

**MEETING OF THE
GREENSBORO PLANNING BOARD
NOVEMBER 20, 2019**

The Greensboro Planning Board meeting was held on Wednesday, November 20, 2019 at 4:00 pm in the Council Chamber of the Melvin Municipal Office Building. Board members present were: Chair Steve Allen, Mike Cooke, Homer S. Wade, Donald Brandon, Carol Carter, Richard Bryson, Emanuel Clark, and John Martin. Planning staff present included Steve Galanti, Luke Carter, Jason Earliwine, Andy Lester, and Russ Clegg. Also present was Andrew Kelly, Counsel for the Board, City Legal Department.

**APPROVAL OF MINUTES OF THE OCTOBER 16 2019, PLANNING BOARD MEETING
(APPROVED)**

Mr. Bryson moved to approve the minutes of the October 16, 2019 meeting, seconded by Mr. Martin. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None)

**PUBLIC HEARING: LAND DEVELOPMENT ORDINANCE (LDO) TEXT AMENDMENT
AMENDING SECTION 30-8-1.1 (TABLE 8-1) PERMITTED USE TABLE, 30-8-7.2 (A)
INDOOR RECREATION-TYPICAL USE TYPES, 30-8-10.3 (B) RECREATIONAL USES-
CLUBS AND LODGES, AND 30-9-10.3 RECREATIONAL USES OF THE LAND
DEVELOPMENT ORDINANCE RELATED TO THE PERMITTED USES IN THE
NEIGHBORHOOD SUPPORT (NS) ZONING DISTRICT WITH ADDITIONAL USE
STANDARDS, INCLUDING HOURS OF OPERATION AND MAXIMUM SIZE.
(RECOMMENDED APPROVAL)**

Mr. Carter stated the Board was being asked to consider a text amendment to allow for additional uses in the Neighborhood Support (NS) Zoning District, which is a unique zoning district in the City as it is the only one in the City. Mr. Carter provided the history on the zoning district, how it came to be, and goals of the district, including roadway and streetscape improvements, and pedestrian and bike mobility safety. Specific to this request is adaptive reuse of existing sites, mixed use buildings, greater economic diversity, and zoning and overlay districts that would encourage a mix of high intensity uses which promote sustainable development. The NS District was created solely for application in designated reinvestment corridors with an adopted plan. The district was established to provide a transition between more intense auto-oriented patterns of development and neighborhoods. Residential, civic, and institutional uses are encouraged due to the scale of these types of developments and this district's small, shallow lots. These types of uses also provide a transition between higher intensity development and adjacent single-family neighborhoods, which ensures compatibility. Staff has met with interested parties regarding a specific site within this NS District. A property owner of a specific site in this District along the Gate City corridor has potential plans for reuse of the existing structure on the site. One of the potential uses is considered indoor recreation, which is not currently permitted in the NS District.

Any amendments considered today will not be specific to a site, but could potentially be located in other parts of the City. Mr. Carter presented the Permitted Uses Table indicating the types of uses that would be applied, as well as the additional use standards that will be found in the new subsection 30-8-10.3(L). Staff is looking to update and modernize the indoor recreational use category to include indoor mini-golf and trampolines. Staff is also proposing that clubs and lodges remain closed between the hours of 12:00

midnight and 7:00 a.m., when located adjacent to residentially zoned properties. Mr. Carter presented slides showing the suggested changes and standards for indoor recreational uses.

In response to a question from Ms. Carter, Mr. Carter stated under this text amendment, clubs and lodges are still not permitted in the Neighborhood Support Zoning District. In response to a question from Ms. Carter, Mr. Carter stated the trampoline on Highwoods is under 21,000 square feet.

In response to a question from Chair Allen, Mr. Carter stated indoor recreation would be added as a permitted use in the Neighborhood Support Zoning District with the additional use standards as presented. In response to a question from Chair Allen, Mr. Carter responded it would not affect the business use within the corridor.

