this point. He then completed his presentation by stating that pending approval of the Commission and Council the plan remains on schedule for a Fall 2024 construction completion, and then introduced Bryan Cagan of Cagan Management.

Bryan Cagan stated that the 248-unit concept was not practical to build given parking concerns, site engineering issues, and market demands. Their working plan of 156 units will have a better living experience, that the market decides rents, and that this project is viable for current demands. He then displayed a diagram of the site and explained the difficulties presented by the grade of the parcel. Displaying conceptual perspective views of the building, he noted the falloff of the parcel going south and the design work done to accommodate that, reviewing floor plans. He provided an overview of the marketing plan and a letter of financial commitment from their lender.

Mr. Sinclair asked what direction perspective view 6 was viewing from, Mr. Cagan stated it was south to north from the current Gray's property.

Chair Heberle asked if the 20% reservation of units for the first renters at 80% of market rate remains given the reduction in total units. Mr. Clegg confirmed that was the case due to the use of HUD funds. Chair Heberle asked for clarification on the "first renters" group, and if it lasts throughout their lease or if it is only for the first year. Mr. Clegg stated he would confirm the requirements and distribute that information to the Commissioners. Chair Heberle asked if the Union Square Campus would receive a specific area of the parking garage for its use or have parking passes issued. Jeff Cagan stated that tenants would have reserved spaces and would designate spaces for USC, but they have not finalized the parking design. Chair Heberle asked if this plan would reserve all parking at the Gray's property for the campus, which Mr. Clegg confirmed.

Mr. Sinclair asked to confirm that a third party currently owns the parcel for the surface lot. Mr. Clegg confirmed that Gray's on the Greenway currently owns that parcel. Mr. Sinclair asked if the Commission plans to acquire the parcel. Mr. Clegg stated the Commission plans to facilitate an agreement to build the parking lot and lease it to the Union Square Campus.

Chair Heberle asked Mr. Clegg to summarize what the Commission needed to do at this meeting. Mr. Clegg stated that the Commission must confirm its review of the development plan and associated materials, and that a recommendation on the amendments to the SDA is required for when it goes to City Council. Chair Heberle asked to confirm that the Commission does not have final approval authority on that agreement, which Mr. Clegg confirmed. Chair Heberle asked City Attorney Buansi if the Commission should consider the motions individually, which Mr. Buansi confirmed.

Vice Chair Adams then made a motion that the Redevelopment Commission of Greensboro approves the items presented as having satisfied sections 3.3, 4.14, and 5.7 of the adopted Sales Development Agreement, save items C, G, K, and I, which will be satisfied prior to closing, Seconded by Mr. Sinclair. The Commission voted 4-0, (Ayes: Mr. Sinclair, Ms. Turner, Vice Chair Adams, Chair Heberle; Nays: 0).

Mr. Sinclair then made a motion that the Redevelopment Commission of Greensboro has reviewed the proposed Amendments to the Sales Development Agreement, including adjustments to the timeline proposing property closing in August of 2022, and recommends that City Council adopts them at their meeting on September 20, Seconded by Vice Chair Adams. The Commission voted 4-0, (Ayes: Mr. Sinclair, Ms. Turner, Vice Chair Adams, Chair Heberle; Nays: 0).

3. Staff Updates

a) Phillips Lombardy

Hart Crane presented this item and summarized the Commission's previous activity. Paragon Environmental Consultants installed monitoring wells on Commission property to investigate potential contamination caused by an adjacent service station at 2110 Phillips Avenue. The firm has provided preliminary information indicating that the contamination is less significant than feared at the outset. The main contaminant on the adjacent property appears to be benzene, a compound typically associated with underground storage tank leaks. Mr. Crane stated that staff is ensuring that the final report addresses how water is moving on the site to provide solid information on how the Commission property may be impacted, but that the situation will probably require additional testing to be conducted to go forward with development on the site. He stated that the benzene contamination on Commission property currently appears minimal.

