

**MEETING OF THE
GREENSBORO PLANNING BOARD
September 16, 2015**

The Greensboro Planning Board meeting was held on Wednesday, September 16, 2015 at 4:00 p.m. in the City Council Chamber, 2nd floor of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chairman; Steve Allen, Vice-Chair; Day Atkins, Richard Bryson, Richard Mossman, Chuck Truby. City staff present included Steve Galanti, Mike Kirkman, Hanna Cockburn, Nicole Smith, Sheila Carmon and Sheila Stains-Ramp, from the Planning Department, and Cyndi Blue and Caitlin Bower from Neighborhood Development. Also present was Jennifer Schneier, City Attorney's Office.

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

1. MEETING MINUTES:

Mr. Allen moved approval of the August 19, 2015 meeting minutes as written, seconded by Mr. Truby. The Board voted 6-0, in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

2. PUBLIC HEARINGS:

a) **Street Name Change: From Spring Oak Drive to Carter Woods Drive.**
(CONTINUED TO OCTOBER)

GIS Analyst Sheila Carmon, Planning Department, presented a map of the Street Name Change proposal and stated the Planning Board was asked to make a recommendation regarding the proposed street name change from Spring Oak Drive to Carter Woods Drive. She noted that 'Spring Oak Court' and 'Spring Oak Drive' are adjacent to each other along Country Woods Lane, and this has caused some confusion with Emergency Management for dispatch and delivery of services.

Ms. Carmon stated that Spring Oak Drive was recommended for the change as it is the newer of the two streets, and there are fewer residents on the street. She confirmed that letters were sent to property owners and residents asking for suggestions of a new name and no submittals were received. She stated that the change is proposed in the interest of public safety to eliminate confusion for emergency services, and that the renaming is in accordance with the Street Naming Manual. The Technical Review Committee (TRC) has recommended the street name change. If approved, the City will notify the utility companies and services agencies as well as the post office. Residents would still have to make their own changes to banking and other records and accounts.

Mr. Bryson asked when this would take effect if approved. Ms. Carmon stated it would take effect immediately upon Council adoption, and the residents and property owners would have 30 days to comply. Chair Isaacson asked if it is up to each owner or resident to notify the post office. Ms. Carmon stated that they would have to fill out a change of address form, but the City would also notify the post office.

Chair Isaacson opened the public hearing and asked if anyone wished to speak on this matter.

Brandon Lock, 1 Spring Oak Drive, stated that he had a petition signed by residents along Spring Oak Drive who are opposed to the name change. He noted that in his particular case, as a truck driver with a CDL, changing his license would be costly, and there would also be the costs of getting new checks and making changes to banking and other accounts, as well as all other notifications that would have to be made. He stated the petition indicates the residents have been here for many years and do not want to have to change their address, and so far as they were aware there had been no problems in getting emergency services along this street.

In response to questions by Board members, Ms. Carmon stated that she was not aware of specific instances of emergency vehicles going to the wrong address, but that Emergency Services had identified these streets as being a concern, especially with the similar numbering involved for homes on the two streets. She confirmed that the same process would be involved even if the street names remained the same and just the address numbers were changed. She noted that the Greensboro Department of Transportation initiated this street name change.

Howard Evans, #4 Spring Oak Drive, stated that he is an original owner on this street, having been there since 1988. He stated that there have been calls for emergency services along the street through the years and he does not know of any problems in the correct address being found.

With no other speakers, Chair Isaacson closed the hearing.

After a short discussion Mr. Truby moved that this matter be continued to the October meeting and someone from Emergency Services be requested to come to the meeting regarding these questions, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

b) LDO Text Amendment: Recommendation on a Land Development Ordinance Text Amendment regarding Section 30-15-4 to define what constitutes a "Convenience Store (with Fuel Pumps) for the use specifically identified in the Permitted Use Table. (APPROVAL RECOMMENDED)

Planning Manager Steve Galanti stated that the proposed text amendment adds a definition to 30-15-4 of the Land Development Ordinance that defines a Convenience Store (with Fuel Pumps) for the use called out in the Permitted Use Table. The amendment adds the ability for a convenience store to have a limited number of truck fueling dispensers, but does not allow for overnight parking or other facilities similar to those found in the typical truck stop.

