

**MEETING OF THE  
GREENSBORO PLANNING BOARD  
JUNE 21, 2017**

The Greensboro Planning Board meeting was held on Wednesday, June 21, 2017 at 4:00 p.m. in the Council Chamber of the Melvin Municipal Office Building. Board members present were: Marc Isaacson, Chair, Steve Allen, Richard Bryson, Day Atkins, Homer Wade, John Martin, Celia Parker, and Danielle Brame. City staff present included Steve Galanti, Mike Kirkman, Hanna Cockburn, Shayna Thiel, Russ Clegg, Stefan-leih Geary and Lucas Carter. Also present was Andrew Kelly, City Attorney's Office.

**1. MINUTES OF MAY 17, 2017 PLANNING BOARD MEETING (APPROVED)**

Mr. Bryson moved to approve the minutes of the May 17, 2017 meeting, seconded by Mr. Wade. The Board voted 6-0 in favor of the motion. (Ayes: Isaacson, Atkins, Bryson, Parker, Brame, Wade. Nays: None.)

**PUBLIC HEARINGS:**

**2. WILLOW OAKS NEIGHBORHOOD PLAN (APPROVAL RECOMMENDED)**

Mr. Allen and Mr. Martin arrived and participated in the remainder of the meeting.

Russ Clegg presented the Neighborhood Plan and noted that the Board would be reviewing the Redevelopment Plan for the area, which will highlight compliance with the requirements of NC Redevelopment Law, after the Redevelopment Commission hears it July 5. The Planning Board will receive that Plan to make a recommendation July 19, and City Council will act on the Redevelopment Plan at their September 5<sup>th</sup> meeting.

Willow Oaks is a part of the larger Morningside/Lincoln Grove Redevelopment area. The proposed Neighborhood Plan makes changes in the guidelines to complete the development of the neighborhood, address identified concerns and better blend the Willow Oaks neighborhood into the overall Redevelopment Area. The concerns identified by the public were the need for additional parking, additional green space, greater flexibility to attract new developers while keeping the neighborhood's qualities, address areas of transition, and focus on the goals of the current residents. Mr. Clegg then described the location of the sub-areas and the opportunity sites. Area 1 is the main area of Willow Oaks where most of the new housing has been developed; Area 2 also includes some portions of the original Willow Oaks build out. Sites A through E comprised the original footprint of Willow Oaks, and are not contiguous, so the plan better knits them together by adding area for transition. On the west side of Area 1, in Zone C, a two or three story senior living facility is proposed. The market study shows that there is a good market demand for that type of housing and it fits in well with the housing to the north. The adjacent site was originally slated to be commercial, but is now proposed as flexible space, allowing for the possibility of food trucks or

pop-up markets since there has been no interest by commercial users to date. Green space is also being added across from the current community center, attached single-family housing and townhomes to the east, adjacent to single family housing. A traffic circle is proposed to address the unusual traffic configuration. Area 2 has much housing built but has several infill sites for new houses and opportunity sites where older single story apartment buildings, if they become available, could be replaced with single family homes, duplexes, and green space. Major City involvement is not anticipated in Area 3, but rehabilitation of the existing house is anticipated as community partners reinvest in the area. No changes are proposed in Area 4 since the current zoning is similar to the housing stock recommended and marketable. Area 5 is a longer-term project since road network improvements are needed to address connectivity issues given existing dead-end streets before obsolete housing stock can be improved in the area. The plan also recommends delineating on-street parking spaces and creating off-street parking to increase the amount of parking in the area.

Mitch Beaver, 1504 Northfield Street, Director of Construction for Habitat for Humanity in Greensboro, stated that the families they serve have small children and they find the yards are too small for their clients. He also noted that the difference in elevation between the sidewalk and the finished floor makes it difficult to accommodate accessibility for aging in place.

In response to a question from Chair Isaacson, Hanna Cockburn stated that the site design requirements are a component of the Redevelopment Plan to be addressed by the Redevelopment Commission.

Thomas Brown, 920 S. English Street, wanted to know if his property would be impacted by the Redevelopment Plan. Hanna Cockburn stated that the properties along English Street are recommended to remain as they are configured today, that since they are in the Redevelopment Area staff would be focusing programs and services that could help improve the property if need be and that there is no contemplation of acquiring additional land or properties or redeveloping additional sites at this time.