Chair Heberle asked to confirm that Paragon used monitoring wells 5 and 7 to develop the preliminary information. Mr. Crane stated well 5 was the primary source of benzene with a smaller amount in well 7, but that Paragon has found some benzene in wells 9 and 8 on the Commission property which would indicate that benzene may be getting into the creek as well. He stated that staff informed Water Resources immediately upon receipt of the letter from Paragon and will forward any additional information to that department. Chair Heberle asked if the Commission needed to take any action at this time, and Mr. Crane stated it did not.

Mr. Sinclair asked if Paragon would have a recommendation in the final analysis indicated contamination. Mr. Crane stated that they will likely provide remediation recommendations and the Commission will need to conduct independent research. He stated that the initial reports are more positive than originally anticipated and that staff will keep the Commission up to date on further developments.

Chair Heberle asked if the primarily responsible party for any future mitigation measures would be the owner of the originating lot. Mr. Crane stated he needed to get clarification on what their remediation responsibilities would be, but there would likely be a requirement for some measures. He stated that any potential developers for this site would need to know about the situation, and that this will require more research as to what potential remediation techniques would be required in any future construction process. Chair Heberle asked if there were any currently interested developers in the property, and Mr. Crane stated this would be for a later date as there is no one currently interested.

4. Additional Business

Mr. Crane introduced John Greene, the interested buyer for 704 Martin Luther King Drive who could not be present at the last Commission meeting. Mr. Greene stated that he purchased and is in the process of refurbishing Nettie Coad's house and has interest in adjacent properties to help develop the area with high-quality single-family homes. Mr. Greene stated that he purchased 409 and 501 Whittington Street and 523 Julian Street, and is in the process of starting renovation in the coming weeks. Mr. Crane encouraged Commissioners to tour those sites to see the quality and character of development as staff works towards an SDA. Mr. Greene stated he was thankful to be working with the Commission and that he wished to continue working to help the Ole Asheboro neighborhood.

Mr. Sinclair asked to confirm the addresses on Julian and Pearson Streets, and Mr. Greene confirmed them as 523 Julian Street and 409 and 501 Whittington Street. He stated that they are also working on properties on Gorrell Street and Martin Street.

Chair Heberle thanked Mr. Greene for joining the Commission meeting and stated they were pleased to see their work. Mr. Greene stated that they are increasing their development activity in the area and he was previously involved with the Union Square Campus and UNC Greensboro recreation center projects.

Mr. Crane then introduced Victor Johnson. Mr. Johnson stated he was looking forward to being involved in the revitalization of the area. He purchased land from the city and began development after discussion with the community about what houses the neighborhood thought fit the area. He stated that his company has worked with the redevelopment commission in High Point to rehabilitate a neighborhood. Mr. Johnson stated that his company is excited to work with the City. They are working to add new single-family development in the Ole Asheboro area.

Chair Heberle thanked Mr. Johnson and stated he looked forward to working with him in the future.

Adjournment

Mr. Sinclair made a motion to adjourn the meeting, Seconded by Vice Chair Adams. The Commission voted 4-0, (Ayes: Ms. Turner, Mr. Sinclair, Vice Chair Adams, Chair Heberle; Nays: 0).

There being no further business, the Commission adjourned at 6:01 pm.

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

November 2, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, November 2, 2022, beginning at 5:02 p.m. online via Zoom. The following members were present: Chair Doug Heberle, Vice Chair Trish Adams, Thomas Sinclair, Pamela Turner, and Peter Isakoff. Staff present were Russ Clegg, Hart Crane, Cari Hopson, and Kelly Larkins, Planning Department. Andrea Harrell, Assistant City Attorney was also present.

1. Approval of meeting minutes (APPROVED)

Mr. Isakoff made a motion to approve the September 7 meeting minutes as presented, seconded by Ms. Turner. The Commission voted 4-0, (Ayes: Turner, Isakoff, Adams, Heberle; Nays: 0).

Hart Crane stated that because of the time constraints of some Commission members, staff requests reordering the agenda so the Commission would hear an item requiring a vote first.

