

**MEETING OF THE
GREENSBORO PLANNING BOARD
JULY 17, 2019**

The Greensboro Planning Board meeting was held on Wednesday, July 17, 2019 at 4:00 pm in the Council Chamber of the Melvin Municipal Office Building. Board members present were: Chair Isaacson, Steve Allen, Carol Carter, Dave Blackman, Homer S. Wade, John Martin, Richard Byson, Mike Cooke, and Donald Brandon. Planning staff present included Steve Galanti, Jason Earliwine, Hart Crane, Andy Lester, Jeff Sovich, and Russ Clegg. Also present was Andrew Kelly, from the City Attorney's office.

**APPROVAL OF MINUTES OF JUNE 19, 2019, PLANNING BOARD MEETING
(APPROVED)**

Mr. Blackman moved to approve the minutes of the June 19, 2019 meeting, second by Mr. Wade. The Board voted 8-0 in favor of the motion. (Ayes: Isaacson, Brandon, Carter, Blackman, Wade, Martin, Bryson, and Cooke. Nays: None.)

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

PUBLIC HEARING:

NEW GARDEN ROAD STRATEGIC PLAN (RECOMMENDED APPROVAL)

Mr. Crane stated this is an action for the Board with three options and reviewed the process for the past year and half. The plan informs residents, property owners and the City of Greensboro of the steps necessary to protect and enhance the community character and the quality of life which makes this area desirable. A slide was shown depicting five goal areas of: balanced development; area character; mobility; community; and transportation linkages. The plans recommendations are based on public input and studies performed on the area. If the Plan is adopted, rezoning requests that are inconsistent with the New Garden Road Strategic Plan will require an amendment to the Plan. In those cases:

- the Planning Department will convene a public meeting in the area for the review and comment of the application;
- The Planning Board will hold a public hearing and make a recommendation on the proposed amendment;
- the Zoning Commission will hold a public hearing and vote on the proposed zoning change;
- City Council will hold a public hearing and make a final decision on both.

In response to a question, Mr. Crane stated the Vision Statement is based on public input. Mr. Bryson stated a Vision Statement should be written for every community in

Greensboro. In response to a question, Mr. Clegg stated that there were no changes made to the current Generalized Future Land Use Map designations for the area, but adopting the designations as part of a neighborhood plan gives them the same status as the Future Land Use Map for other neighborhood plans. In response to a question, Mr. Clegg stated instead of changing the Land Use map and trying to guess what a potential rezoning request might be, the Plan outlines a series of questions to consider the appropriateness of the requested change at that time for that particular rezoning.

Mr. Blackman stated there is uncertain language between the staff deciding that they would go for community versus an automatic process. Mr. Crane responded it would be based on whether or not it triggered a GFLUM amendment and wouldn't necessarily be up to the staff. Mr. Crane advised if a proposed new zoning is going to change the GFLUM map, it would trigger an amendment and a public meeting would be held.

In response to a question of what triggers a public meeting, Mr. Clegg stated a zoning request not consistent with the designations on Future Land Use map would trigger public meeting. There are multiple things that can be done in mixed use commercial but if someone staying within that family of uses, it would not trigger the extra process. Mr. Clegg responded that rezoning cases are reviewed by a team of staff people from different departments who look at the definitions in the Future Land Use Map and the policies of the Comprehensive Plan to determine if it rises to the level to amend the Comprehensive Plan.

Ms. Carter reserved the right to address the Board with questions following the public hearing.

Mr. Allen stated the five primary strategies include refining the control of land uses to better manage change and development, diminishing the impact of vehicular traffic on quality of life, increasing neighborhood interconnectivity, enhancing corridor character and building stronger community relations. He is looking forward to hearing what the public has to say.

In response to a question, Mr. Clegg stated anything that is zoned, by right the owner can develop as it is zoned.

In response to a question of connectivity from one development to another and limiting traffic, Mr. Clegg responded there is a cross access provision in the Land Development Ordinance. One of the factors the plan looks at in cases of new rezoning is what will the impact be on access and adjacent properties.