In response to a question from Mr. Bryson, Mr. Clegg stated there were specific zoning districts as part of the plan implementation. The NS zoning district may only be applied to an area with an adopted corridor plan, and therefore may be applied to other areas of the City with corridor plans. There are no current rezoning plans or requests for this type of district, but there are certainly areas in the City in which someone may request this type of rezoning if the area has an adopted corridor plan and fit within those parameters.

In response to a question from Ms. Carter, Mr. Galanti stated this is the only request staff has received to modify the NS district since its adoption.

In response to a question from Mr. Clark, Mr. Carter stated the dance school was combined with the other sports training facilities. Mr. Carter stated the dance school use type was separated out in the Indoor Recreation subcategory in the LDO, but should be listed as is seen in the Permitted Use Table.

Judy Stalder, 115 S. Westgate Drive, representing TREBIC. Ms. Stalder stated their members have reviewed the amendment and have no opposition to the text amendment.

Will Bartholomew, representing the landlord at 2703 W. Gate City Boulevard. Mr. Bartholomew stated the landlord purchased the center and has invested a significant amount of money in refurbishing the buildings and site itself. They seeking a use compatible with the surrounding neighborhood and the entire area moving forward. They are specifically interested in trampoline parks and indoor mini-golf, or other large-scale uses that would work in the large space they have. Mr. Bartholomew stated they are looking at the site from a wide-area perspective and trying to bring life back into the corridor. He and the owner feel a trampoline park or indoor mini golf use would be appealing to the public and good for the corridor. The landlord would like to appeal to more potential tenants with these types of uses. Mr. Bartholomew stated he felt the suggested uses were neighborhood friendly and agreed to the hours of operation.

In response to a question by Ms. Carter, Mr. Bartholomew stated keeping the hours of operation as suggested would appeal to UNCG students or other schools and offer clean fun and entertainment. Mr. Bartholomew stated it would be up to the Board regarding the time of closing.

In response to a question from Mr. Bryson, Mr. Bartholomew stated the landlord is not local and they did not reach out to other residents or property owners, as they knew there would be a public hearing process and assumed the City would reach out to the residents and property owners. Mr. Carter stated when the plan was originally being adopted in 2008, the Central Gateway Corridor Partnership was

tasked with helping to administer and implement the plan. The remaining members of the partnership were consulted about the text amendment. The results of these communications were concerns over a cap on the square footage and hours of operation. In response to a question by Mr. Bryson, Mr. Clegg stated the Central Gateway Corridor Partnership was a citizen's oversight committee comprised of business owners, institutional members, adjacent neighbors, and the development community who worked to create the zoning district and assist in its implementation. The partnership is not active at this time, but Mr. Clegg sent an email to the remaining members and received responses from eight of the members. All were in favor of the text amendments, but there were concerns regarding noise, hours of operation, and the allowable building size.

Upon a question from Mr. Brandon, Mr. Bartholomew stated the property is located on the corner of West Gate City Boulevard and Florida Street, about a half mile south of the coliseum, and the subject building has a new brick façade. In response to a question from Mr. Brandon, Mr. Bartholomew advised there will be a complete renovation of the property.

Upon a question from Ms. Carter, Mr. Galanti responded supermarkets would be allowed in this corridor.

Ms. Carter stated her concern was not the use, but the size and the hours. Mr. Clegg stated the Neighborhood's zoning covers the properties on Gate City Boulevard. Mr. Bartholomew asked the Board to consider the fact that many supermarkets are close in size to the proposed building footprint suggested for the proposed uses in this text amendment.

Mr. Cooke stated he did not understand why there were so many issues with this request. The NS district was specifically designed to calm traffic, especially in this area as it is a high-traffic corridor with residential uses behind it. Mr. Cooke felt the text amendment was very reasonable since it will only allow slightly different uses that are very similar to the uses already permitted in this zoning district.