Vice Chair Adams then made a motion to move item “Willow Oaks Staff Update” up on the agenda to Item 2 and modify the item to be an action item, seconded by Ms. Turner. The Commission voted 4-0, (Ayes: Turner, Adams, Heberle, Isakoff; Nays: 0)

Mr. Sinclair had a technical issue and could not vote on either motion.

2. Staff Updates

a) Willow Oaks

Cari Hopson presented this item, and displayed a project map of the redevelopment area. Of the five zones, recent interest and activity in Zone D required action by the Commission. She gave a historical overview of the project. Russ Clegg stated that the relationship of the groups involved can be somewhat confusing but that Willow Oaks has always been a group project and the association between the Commission and the Greensboro Housing Development Partnership has been productive. Ms. Hopson explained the process that GHDP uses for builders interested in working with the project, and provided background information about the builders currently operating or planning to begin construction soon in Willow Oaks. She then displayed a map of current properties under construction, indicating which the Commission owns and which GHDP owns. She stated Zone E is having low interest due to the properties of the parcels available. Displaying a map of Zone D, she stated that the Commission owns 726 Gillespie Street and GL Sutphin, an approved builder with GHDP, is interested in the parcel. Staff is requesting action by the Commission to move to allow the sale of Commission-owned lots in Zone D to GL Sutphin using the process established by GHDP. Mr. Clegg stated that GHDP owns most of the properties in Willow Oaks and their process has been reliable in moving development along. It makes more sense to use their process to sell Commission-owned parcels directly to builders rather than trying to transfer them to GHDP first.

Chair Heberle asked if the staff oversight would be the same if the Commission used its sale process or GHDP's, and Ms. Hopson said that was correct. Chair Heberle asked how the prices were established. Mr. Clegg stated that the City calculated lot prices based on values in the neighborhood, and that not doing appraisals on each lot saves time when dealing with multiple developers. He stated that the only cost incentives given to developers are on elements included in the houses that give the properties long-term value. Ms. Hopson then stated there are 44 lots left to sell in Willow Oaks. Chair Heberle asked how many owned by the Commission, she stated those were all GHDP. Mr. Clegg stated that the Commission does not still own many single-family lots, but instead owns some bigger parcels acquired later. Chair Heberle asked to confirm they have to authorize the sale of just these five single family lots, Mr. Clegg stated that was correct. Mr. Sinclair asked for a confirmation on the number of parcels the Commission owns in Willow Oaks, and Mr. Hart stated it was approximately 25 lots. Mr. Sinclair asked when the proceeds from the sales would go to the Commission, and Ms. Hopson stated after the developer closes with GHDP. Ms. Turner asked if the larger lots would be subject to bidding. Ms. Hopson stated that staff has yet to establish the process for this. Mr. Heberle confirmed staff was not asking them to consider the other lots yet, and Ms. Hopson stated that was correct.

Ms. Harrell stated the Commission will need to follow some specific procedures dictated by state law and this may require City Council action in the future.

Mr. Sinclair made a motion to allow the sale of RCG owned lots in Willow Oaks Zone D using process established by GHDP, proceeds to go directly to RCG, seconded by Mr. Isakoff. The Commission voted 5-0, (Ayes: Isakoff, Turner, Sinclair, Adams, Heberle; Nays: 0).

3. Interested Developer – Phillips Lombardy

Kelly Larkins presented this item. He stated that City Council approved the current redevelopment plan on December 1, 1989, with proposals for commercial, residential, and institutional land uses. He stated that the current zoning is R-5, Residential – Single-Family at a maximum of 5 dwelling units per acre. However, Current Planning has preliminarily recommended RM-8, Residential – Multi-Family zoning. He displayed aerial photography of the area, showing the lots the developer is interested in and the neighboring land uses, and photographs of existing residential architecture of single-family houses in the neighborhood. Chair Heberle welcomed Mr. Larkins to the Redevelopment Commission.