#### **COMMENTS BY BOARD MEMBERS:**

In response to a question from Mr. Allen, Russ Clegg explained the public notification and involvement opportunities for property owners and residents in the Redevelopment Area.

Mr. Bryson stated that he did not think a two- to three-story senior living facility is appropriate for this area, that commercial activities are still needed, and that the Redevelopment Area should be expanded to include the east side of English Street.

In response, Hanna Cockburn stated that changing the boundaries would require staff to restart the entire redevelopment process and do a full inventory, which was not within the scope of what they are able to do at this time, and that this revision was to finish out the Willow Oaks

development. A study of the interest and demand for commercial in this location, including the issuance of a request for proposals for which no responses were received, indicated there is not a strong enough market currently. The plan revision includes a market building that allows smaller, more inventive commercial space for new businesses to test their concept before proceeding.

Russ Clegg added that the two- to three-story senior living facility reflected the need for a taller building similar to the Havens on the opposite side of the highway to highlight the entrance to Willow Oaks, that a review of the existing lot layout triggered the change to lot sizes so that the size of the homes and size of the yards could be increased and more parking provided, and that staff has a strong relationship with the Cottage Grove neighborhood along English Street so that work within two neighborhoods could focus on their individual areas.

Mr. Allen questioned whether there had been serious attempts to establish commercial development, and volunteered to partner in discussions about the possible commercial development in this area. He also stated he would like the plan to include details on the zero threshold for housing.

Mr. Allen moved to recommend approval of the Willow Oaks Neighborhood Plan including the information, concerns and comments from members of the public and the Board, seconded by Mr. Bryson. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Allen, Bryson, Atkins, Brame, Martin, Parker, Wade. Nays: None.)

**3. LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT: AMEND SECTION 30-7-8.6 - HDO - HISTORIC DISTRICT OVERLAY, SECTIONS A.2.A AND B; AND REFERENCES IN THE HISTORIC DISTRICT MANUAL AND DESIGN GUIDELINES (APPROVAL RECOMMENDED)**

Stefan-leih Geary stated that the Historic Preservation Commission reviewed the request at their May 31, 2017 meeting and voted in favor of the name change for the Historic District from "Charles B. Aycock Historic District" to "Dunleath Historic District". She noted that the neighborhood was named after the middle school, which had recently been renamed by Guilford County Schools from Aycock Middle School to Melvin C. Swan Middle School.

David Wharton, 667 Percy Street, Chair of the Greensboro Historic Preservation Commission and a member of the Neighborhood Association's Board of Directors, summarized the history of the neighborhood's development for the Planning Board. He stated that in the mid-19<sup>th</sup> century the area was farmland and woodland owned by Robert P. Dick and his wife, Mary Adams Dick; in 1857 they built a mansion they named Dunleath. Robert Dick was one of Greensboro's most prominent citizens, a lawyer and politician, who served as a U.S. Attorney in eastern North Carolina, was a member of the NC Counsel of State, a State Senator, and an Associate Justice in the NC Supreme Court after the Civil War. He also co-founded and taught at Greensboro's first Law School. The grounds of the Dunleath mansion are also quite significant. Before the Civil War they were attended by enslaved North Carolinians whose welfare and instruction was overseen by Mary Dick. Near the end of the war, the property was occupied by Union General Jacob Cox

who had fought in several battles in the Carolina Campaign. After the war Mr. Dick continued the estate, deeding several plots to former slaves who continued to work the farmland. Other formerly enslaved persons continued to work for wages in the house and on the grounds.

By 1895, most of the Dunleath farmland had been sold and was owned by the Cone brothers. Caesar Cone then built Summit Avenue at the former Dunleath property between downtown and Proximity Mill, and the surrounding area was subdivided into the current street grid. Over the next three decades, the Cones developed the residential neighborhood that still stands. At that time, the neighborhood did not have a name, but there was a small school on Cypress Street, demolished in 1922 and replaced by the much grander school that still stands today, named after Charles B. Aycock. The neighborhood preexisted the Aycock School.