SPEAKERS FROM THE FLOOR:

Hugh Willis, 1902 New Garden Road. Stated New Garden Road is approaching a new stable configuration where there are only a few out more towards Horse Pen Creek. He feels the public had a great amount of input and staff and their consultant did a good job of integrating the public's concerns as expressed at the meetings. He did not agree with the under 1-acre rule. There is a policy that rezoning property of less than an acre do not

require a separate process to determine if the GFLUM and the Comprehensive Plan need to be amended. His biggest concern is the under an acre rule, it needs to be addressed and the Board needs to be involved with property redevelopment.

Richie Jordan, 5503 Belvedere Place. Stated he is on the Advisory Board for the Strategic Plan. He is in full support of the plan and it goes a long way to addressing some of the issue. One of the drivers was the rezoning system in the city giving the neighborhood person about 12-day notice where the developer has more time to put their plan and strategy together creating the general public feeling they have been cheated with a 10-day notice. One of the parts of the plan says to build a support between the commercial and the people that live within that area. He feels the plan needs to be tweaked so the community can be involved in the whole process from an early part if something is even under an acre.

Bernice Harel, 1310 New Garden Road. Ms. Harel expressed her appreciation to staff for the job they have performed. Hart Crane, in particular, was very at good neighborhood outreach and feels he was also very good reaching out to commercial parties and everybody involved. Her and husband are very pleased with the plan. She is very pleased with the improved planning and zoning process that's recommended and the emphasis on preserving existing residential neighborhoods and achieving an optimum balance between commercial, residential, and other types of activities.

Yvonne Williams, 5607 Robin Ridge Road. Ms. Williams stated her full support of this plan. She was on the Advisory Committee. She sees this plan as a way to give some input from the communities that are established and thriving in a way that is not present which leads to feelings of marginalization and neglect given that their neighborhoods have been before the development started on New Garden Road.

Michael McIntosh, 3705 Timber Oak Drive in Woodland Hills. Mr. McIntosh thanked the Department of Planning for the input the community was allowed to give during this past year and a half. He was very pleased to see on page 26, Strategy 1, the sections of the corridor which are predominantly residential in use and character, particularly between Jefferson Northeast to Stratton Hills Drive, are most likely to be compatible with the residential use as densities no greater than R-12. His concern was they also listed Catswall Apartments across from Walmart which are three story buildings which have to exceed the R-12. He does have a concern regarding the high-density apartment possibility. Concerned about the 50-foot three story allowance for offices and businesses. It is a concern that any property less than 1 acre does not have to seek an amendment from the Future Land Use amendment.

Marlene Sanford, President of TRIBEC, 115 Southwest Gate Drive. Ms. Sanford thanked staff, residents, and other people who worked so hard and gave input. There were a couple of meetings at which non-residents who do business in the corridor were asked for input which does not appear to be reflected in the Plan. First is the 60-day interval for neighborhood review of changes of a change to the GFLUM that goes along with the

zoning change. She is requesting the plan be approved with the modification to change the wording to up to 60 days or no more than 60 days. Expressed concern regarding the limitation to 12 units per acre south of Jefferson Road.

William Davis, 3300 Cross Timbers Court, Woodland Hills. Mr. Davis thanked everyone for the hard work that has been done and agrees with most of the plan, especially the vision statement. He is concerned regarding the number of units with the 50-foot height and the three-story issues. Would like to request staff to take another look at that. Mr. Davis spoke about bike plans and the need for bike routes and would encourage staff to look at putting either separate parallel bike paths or dedicated bike paths with barriers.