He noted that at the August Planning Board meeting staff had presented a text amendment to define "Truck Stops"; after comments from representatives of the Neighborhood Congress and the applicant, he had recommended and the Planning Board had agreed to continue the matter for further work. Conversations with the concerned parties led to the present amendment.

Mr. Galanti noted that convenience stores with fuel pumps are in the Retail Sales and Service use group found in the Permitted Use Table. Convenience stores with fuel pumps are allowed in all Commercial districts (other than C-N), in all Mixed Use districts (other than MU-L), and in the Business Park district, the Light Industrial and the Heavy Industrial districts. He further stated that in several of those districts development standards required incorporation of architectural and site design features to aid in compatibility with nearby residential uses. The Planning Board's recommendation would next go to the City Council for their public hearing on the proposal.

In response to a question from Mr. Allen, Mr. Galanti stated that under current regulations the addition of fueling stations for trucks would in and of itself re-define the convenience store as a truck stop. The present amendment arose from the recognition that the problem was better addressed by defining a convenience store in the ordinance and clarifying the limited truck fueling as within the definition.

Chair Isaacson opened the public hearing and asked if anyone wished to speak on the matter.

Frankie Jones, attorney representing Sheetz, stated that they are in support of the text amendment drafted by staff. Mr. Pendergraph, the representative of the Neighborhood Congress, was in attendance and offered no comments.

There being no other speakers, Chair Isaacson closed the public hearing.

Mr. Allen moved to recommend approval of the text amendment to Council, seconded by Mr. Truby. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

c) LDO Text Amendment: Recommendation regarding Section 30-8-10/1(H) Multi-Family Dwellings and 30-11.4.10 Parking Reductions to Expand the Permitted Multi-Family Options in the C-M, C-H and BP districts (Continued to October Meeting)

Planning Manager Mike Kirkman presented a text amendment intended to expand the opportunities for multi-family development in certain commercial districts. He noted several policies in the City's Comprehensive Plan 2025 encourage a mix of housing choices and supportive non-residential uses and services in proximity to each other. In particular he cited policies relating to activity centers, where higher density residential is expected, and re-investment corridors, where older commercial areas may be enhanced with the introduction of other uses. He also noted the Plan's encouragement of mixed use districts, where mutually supportive uses are allowed, and re-investment infill policies, where older developed sites are the context for new uses that make the sites more viable and often more compatible with surrounding development.

Mr. Kirkman reviewed the current LDO requirements, saying the LDO allows multi-family in C-M, C-H and BP zoning districts but limits them to a percentage of the overall square footage of development.

He outlined the components of the proposed amendment, which would remove the cap for multi-family development under a specific set of circumstances. The base requirements would be that

the residential component be integrated into an existing commercial development and include connectivity between the two; that there be an integrated approach to architectural design; and that the project be organized as an IMUD. There would also be the requirement that the development be directly accessible from a thoroughfare, and either within an activity center or reinvestment corridor, or be directly accessible to a greenway, or be located within 1,320' of a usable portion of a public park as measured along a system of public sidewalks and crosswalks. Mr. Kirkman further noted that residential buildings would use the dimensional standards of the associated commercial district rather than the multifamily standards of 30-8-10.1(H) to encourage consistency in scale and size with the nonresidential uses, and that the project would be eligible for a flat 25% reduction in required parking to acknowledge the better integration of residential and nonresidential uses and to encourage incorporation of facilities for other means of transportation.

He noted that, as there may be projects potentially suitable but not meeting these standards, a route for them to be considered would be established, through the site-specific evaluation allowed by a Special Use Permit, with protection offered to surrounding properties through the necessary findings to be made in granting the SUP.

Chair Isaacson opened the public hearing and asked if anyone wished to speak on the matter.