Mr. Larkins introduced Narayanan Bakthisaran, a local developer with Blue Ocean Renovations LLC, who stated his firm has been renovating single family and small multifamily properties for over 10 years in the Triad and Triangle. They would be interested in up to all five of the Phillips Lombardy parcels based on pricing and their due diligence. He displayed a conceptual rendering of a two-unit Townhome development in which each unit would be three bedroom and two bathrooms, between 1100 and 1200 square feet on each unit, with garages and patios. Financing would be a combination of the group's own cash and bank loans, they are requesting no public funding or financing. Mr. Bakthisaran stated they anticipate one side of the unit or units being Section 8 affordable housing, and the other side market-rate rental. They anticipate project completion with 8-12 months following closure, and request any help the City can provide to clear the parcels if they develop the properties. Mr. Crane clarified that tonight's item is an introductory measure and that staff will begin to work with the neighborhood in the outreach process. Chair Heberle stated the proposal looks sound and seemed to fit in well with the community, and

that pending communication with the neighborhood to ensure it fits with community desires and needs the Commission is excited to work with Mr. Bakthisaran. Mr. Isakoff stated he looks forward to hearing more.

4. Staff Updates

a) Heritage House

Ms. Harrell presented this item, and stated that the litigation surrounding the demolition of this site was ongoing but the demolition process has already started. The City needs to build stairs for the Meridian Convention Center to have access, as the owners of that venue wish to remain in business at that location. Driveway access will likely complicate the process of demolition. However, in April there should be a fully cleared lot for redevelopment, unless slowed down by litigation. Chair Heberle asked about the access situation for the remaining parcel without the Meridian property. Ms. Harrell stated there is still good access. Chair Heberle asked if there was any interest yet. Mr. Clegg stated that there is an older plan that may need revision but they have not had any contact about sale of the property. Ms. Harrell stated that once the significant demolition process is complete, the appearance of the lot should be quite viable and potential buyers may present. Mr. Sinclair asked to confirm where the Heritage House property is located, and Mr. Crane stated it was between Randleman and Florida Street, on Meadowview Road. Mr. Crane displayed street-level photography to illustrate its location.

5. Additional Business

Mr. Clegg gave a brief South Elm update. Representatives from Legal will attend the December meeting to discuss their progress. In the other block, the Kagans are working on completing their foundation plan and will be providing an update soon. He stated that Council approved the changes to the Memorandum of Understanding and the Sales Development Agreement. Staff anticipates having more updates from the development partners soon.

Adjournment

Ms. Turner made a motion to adjourn the meeting, Seconded by Mr. Sinclair. The Commission voted 5-0, (Ayes: Turner, Isakoff, Sinclair, Adams, Heberle; Nays: 0).

There being no further business, the Commission adjourned at 5:52 pm.

**REGULAR MEETING OF THE
REDEVELOPMENT COMMISSION OF GREENSBORO**

December 7, 2022

A regular meeting of the Redevelopment Commission of Greensboro (RCG) was held on Wednesday, December 7, 2022, beginning at 5:02 p.m. online via Zoom. The following members were present: Chair Doug Heberle, Vice Chair Trisha Adams, Thomas Sinclair, Peter Isakoff, and Pamela Turner. Staff present were Director Sue Schwartz, Russ Clegg, Hart Crane, Cari Hopson, and Kelly Larkins, Planning Department. Andrea Harrell, Assistant City Attorney was also present.

1. Approval of meeting minutes (CONTINUED)

Mr. Sinclair asked to clarify the voting record for two items in the minutes from last meeting. Chair Heberle asked if these were votes taken when Mr. Sinclair had a network connectivity lapse. Mr. Sinclair stated he cannot recall but does not think so. Chair Heberle asked staff to review the previous meeting and make any necessary revisions to the minutes.

Ms. Harrell advised the Commission to wait until next meeting to vote on the approval of meeting minutes.

2. 2023 Meeting Schedule

Hart Crane presented this item with a proposed schedule for the 2023 meeting calendar.

Chair Heberle stated that his availability in July is questionable due to travel plans but the July 5 date is close to the July 4 holiday and may be an issue for some other members of the Commission as well. Mr. Crane stated the commission could meet the following week, July 12, if it works better. Mr. Isakoff stated that moving the meeting forward would be preferable. Mr. Sinclair stated that the August 2 date may not work for him, but he will not know for sure yet. Mr. Isakoff and Vice Chair Adams noted no other conflicts at this time.