Mark Metter, 1819 New Garden Road. Mr. Metter stated this is an interesting plan and is familiar with the 2025 plan from several years which they been using as a guide. What he is hearing now is there is many people with input on restrictions. He's hearing the 2025 plan is no longer valid. Ms. Carter stated that the 2025 plan has no land use changes as part of this. Mr. Clegg stated the plan looks at the GFLUM map that is incorporated into this area and includes that as a basic land use map. Due to the level of study that occurs in a small-area plan, there is a more thorough discussion for proposed neighborhood and corridor plan amendments than for the Generalized Future Land Use Map. It is incorporated as part of this plan. Mr. Metter stated there is a need for at least a 6 - 8-foot sidewalk to accommodate bicyclists which would greatly reduce the cost from asphalt paving in making the road wide enough. He feels those having more than an acre have been neglected and shut out of the process.

Ms. Carter asked what more is it that he would like to see as part of this study. Mr. Metter feels Greensboro does not want property like his inside the city limits. They want something smaller. Referenced apartment complex behind McDonalds and Aldi's. Property value is not going down, it is going up. Would like discussions to continue and wants to have everyone involved in discussions, not just select focus group with certain priorities and end game in mind.

Mr. Hugh Willis. Spike to what is the best and highest use for this land. He referenced shopping center at the Bryan Boulevard exit and Horse Pen Creek intersecting with New Garden Road. The value per acre, according to the acreage that staff provided in the 2016 reappraisal was \$ 845,600 per acre for the shopping center. The two-story townhomes appraised at 5.8 million on just over four acres, and is 1.4 million dollars per acre, 69 percent higher than the value of the shopping center. It is like this because of the upscale townhomes listed over \$400,000.00 per unit which draws from the quality of the surrounding neighborhood and give back good value to the surrounding neighborhood. This utilization of this land is more valuable to the neighborhood and toe City, than the commercial property that is located at Horse Pen Creek and New Garden.

Chair Isaacson inquired where the appraisal information came from. Mr. Willis responded the tax appraisals were from the County GIS Mapping listing the tax values for all

properties in the city. The acreage was from Mike Kirkman's staff. 92% of parcels in NW and 96% of residences in NW Greensboro are under an acre.

BOARD COMMENTS:

Mr. Allen is concerned of the 50-foot or three-story height concern in relevance to the planning. In response to his question if that was the current standard and what can be done to alleviate concerns, Mr. Crane stated the predominant zoning for single-family residences is either R-3 or R-5. The allowable height for those properties would be to go up to 50-feet in height which is the upper limit within that zoning classification. In response to a question Mr. Crane responded that is for all R-3 and R-5 throughout the City.

In response to questions by Mr. Allen, Mr. Crane stated New Garden plan would provide more time for the community to provide comments. In most of the neighborhood plans because there is an existing Neighborhood Association and they are given up to 60 days to respond. It is an "up to" number based on the meeting schedule and when they can get it to staff. If replied sooner than the date, staff moves forward with that information. The under one-acre rule does not apply to neighborhood and corridor plans. This exception does exist in the Comprehensive Plan, but any change for the smaller lots would need to go through the Plan amendment process.

Ms. Carter complimented the staff, neighbors and the business people who participated in this plan. She feels it is a good plan and is a plan that could easily be transferred to Fleming Road and Old Oak Ridge Road. Ms. Carter feels staff needs to look at the exits from the Hebrew Academy to implement a follow-up to this study with large acreage that could have many uses. Addressed the achievement of density on the corridor with townhomes being an example of how to achieve density on a corridor without having three story apartment buildings and feels R-12 is a great advantage and a great tax base. The 60-day review she feels is accomplished with up to 60 days. Ms. Carter stated there is a study with the airport currently to determine the new noise cone after growth at the airport. Ms. Carter expressed her concerns regarding the less than one-acre GFLUM amendment and the process changes for this Board. The plan is now for the Board to review the development process with the GFLUM amendment and feels this plan is a good protective tool and could be used elsewhere.

In response to a question from Mr. Cooke, Mr. Clegg responded any change that would be considered an amendment to the Neighborhood Plan would trigger a process. If there is a rezoning that would be contrary to the Future Land Use Map or other aspects of the plan, that would trigger staff to have a meeting with the neighborhood to receive input and walk through the thought process for the conversation as laid out in the plan.