Jeff Nimmer, Kotis Properties, 1420 Mill Street, stated that, in general, this is a good change for the Ordinance allowing for more infill development opportunities throughout the City, and staff has done a good job of bringing a lot of different stakeholders together to formulate the ground rules and build support for the broader options. He noted that Kotis has been evaluating potential projects under these changes and they have one in particular that they think makes a lot of sense as a location for adding in multifamily, but it is not doable without going for a Special Use Permit. Mr. Nimmer requested that changes be made to the draft ordinance that would allow their prospective development without a Special Use Permit.

Judy Stalder, Regulatory Affairs Director with TREBIC, stated that the TREBIC members worked closely with staff as stakeholders on this project to expand the ability to develop multifamily and support the text amendment.

There being no other speakers, Chair Isaacson closed the hearing.

After a short discussion, Mr. Bryson moved to continue this matter to the October meeting to allow more conversation with the stakeholders, seconded by Mr. Allen. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

Chair Isaacson recused himself from the following matter.

d) LDO Text Amendment: Recommendation on a Land Development Ordinance Text Amendment regarding Section 30-9-5.1(B) Subsection 2, to adjust the threshold for Type B Outdoor Display. (RECOMMENDED)

Senior Planner Nicole Smith presented the proposed amendment, explaining that there are two categories of permissible outdoor display. Type A allows up to 15% of the gross floor area of the retail business or center to be in outdoor display. Type B is applicable when the majority of the retail space is outdoors, such as is the case with garden nurseries, vehicle sales, manufactured home sales and similar uses. There is a gap between the 15% maximum of Type A and the 50% minimum of Type B Outdoor Display. She noted that with the amendment the minimum for Type B Outdoor Display would change from 'a majority' of the retail space being outdoors, to 'at least 40%' of the retail space being outdoors.

Ms. Smith stated the proposed amendment would accommodate the diversity of newer retail business models, and that the text amendment was requested as a result of discussions with such a retailer. The requirement that the sales be to the general public would not change.

Staff recommended approval of this text amendment.

Vice-Chair Allen stated that the item was subject to a public hearing, and asked if there was anyone wishing to speak on the matter.

Amanda Hodierne, attorney for the applicant, stated that the text amendment was submitted on behalf of a developer with a client interesting in having a significant amount of outdoor display area, but less than 50% of the retail area. Because they do not have the footprint of a larger business, they cannot meet the class A standards for outdoor display.

There being no other speakers, Vice-Chair Allen closed the public hearing.

Mr. Bryson recommended the text amendment as proposed by staff, seconded by Mr. Truby. The Board voted 5-0-1 in favor of the motion. (Ayes: Truby, Bryson, Mossman, Atkins and Allen. Nays: None. Abstained: Isaacson.)

Chair Isaacson returned to the dais.

3. Public Hearing

a) Presentation of the Greensboro Comprehensive Annual Performance Evaluation Report (CAPER) for federal programs within fiscal year 2014-2015 (HEAR COMMENTS AND CONCERNS RAISED BY THE PUBLIC PRIOR TO SUBMITTAL TO HUD.)

Grants Compliance Administrator Caitlin Bowers stated that the CAPER is prepared annually for submission to the Department of Housing and Urban Development (HUD) and measures performance toward the goals of the five year Consolidated Plan. The public hearing fulfills the citizen participation requirements set forth by HUD. The HUD funding supports the Community Development Block Grant, the HOME program, the Housing Opportunities for Persons with AIDS program, and the Emergency Solutions Grant. These funds are used for large and small community development projects like Willow Oaks, the South Elm Street Redevelopment Plan, brownfields remediation, rental and homeowner-occupied housing unit rehabilitation, rental and new homeowner reconstruction, homebuyer assistance and counseling, Fair Housing activities,

economic development and small business assistance, and homelessness prevention activities. The report also includes information about Burlington, Alamance County, and Guilford County as participating agencies in the HOME program and housing consortium, of which Greensboro serves as the lead agency. Ms. Bowers noted the full report was available upon request.

Chair Isaacson opened the public hearing. No speakers came forward to comment, and the Chair closed the hearing.

Mr. Truby moved to accept recommend the CAPER report, seconded by Mr. Allen. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

Mr. Isaacson recused himself from the following item.