By the late 1960s, the Dunleath mansion had fallen into disrepair and its demolition was a catalyst in the formation of Greensboro's preservation movement and its successor, Preservation Greensboro. In the early 1980s, the neighborhood itself was in disrepair and a developer had proposed to build apartments on the five acres that had surrounded the Dunleath mansion. This galvanized the residents to form a Neighborhood Association and they decided to name it after the most prominent surviving building in the neighborhood, the Aycock School. Shortly after that, the neighborhood became part of the city's Historic Preservation Program and was identified as the Charles B. Aycock Historic District. A few years later, the neighborhood was listed on the National Register of Historic Places and was called the Summit Avenue Historic District, but the residents did not have much input into the choosing of that name. In the ensuing 35 years, the Neighborhood Association and the Historic District Program were very successful in improving the housing stock and the community life of the neighborhood. Last year the Guilford County School Board decided to rename the Aycock School to the Melvin Swan Junior Middle School, and that has caused a problem since the neighborhood was named after the school and not after the governor, as Governor Aycock had no historical connection to the neighborhood. The Neighborhood Board of Directors crafted a process and open discussion about the neighborhood's name, which included direct mail, e-mail, on-line discussions, flyers hand-delivered to each housing unit and apartment, and public meetings. Three options received support; 1) keep the Aycock name, 2) change the name to the Summit Avenue Neighborhood, and 3) change the name to Dunleath. In the end, the name "Dunleath" received approximately 90% of the votes cast at a neighborhood-wide public meeting that was attended by approximately 50 neighbors. Subsequently, the Neighborhood Association changed its name to the Dunleath Neighborhood Association. Mr. Wharton stated his hope that the Planning Board would support the proposed amendment and recommend in favor of the name change of the Dunleath Historic District.

#### **COMMENTS BY BOARD MEMBERS:**

Mr. Allen thanked Mr. Wharton for speaking on behalf of the Neighborhood Association, for presenting the history of the neighborhood and for his efforts in retrieving the details of the history of this area.

Mr. Martin moved to recommend the text amendment to City Council, seconded by Ms. Parker. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Allen, Bryson, Atkins, Brame, Martin, Parker, Wade. Nays: None.)

**TYPE 3 MODIFICATION:****4. 6010 LANDMARK CENTER BOULEVARD, CHANGE TO ZONING CONDITION ADOPTED IN 1997. (APPROVED)**

The Board voted unanimously to recuse Chair Isaacson from the matter.

Mike Kirkman, Planning Manager, stated that the proposed modification, associated with a larger area that was rezoned in 1997, was a specific concern by the applicant that prohibits direct vehicular access to his property from Stanley Road. The request is to allow a curb cut on Stanley Road for his property addressed on Landmark Center Boulevard. The proposed curb cut would be for right-in-only access, would not permit vehicles to exit onto Stanley Road, and will include a median to prevent left-turn movements from Stanley Road. Type 3 Modifications for changes that are not deemed substantial must meet one of three findings: 1) The proposal performs equal to or better than the intent of the condition, 2) site constraints or topography prevent compliance, or 3) the condition is in conflict with a State or Federal regulation. The Technical Review Committee reviewed this modification request and recommends approval as providing for equal or better performance.

Mr. Bryson moved to approve the Type 3 Modification, seconded by Mr. Martin. The Board voted 7-0-1 in favor of the recommendation. (Ayes: Allen, Bryson, Martin, Atkins, Brame, Parker, Wade. Nays: None. Abstained: Isaacson)

Chair Isaacson returned to the dais and participated in the remainder of the meeting.

**EASEMENT RELEASE:****5. PROPOSED RELEASE OF A 15' DRAINAGE EASEMENT LOCATED AT 3 HAMDEN COURT, AS RECORDED IN PLAT BOOK 119, PAGE 42. (APPROVED)**

The Board voted unanimously to recuse Mr. Wade from the matter.

Shayna Thiel, Planner, stated that all the utility companies have reviewed the request and have no objection to the release. Stormwater has agreed to its release when the new drainage easement is recorded as part of the Abbottswood at Irving Park Development.