In response to a question, Mr. Clegg stated if a property owner is developing as per the current zoning, they would have to file for permits or whatever the case might be. They could develop their property as zoned and there will not be any change to that.

In response to a question, Mr. Clegg clarified that amendments to the plan would need to follow the outlined process regardless of the size of the parcel. There is a minimum size for the City as a whole but in this small area plan that exception does not apply. It would trigger staff to convene a meeting with the neighborhood and the applicant to discuss and formalize the process. It may not take 60 days no matter what the size of the parcel is.

Ms. Carter moved to recommend approval of the plan to City Council, second by Mr. Allen. The Board voted 9-0 in favor of the motion. (Ayes: Isaacson, Allen, Carter, Blackman, Wade, Martin, Bryson, Cooke and Brandon. Nays: None.)

EASEMENT RELEASES:

755, 2757 & 2759 HORSEMAN PEN CREEK ROAD – RELEASE OF A 20-FOOT WIDE UTILITY EASEMENT AS RECORDED IN PLAT BOOK 85, PAGE 51. (APPROVED)

Mr. Lester stated that this is a request to release a 20-foot utility easement to accommodate development of the multi-family site. The utility companies have responded that the easement can be released with Water Resource conditioning this release upon the properties being combined into one lot.

Mr. Allen moved to approve the easement release with the condition that the release is to occur upon combination of the lots, second by Mr. Cooke. The Board voted 9-0 in favor of the motion. (Ayes: Isaacson, Allen, Carter, Blackman, Wade, Martin, Bryson, Cooke, and Brandon. Nays: None.)

811 EAST BESSEMER AVENUE – RELEASE OF A 15-FOOT DRAINAGE EASEMENT AS RECORDED IN PLAT BOOK 60, PAGE 128. (APPROVED)

Mr. Lester stated that this is a request to release a 15-foot drainage easement to accommodate a commercial expansion on the site. The utility companies have responded that the easement can be released with Storm Water requiring the release to be contingent upon the relocation of storm pipes and the dedication of a new drainage easement, and Charter Communications requiring that the portion of the easement running parallel to Bessemer Avenue not be released.

Mr. Allen moved to approve the north/south portion of the easement release with the conditions that the release is to occur upon the relocation of this Storm Sewer and the dedication of the new easement, second by second Mr. Martin. The Board voted 9-0 in favor of the motion. (Ayes: Isaacson, Allen, Carter, Blackman, Wade, Martin, Bryson, Cooke, and Brandon. Nays: None.)

AMENDMENT TO GENERALIZED FUTURE LAND USE MAP (GFLUM)

CP19-04: 1 ACRE AT 2507-2515 BINFORD STREET, FROM LOW RESIDENTIAL TO INDUSTRIAL/CORPORATE PARK.

Mr. Sovich stated that this amendment has been requested in conjunction with a rezoning request for property located at 2507, 2511, and 2515 Binford Street. The current designation is low residential, the proposed amendment is to Industrial/Corporate Park, and he explained each of the designations.

In response to a question from Mr. Allen, Mr. Galanti stated that Binford Road is not currently paved and development on either side of the road would trigger its paving.

In response to a question from Ms. Carter, Mr. Galanti stated that proposal is for a new business, not an expansion.

The Board commented that this request was not appropriate since it was encroaching into an established residential area, and was not contiguous to the Industrial/Corporate Park to the north, and would not be compatible with the existing residential neighborhood.

ITEMS FROM THE DEPARTMENT:

Mr. Galanti provided clarity on the notification required for unexcused or excused absences.

ITEMS FROM BOARD MEMBERS:

Mr. Bryson asked staff to email the Board with additional information about Opportunity Zones.

ADJOURNMENT:

There being no further business before the Board, the meeting was adjourned at 5:46 p.m.

Respectfully submitted,
Sue Schwartz, FAICP
Planning Department, Director
PD/cgs