

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

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

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

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

Mr. Kirkman summarized the requirements for initiating a street closing petition and the findings the Planning Board and City Council would have to make to approve the closing. He noted that the proposed closing had been discussed at length by TRC, which had noted that as yet no site plan had been submitted for review and the Traffic Impact Study was still under review with additional information requested from the consultant. TRC recommended approval of the amended closing in view of the required findings, which are that a) no individual property will be denied access, egress or ingress as a result of the closing of the street, and b) the closing will not negatively impact the public interest. TRC conditioned their recommended approval such that: 1) The City shall retain 20 foot utility easements over existing utility lines until such time as the lines are no longer needed for public use; 2) the City will review and approve the final TIS showing that closing West Lindsay Street will not be contrary to public interest; and 3) a City approved turn-around shall be constructed on the terminus of Lindsay Street and the roadway connection to Eugene Street must be removed, by the applicant, before the street closing will become effective and within 60 days of TRC approval of the site plan.

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

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

Roy Carroll, 201 N. Elm Street, stated that Bellemeade Village would consist of 300 urban-style housing units with amenities, a brand-name moderate- to up-scale hotel with over 100 rooms

and meeting space, and possibly some retail space. The proposed building would be six stories in height. He feels that the City will be very proud of this development.

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

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

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

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

Florence Gatten, 4102 Angelica Lane, stated that there are larger questions than simply closing a half-block of a street in downtown Greensboro. She stated that, contrary to the applicant's contention, Lindsay Street is not a street that 'goes nowhere'. Lindsay Street connects Elm Street and Greene Street to Eugene Street and is a connector for people coming into or leaving the City who want to avoid that strange intersection at Eugene, Battleground Avenue and Smith Street. It is a main route for people going north who want to be on Benjamin Parkway Battleground Avenue or Lawndale Drive. She suggested that the street closing would negatively impact the public's convenience. Other considerations should be the circulation between the new Performing Arts Center and the ballfield and parking areas. There will be no public access via Lindsay Street for people who park on Battleground to get to the ball park. She is concerned that the traffic problems will be made worse if this block is closed, and asked the Board to consider the larger interests of the public and the future interests of downtown Greensboro.

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

Sue Peterson, 311 W. Lindsay Street, stated that she is the owner of the property at 335 Battleground Avenue, where Zeto Wine Shop is located, and she also owns the triangular piece that is 311 W. Lindsay Street. Because of the street, alley and building orientations, her deliveries approach from Eugene Street to reach her loading area, and they rely on Eugene to back out and continue towards Battleground. She stated her belief that closing the street will

significantly hamper access to her business, both for customers and for deliveries. She noted there were a lot of unanswered questions about what the plan for the property and development would actually be, and she questioned whether closing Lindsay is in the best interest of the public that is coming to shop downtown.

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

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

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

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

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

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

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

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

Respectfully submitted,

Sue Schwartz, FAICP
Planning Director