Mr. Allen moved to approve the easement release with the condition, seconded by Mr. Martin. The Board voted 7-0-1 in favor of the motion. (Ayes: Isaacson, Allen, Bryson, Atkins, Brame, Parker, Martin. Nays: None. Abstained: Wade.)

Mr. Wade returned to the dais and participated in the remainder of the meeting.

**STREET CLOSING:****6. PL(P) 17-11: CLOSURE OF MARTINSVILLE COURT, BETWEEN MARTINSVILLE ROAD AND BATTLEGROUND AVENUE. (APPROVAL RECOMMENDED)**

Lucas Carter, Senior Planner, stated that owners of all five of the properties adjacent to the street have signed the petition. The Technical Review Committee (TRC) advised that circumstances allow the City to make the two required determinations for a street closing: (1) that closing the street to vehicular traffic is not contrary to the public interest, and (2) that no property owner in the vicinity is deprived of reasonable means of ingress and egress.

The TRC recommended the closing with six conditions:

- 1) That the City of Greensboro shall retain 20-foot utility easements over existing utility lines until such time as the lines are no longer needed for public use;
- 2) That the portion of right-of-way to be closed shall not include the area within 8 feet of the back-of-curb along Battleground Avenue, within 30 feet from centerline of Martinsville Road, nor shall be any containing greenway elements along Martinsville Road;
- 3) That the property identified as parcel number 0030325 (2700 Martinsville Road) shall be combined with an adjacent parcel so that the resultant lot will have frontage and direct vehicular access to a public street;
- 4) That the driveway permit for the new Battleground Avenue access point be approved by the North Carolina Department of Transportation and the driveway permit for a new Martinsville Road access point be approved by the Greensboro Department of Transportation before the final plat is recorded;
- 5) That construction plans for the turning radius at the southeast corner of the Battleground Avenue and Martinsville Road intersection, that either increases it to a 30-foot radius or an equal or better alternative as determined by the Greensboro Department of Transportation be approved before the final plat is recorded; and
- 6) That the street closing shall not become effective until a final plat which combines all portions of the closed street with the abutting properties is signed by all property owners who have an ownership right in the closed street and is recorded in the Guilford County Register of Deeds.

Mr. Martin stated that he saw no problem with closing the portion of Martinsville Road as proposed, given the proposed conditions, that David Caldwell Drive is sufficient to get to Martinsville Road and that the petition was signed by all property owners.

Mr. Martin moved to recommend the street closing to City Council including the TRC conditions, seconded by Mr. Allen. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Allen, Bryson, Atkins, Brame, Parker, Wade, Martin. Nays: None.)

#### **ANNEXATION:**

#### **7. PL(P) 17-12: PROPOSED ANNEXATION OF 4716 HICONE ROAD, APPROXIMATELY 0.89 ACRES (APPROVAL RECOMMENDED)**

The Board voted unanimously to recuse Mr. Wade from the matter.

Lucas Carter stated that the owners have signed the petition, the proposed land use will be commercial, the property is located within the Tier 1 Growth Area of the Growth Strategy Map of the Comprehensive Plan, and the property is not contiguous with the City's primary corporate limits. The City service providers have no objections to the request but it appears that sanitary sewer may need to be pumped to the manhole in Hicone Road. The TRC recommended approval of this annexation request at its June 12, 2017 meeting.

Mr. Allen moved to recommend approval of the annexation to City Council, seconded by Mr. Martin. The Board voted 7-0-1 in favor of the motion. (Ayes: Isaacson, Allen, Bryson, Atkins, Brame, Parker, Martin. Nays: None. Abstained: Wade.)

**ITEMS FROM THE DEPARTMENT:**

None.

**ITEMS FROM THE BOARD MEMBERS**

In response to a question from Mr. Bryson, Mr. Galanti stated that he will add a GTA staff representative to notifications send related to Technical Review Committee items and annexations.

**ITEMS FROM THE CHAIR:**

None

**SPEAKERS FROM THE FLOOR ON ITEMS UNDER PLANNING BOARD AUTHORITY**

None.

**APPROVAL OF ABSENCES**

The absence of Mr. Cooke was acknowledged as excused.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 5:30 pm.

Respectfully submitted,

Sue Schwartz, FAICP  
Planning Department, Director

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