Commissioner Turner joined 5:09 p.m. She stated she was present for the discussion about the calendar and had no conflicts.

Mr. Isakoff moved Motion to approve schedule with July meeting moved to July 12, seconded by Mr. Sinclair. The Commission voted 5-0, (Ayes: Isakoff, Turner, Sinclair, Vice Chair Adams, Chair Heberle; Nays: 0).

3. Lidl Request for Amendment to Sales Agreement

Russ Clegg presented this item, and stated that Lidl is requesting an extension for the inspection period. Planning staff has been working with the Lidl team to complete due diligence, and access to the site has been a sticking point. Planning has been working with Greensboro Department of Transportation (GDOT), North Carolina Department of Transportation (NCDOT), and Lidl's engineers to finalize a plan but it has taken time and used the first extension of their inspection period. He stated that Lidl needs a further extension of 90 days, and introduced Grant Whitaker of Lidl to discuss the project's status.

Grant Whitaker displayed conceptual elevations and potential materials for the structure, and stated that Lidl has been working to design façade improvements for the Elm Street side of the building to make it more interesting and fit with their desired design of the East Gate City Boulevard frontage. Lidl is conducting detailed investigations to proceed forward and mitigate the site's difficulties. He stated that they are developing utility and grading plans to finalize the site plan, along with the façade design in progress. Mr. Whitaker stated that they are doing detailed work on the remaining engineering and planning for the site in the next 90 days.

Mr. Clegg stated that Planning has been working with GDOT to address the topography of the site. He stated that the completion of the inspection period triggers the next steps in the timeline. Within eight months after the inspection period, Lidl will return with detailed specifications on the site plan, a schedule for improvements, and an agreed upon parking arrangement.

Councilwoman Hoffman asked if closing would be in December of next year, and Mr. Clegg stated that was correct. This request would add another 90 days for Lidl to finish its work.

Chair Heberle asked to confirm that this request would extend the closing by 90 days, and asked if the escrow money deposited becomes firm at the end of the 90-day period. Mr. Clegg stated that was correct, and that was the only other significant timeline modification in the Purchase and Sale Agreement. Chair Heberle stated that he believed the circumstances of the site and current business environment do justify the request but proposed that any agreement limit recovery of escrow funds to activities incomplete or still in progress. Mr. Sinclair concurred, and stated that Lidl would be eligible to recoup escrow funds for items uncompleted in this 90-day extension, but not for items already completed.

Chair Heberle asked Ms. Harrell if this would complicate the drafting of the amendment, and Ms. Harrell stated that it would not.

Rick Jordan stated that any changes in the Escrow terms would require Lidl to work with its international parent company and that would complicate and slow things down. He stated that they remain committed to the site despite the topological challenges and brownfield situation, and requested a direct 90-day extension to complete their due diligence process. Chair Heberle stated that he understood that Lidl is an international corporation and this might require additional approvals, but did not think it would slow things down too much. He stated he did not wish to add anything that would slow the process down.

Mr. Whitaker stated that much of their survey relies on preliminary information about work still in planning, and it is tricky to disentangle. Chair Heberle stated he understood and stated that escrow funds would remain refundable contingent on work to be done.

Planning Director Schwartz asked for clarification on the escrow modifications. Chair Heberle stated that the changes to escrow would be to secure the commitment with all parties. He stated that the escrow modifications would be to secure items the commission believes is completed. Ms. Schwartz asked if this would require approval by Lidl's German parent company and if it would stop work until a new agreement was completed. Mr. Jordan stated that if it were a straight 90-day extension, it would not change anything internationally. Alteration to the escrow conditions would mean going back to Germany, and that waiting for international to review things that haven't already been approved would depend on travel schedules and complicated holiday and end of year calendars. Many of the specifics of the development tie together and their extension request allows them to secure all of the details. He stated that the international parent company is in full approval and they have the ability to request the 90 days, but further changes to escrow might complicate that. Chair Heberle asked if modifying the escrow agreement would stop work. Mr. Jordan stated it could stop work. Mr. Whitaker stated that would also complicate things because time would be critical as they would be outside the due diligence period. Chair Heberle reiterated he felt this request was reasonable on behalf of the City. He stated he believes everyone is committed to the deal but the commission needs to protect the City's interest. Mr. Jordan stated that he understands the City's interests. The international parent company's interest in the site is why they are requesting an extension, which they would not have done if it was not still of interest, and they will continue working on the site during the 90 days.