4. Unified Development Plan - Pilot at Sedgefield (APPROVED)

Planning Manager Steve Galanti reminded the Board that a Unified Development Plan is required for properties zoned PUD (Planned Unit Development) to show the uses, amount of development (square footage, units, as relevant), and the dimensional standards that will govern each Section or Phase of a PUD project. The approved Unified Development Plan is recorded in the Guilford County Register of Deeds to put all present and future property owners on notice to those regulations.

The Unified Development Plan before the Board today is for a 131 acre property located on West Gate City Blvd; it has been reviewed by the TRC and found to contain all the information required by the Land Development Ordinance for the development of the property. TRC recommended approval.

Mr. Mossman realized that his firm had current dealings with the property and that he needed to recuse himself. With both Mr. Mossman and Mr. Isaacson recused the Board was left without a quorum to take action on the item. Mitchell Brandon, the applicant, stated that Henry Isaacson did represent them on an item that was before the Board several months ago, but Marc Isaacson has not been involved in this matter.

After some discussion it was determined that Mr. Isaacson would not need to be recused from this item and it could move forward today.

Mr. Truby moved to approve the UDP – Pilot at Sedgefield, as submitted, seconded by Mr. Bryson. The Board voted 5-0-1 in favor of the motion. (Ayes: Truby, Bryson, Atkins, Allen, and Isaacson. Nays: None. Abstained: Mossman.)

5. Annexation Petition

- a) Proposed Annexation PL(P) 15-10: 4706 Sharon Donna Drive, 0.527 acres, Property of Clemente McWilliams. South Side of Sharon Donna Drive and East of Youngs Mill Road. (RECOMMENDED)**

Planning Manager Steve Galanti stated that the annexation is located at 4706 Sharon Donna Drive and contains approximately 0.527 acre. The property is within Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. City water is available by connecting to the existing 8-inch line located within Sharon Donna Drive. City sanitary sewer is available by connecting to the existing 8-inch line located within Sharon Donna Drive. The City's Fire Department notes that the site is currently serviced, and upon annexation would continue to be served, by City Station #56 on Franklin Boulevard. The Police Department estimated service can be provided with little difficulty. This item has been reviewed by TRC and they recommend the annexation.

Mr. Truby recommended approval of the annexation to City Council, seconded by Mr. Allen. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

Mr. Isaacson recused himself from the following item.

b) Proposed Annexation PL(P) 15-08: 4104 and 4106 South Elm-Eugene Street, including one-half of the public right of way of both South Elm-Eugene and Wolfetrail Road, 4.14 acres, Property of the Righard and Julie Greene Revocable Living Trust, Judy and Obed Smith, and Charles Benbow Family Trust, Southwest Corner of Wolfetrail Road and South Elm-Eugene Street. (RECOMMENDED)

Planning Manager Steve Galanti stated that the approximately 4 acre annexation is located on the southwest corner of Wolfetrail Road and S. Elm-Eugene Street. It is located in Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. City water is available by extending and connecting to the existing 12-inch line located to the north of the site. City sanitary sewer is available by extending and connecting to the existing 8-inch line located to the northeast of the site. The City's Fire Department noted that the site is currently served by Pinecroft-Sedgefield Station #24 on Bishop Road and will be served by City Station #61 on West Vandalia Road upon annexation. The Police Department estimates service can be provided with little difficulty. The item has been reviewed by TRC and they recommend the annexation.

Mr. Bryson recommended approval of the annexation to City Council, seconded by Mr. Truby. The Board voted 5-0-1 in favor of the motion. (Ayes: Truby, Bryson, Mossman, Atkins and Allen. Nays: None. Abstained: Isaacson.)

