

**MEETING OF THE
GREENSBORO PLANNING BOARD
October 21, 2015**

The Greensboro Planning Board meeting was held on Wednesday, October 21, 2015 at 4:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Steve Allen, Vice Chair, Day Atkins, Richard Bryson, Richard Mossman, Celia Parker, John Martin and Homer Wade. City staff present included Mike Kirkman and Sheila Stains-Ramp. Also present was Jennifer Schneier, City Attorney's Office.

- a) LDO Text Amendment: Recommendation on a Land Development Ordinance Text Amendment regarding Section 30-8-10.1 (H) Multi-Family Dwellings and 30-11-4.10 Parking Reduction to expand the permitted multifamily options in the CC-M, C-H and BP districts. **(RECOMMENDED)**

Mike Kirkman presented a brief overview of the reason for the requested amendment and the basics of the proposed changes to the LDO. He noted that the Comprehensive Plan actively supports mixed development (residential and non-residential uses) from perspectives of housing choice, quality infill development, best use of public infrastructure and support to economic development. He further noted that while the Comprehensive Plan encourages mixed development throughout the City, it particularly identifies key areas such as reinvestment corridors/areas and activity centers and areas with Mixed Use future land use classifications as spaces best suited for such development. Mr. Kirkman then reviewed the current provisions in the Land Development Ordinance that allow multifamily dwellings, from residential multifamily zoning districts to limited options for residential development in commercial zoning districts. These options may either be done by right or following a rezoning conversation.

RM- zoning districts allow multifamily development with density ranges of 5 to 40 units per acre. The PUD zoning district basically allows for and encourages a mixture of uses in a planned setting and provides a lot of flexibility in terms of development standards in exchange for having unified development. There is no maximum residential density listed in a PUD district and there are various PUD districts throughout the City. There are also mixed use (MU-) zoning districts, included those recently applied to the Gate City Boulevard reinvestment corridor. In the mixed use districts there is no maximum residential density, but at least 30% of the gross square footage must be residential and at least 30% must be non-residential. A rezoning may be needed to get to one of these districts. Additionally the Commercial Medium (C-M), Commercial High (C-H) and Business Park (BP) zoning districts allow multifamily development, but caps the amount of residential to a maximum of 33% of the overall square footage of the development. Mr. Kirkman further added that there are two variations to this standard. One is no cap for residential development if it is part of a vertical mixed use building where there is ground-floor commercial or office and residential uses are limited to upper levels. The other is tied solely to the C-M district where a 100% residential project could be developed if the site is less than 1 acre in size and there are commercial services in immediate proximity (no more than 1/8 mile) and directly accessible to the residential development.

Mr. Kirkman then reviewed the framework for the proposed text amendment, noting the specific areas of the City that were deemed most appropriate for the desired mixed development. He also noted that if a site does not meet the proposed site requirements for staff only review there was still an option to request a Special Use Permit. This allowed for a public discussion through

a quasijudicial hearing focused around information presented solely during the public hearing, with any appeals to superior court. Mr. Kirkman concluded with a summary of information that was updated after the September Planning Board discussion on this item. This included clarification on when to apply the Integrated Multiple Use Development (IMUD) provisions, clarification on the requirements for open space for new multifamily (use the more urban PUD standards versus more suburban general standards) and noted the potential location map references both minor and major thoroughfares.

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

Jeff Nimmer, representing Kotis Properties, 1420 Mill Street, stated that they are in support of the text amendment as drafted by staff and were directly involved in meetings held with various developers in coming up with the framework for the amendment. Mr. Nimmer also agreed that the LDO speaks directly to an attempt to foster mixes of uses and encourage infill development. However Mr. Nimmer stated that the text amendment, as currently written, does not address some of the needs of the community, as a whole. He presented a handout for the Board members' review and highlighted a site he thinks would work for new residential development tied to existing commercial development. This would be an ideal site to add multifamily to the area and satisfies the intent of the text amendment, but as written would not qualify. Mr. Nimmer then suggested adjusting the proposed text amendment to also allow new residential development if site is within 500 feet of a major or minor thoroughfare and is either within 2,640 feet (1/2 mile) and accessible to an existing or planned greenway shown on the adopted Bi-Ped Plan or located within 2,640 feet (1/2 mile) and accessible to a usable portion of the public park, as measured along a system of public sidewalks and streets. This change would maintain the spirit of the text amendment and ensure that this site could be developed in an appropriate manner by right since the site is already zoned Commercial High (C-H). Mr. Nimmer also noted that allowing multifamily on this site would generate half as much traffic as if it were developed with retail facilities. In addition, traffic is handled at the TRC level and if there are needs for additional turn lanes that would happen during their review.

Michael Pendergraft, representing the Greensboro Neighborhood Congress, stated that they represent 50-84 different neighborhoods in Greensboro and they are a coalition that tries to direct its interest only to city-wide issues. The Executive Committee of the Greensboro Neighborhood Congress has authorized him to state that they support these changes as long as they are reviewed again in a reasonable timeframe (maybe two years) to find out how successfully the provisions had been used. He stated that the public should have input as to what a developer wants to do if a proposed development is outside the box that Planning staff feels is appropriate for by right review. He added that this proposed amendment should not be evaluated based on an individual project but looked at for city-wide implications.

There being no other speakers, the public hearing was closed. Planning Board members noted that while they thought the potential site presented by Mr. Nimmer makes some sense for new multifamily development with adjacent commercial uses, they expressed concerns on the city-wide impact of the proposed changes by Mr. Nimmer. Mr. Martin also mentioned he had received an email from TREBIC expressing support for the text amendment. After additional discussion Mr. Bryson moved to recommend the text amendment as presented by staff with the additional stipulation that it will be revisited with an evaluation within a two year period, seconded by Ms. Parker. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Parker, Martin, Bryson, Mossman, Atkins and Wade. Nays: None.)