Andrea Harrell asked why the escrow change would stop work if the request were to extend the timeline 90 days. Mr. Jordan stated that if additional reviews arise it could complicate their calculation of profitability, but he does not anticipate that.

Chair Heberle stated that he believed the commission has three options: to not offer an extension, offer the extension for 90 days with no more clauses that allows Lidl to walk away with a full refund of their earnest money payment, or extend and modify the agreement to exclude the limited number of issues which have already been settled, which could result in an additional delay in the negotiation of the document. Ms. Schwartz asked if the current due diligence period ends December 20, or if there was a gap. Chair Heberle stated that they could offer a shorter extension if negotiation was active during that time. Ms. Schwartz asked if that was realistic given the time of year. Chair Heberle stated that their discussion was about the modifications that would secure more commitment from Lidl and give some guarantees to the City if they left the deal versus if the timeline was realistic given the time of year. He stated that he felt the chances of anything damaging the deal were remote. City Councilwoman Hoffman asked how much the escrow amount in question was. Mr. Clegg stated that the periods and obligations are not specific in the PSA. Ms. Harrell stated the escrow amount was \$30,000. Ms. Hoffman stated that this seemed like a small amount of money given the time already committed.

Mr. Isakoff stated that if some of the work is already completed, it does not seem like a significant concession to remove those elements from the escrow recovery. Chair Heberle stated that it would not be a difficult request in normal timelines, but the potential difference is a small amount of money. Ms. Hoffman stated Lidl has shown a significant commitment.

Chair Heberle stated that based on the Board's discussion, he would support offering a direct 90-day extension. Mr. Jordan stated that this next 90 days is crucial for them and that their goal is to finish this well before that 90 days but they cannot complete the work before December 20.

Vice Chair Adams asked if anything would change with the escrow with the proposed motion, and Chair Heberle stated it would not, it would simply extend the inspection period.

Mr. Sinclair made a motion that the Redevelopment Commission of Greensboro approve the extension of the Inspection Period in the Purchase and Sale Agreement, for 90 days until March 20, 2023 to complete the necessary inspections per section 3, seconded by Ms. Turner. The Commission voted 4-1, (Ayes: Turner, Isakoff, Sinclair, Heberle; Nays: Adams).

4. American Tower Lease Agreement

Vice Chair Adams left the meeting to handle a prior commitment at 5:52 p.m.

Mr. Clegg presented this item, and stated that this was the future site of the Cagan development. The original lease for the tower was in 1992 and expired on Mar 14, 2022. The commission granted a first extension until August 14, 2022, and a section extension until November 12 that included a price increase. American Tower is asking for another agreement until March 31, 2023 with the lease rate not increasing. The new lease strengthens the default language and allows for liquidated damages in case the Commission has to demolish the tower. Mr. Clegg stated the new expiration date uses expected timelines from the Cagan development in case the City must demolish the tower. He then introduced Matt Barron with American Tower.

Matt Barron, on behalf of American Tower, stated that they have asked for extensions because their client, Verizon, wishes to establish a new site before they decommission the current one. He stated that negotiations for alternative tower sites have not completed, and there is not yet an agreement that preserves emergency cellular telephone service. He stated that they have reviewed the proposed lease but

they have not been able to respond formally to it, and they may have issues with the provisions relating to a holdover scenario. The situation is complicated for Verizon, and that American Tower could not agree with the demolition penalty provision without negotiations with Verizon. He stated that removing the tower could potentially affect the quality of cellular service in the area.