Mr. Isaacson returned to the dais.

c) Proposed Annexaton PL(P) 15-11: 4903 Trailwood Drive, 1.001 acres, Property of Nancy Schmidt, East Side of Trailwood Drive between Grandover Parkway and Woodcroft Circle. (RECOMMENDED)

Planning Manager Steve Galanti stated that the approximately 1 acre annexation is located in Tier 1 Growth Area (2013-2019) on the Growth Strategy Map in the Comprehensive Plan. City water is available by connection to the existing 12-inch line located within Trailwood Drive. City sanitary

sewer is available by connecting to the existing 12-inch line located to the east of the site. The City's Fire Department noted the site is currently serve by Pinecroft-Sedgefield Station #24 on Bishop Road and will be served by both Pinecroft-Sedgefield Station #24 and City Station #48 on West Vandalia Road upon annexation. The Police Department estimated service can be provided with little difficulty. The item has been reviewed by TRC and they recommended approval of the annexation.

Mr. Allen recommended approval of the annexation to City Council, seconded by Mr. Atkins. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

d) Proposed Annexation PL(P) 15-09: 104 East Vandalia Road, .29 acres, Property of Tim McGehee, Southeast Corner of East Vandalia Road and South Elm-Eugene Street. (RECOMMENDED)

Planning Manager Steve Galanti stated that the approximately 0.29 acre annexation is located in the Tier 1 Growth Area (2013-2019) of the Growth Strategy Map contained in the Comprehensive Plan. City water is available by extending and connecting to the existing 8-inch line located within South Elm-Eugene St. City sanitary sewer is available by connecting to the existing 8-inch line located within either South Elm-Eugene Street or north of the site. The City's Fire Department noted the site is currently served, and upon annexation would continue to be served, by City Station #61 on West Vandalia Road. The Police Department estimates services can be provided with little difficulty. The item has been reviewed by TRC and they recommended approval of the annexation.

Mr. Truby recommended approval of the annexation to City Council, seconded by Mr. Allen. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

6. Easement Releases:

a. Proposed release of all of a 30' DMUE and a 60' DMUE located at 110 E. Meadowview Road as recorded in Plat Book 24, Page 17. (APPROVED)

Planner Shayna Thiel stated that all utility companies have recommended their support of this easement release.

Mr. Allen moved approval of the easement release, seconded by Mr. Bryson. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

b. Proposed release of a portion of a 1.04' by 7.96' portion of a 20' wide utility easement located at 815 Rollingwood Drive, as recorded in Plat Book 41, Page 37. (APPROVED)

Planner Shayna Thiel stated that all utility companies have recommended their support of this easement release.

Mr. Allen moved approval of the easement release, seconded by Mr. Atkins. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Truby, Bryson, Mossman, Atkins and Allen. Nays: None.)

**7. Amendment to Generalized Future Land Use Plan (GFLUM) (APPROVED)
CP-15-11: Portion of 4001 Springbrook Drive, from Commercial to Industrial/Corporate Park, 1.1 acre.**

Hanna Cockburn stated that the Board has made comments on the portion of the same property on the east side of Holden Road at a previous meeting. According to tax records the two pieces are parts of one parcel and were assigned only one address despite being on opposite sides of Holden Road. The proposed amendment to Industrial/Corporate Park is in support of a proposed rezoning.

Board Comments:

Mr. Truby stated that he feels this is a wise use of the property, and he does not think it will ever have retail on it as retail would be more in place further north on Holden Road. Other Board members also felt that this would be a good use of the property.

Mr. Truby left at 5:45 for the remainder of the meeting.

Items from Staff:

- a. Update on Housing RFP awards and projects

Cyndi Blue provided an update on the status of the various tax credit and financing awards made for the housing projects the Board had heard from in earlier meetings.

Items from the Chair:

Chair Isaacson stated that he wanted to provide a big thank you to staff for all their hard work during these past several weeks given the staffing and workload challenges.

Chair Isaacson encouraged Board members to review the draft agenda upon receipt and notify staff if there may be a conflict with any of the items.

Items from Board Members:

None

Approval of Absences:

Chair Isaacson acknowledged the absence of Mr. Martin and Ms. Parker; Mr. Steele has resigned as he is no longer working locally.

Adjournment:

There being no further business before the Board, the meeting adjourned at 6:03 p.m.

Respectfully submitted,

Sue Schwartz
Planning Director
SS/jd