Chair Heberle stated that the Commission's primary responsibility is the contracts and developments it has entered into agreement for, and they have to work toward those. He stated that the tower is an issue that has prevented development for a significant time, and that the Commission is concerned about the number of extensions that threaten the commitments to their existing Sales Agreement with the Cagan Group. Further, American Tower's approach to the Commission has been somewhat unreasonable given the extended period of negotiations, and the tone and tenor has not always been suitable. Chair Heberle stated that he understood the complications involved for the players, and that the \$1 Million penalty figure came from discussion with local removal contractors to handle the whole of costs incurred if the holdover scenario were to happen due to American Tower's actions.

Ms. Harrell stated that given the potential need for major revisions, it would be difficult to vote on any new lease language. Chair Heberle asked if American Tower was currently in holdover, Ms. Harrell stated that was correct, and that the Commission can consider this issue again at the January meeting. Chair Heberle stated he could support maintaining the arrangement as long as they continued negotiating in good faith, but failing that, he asked to confirm that removal could begin. Mr. Clegg stated that was correct but he believed there was room to complete the negotiation process in time. Chair Heberle stated that the Commission is willing to negotiate seriously with American Tower, but they have priorities and commitments to attend to as well.

Mr. Barron stated that Verizon cannot maintain its current level of service without a site in their current cellular area, and he hopes they can reach an agreement before January. He stated that he understood the obligations the Commission has, but that Verizon's needs are significant and asked for information on how to collaborate with the City on this issue. Mr. Clegg stated he was in communication with the utilities managers with the City and that there will be more work on this matter over the next month. Mr. Barron asked about the potential for the use of a temporary Cellsite-On-Wheels (COW) facility on Commission or other City property to maintain cellular service levels. Chair Heberle asked Mr. Clegg to follow-up with other City staff on this, Mr. Clegg stated he would. Mr. Crane stated that this subject site was unique in Commission properties being mixed-use/commercial and most is residential/neighborhood-oriented, but they will look in to potential parcels. Mr. Barron stated that American Tower hopes the situation with its client can be resolved quickly. Mr. Clegg stated that he would continue to work with the City Attorney's office and the utilities group and American Tower. Mr. Barron asked if there was any remaining possibility for the preservation of the site following the Cagan development. Chair Heberle stated that the Commission would continue consideration of this situation in January.

Mr. Sinclair asked when the absolute latest date could be on the tower lease without affecting development. Mr. Clegg stated the Cagan Group would take the property at the end of August. Mr. Sinclair asked how long it would take to remove the tower. Chair Heberle stated the Commission would not need a specific date if they had a demolition scheduled. Mr. Sinclair asked when the existing lease ended, Ms. Harrell stated it has ended and they are in holdover right now.

5. Willow Oaks – 1520 McConnell Rd.

Mr. Crane advised the Commission could continue this item until January, as the interested party is not available tonight. Cari Hopson stated that waiting to hear the item until January could give the interested party more time to gather relevant information for the Commission's consideration.

Mr. Sinclair moved to table the discussion of agenda item 5 until the Commission's January 4 meeting, seconded by Ms. Turner. The Commission voted 4-0, (Ayes: Sinclair, Isakoff, Turner, Heberle; Nays: 0).

6. Staff Updates

a) South Elm

Mr. Clegg stated that the Cagan group are still working on the foundation plan, and are at work with geotechnical efforts. He stated that staff is still working on the innovation corridor running from Southern Downtown to the Nussbaum Center. The City is working with other groups in the area and City departments to establish a timeline and finalize the federal grant agreement. Mr. Crane stated this is from a federal grant and Staff wanted to inform the Commission because it involves neighborhoods in redevelopment areas.

7. Additional Business

There was no additional business.

Adjournment

Mr. Sinclair made a motion to adjourn the meeting, Seconded by Mr. Isakoff. The Commission voted 4-0, (Ayes: Sinclair, Isakoff, Turner, Heberle; Nays: 0).

There being no further business, the Commission adjourned at 6:25 pm.