Mr. Galanti stated the hours will not affect clubs and lodges since these uses are not permitted in the NS district.

John Barker, 2703 W. Gate City Boulevard, stated he runs several indoor miniature golf venues. He pointed out that as far as traffic patterns and occupancy, there are strict restrictions that are applied to the number of people that can use the venue at any given time, not to mention fire safety standards for occupancy. They have locations in other cities and these sites tend to bolster the community. They have partnered with foster care programs and provide free play for foster children. They feel this location is a perfect opportunity for community engagement. They believe indoor mini-golf can only be so loud and they have never had any noise complaints in any of their other locations.

Ms. Carter reiterated her general concern about the hours of operation and size of the proposed uses, but the overall consensus of the Board member was that the proposed uses are appropriate for the area and the size of the vacant site.

Ms. Carter made a motion to close the public hearing, seconded by Mr. Martin. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None).

Mr. Bryson requested to have his statement on the record. Mr. Bryson stated he had no problem with the recommendation but stands by his statement of reaching out to the community. The City is dictating what individual communities need without asking them. No one has talked to this community. This is a very serious issue because communities in general are growing tired of this approach. The recommendation is a good one, but no one talked to the community about it.

Ms. Carter stated she is going to vote in favor of the text amendment, but believes the hours completely negate the definition of the Neighborhood Support zoning district and is not appropriate adjacent to residential areas.

Mr. Martin moved to recommend the text amendment to City Council, seconded by Mr. Cooke. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None)

ANNEXATIONS:

PL(P) 19-29. PROPOSED CONTIGUOUS ANNEXATION OF 5594 AND 5598 GARDEN VILLAGE WAY (2.35 ACRES) (RECOMMENDED APPROVAL)

Mr. Clark and Mr. Martin asked to be recused from the item for a potential conflict of interest and were recused by a unanimous vote.

Mr. Carter stated in addition to the two addresses proposed for annexation, a portion of the right of way for Garden Village Way is also included in the request. These properties are located within the Growth Tier 1. City water and sewer are both available and services would be provided upon annexation. City fire services are already provided to this area and will continue to be after annexation. The Police Department can provide service to this site with little difficulty. This request received a favorable recommendation by the Technical Review Committee at their October 31, 2019 meeting.

In response to a question from Ms. Carter, Mr. Carter advised that for sites within Growth Tier 1, it is the City's policy to require annexation if City services are available to the area and are being requested by a site outside the City limits.

Ms. Carter moved to recommend the annexation to City Council, seconded by Mr. Wade. The Board voted 6-0-2 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, and Bryson. Nays: None. Abstains: Clark and Martin.)

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

PL(P) 19-30. PROPOSED CONTIGUOUS ANNEXATION OF 3819 EDGEWOOD TERRACE ROAD (0.464 ACRES) (RECOMMENDED APPROVAL)

Mr. Carter stated this property is located within Growth Tier 1. City water service is available, but is located approximately 455 feet away. The applicant has made provisions to have well service instead. Sewer service is available and will be requested for this site upon annexation. City Fire can provide service and response time would improve upon annexation. The Police Department can provide service with minimum expense. Solid waste can provide services. This request received a favorable recommendation by the Technical Review Committee at their October 31, 2019 meeting.

Mr. Bryson moved to recommend the annexation to City Council, seconded by Mr. Cooke. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None)

EASEMENT RELEASES:

**4711 JEFFERSON WOOD COURT AND 4705 NEAR JEFFERSON WOOD COURT –
RELEASE OF AN APPROXIMATELY 1,800 SQUARE FOOT PORTION OF A 20-FOOT
UTILITY EASEMENT AS RECORDED IN PLAT BOOK 138, PAGE 100 (APPROVED)**

Mr. Lester stated this is a request for an easement release of an 1800 square-foot portion of a 20-foot utility easement across two properties. The applicant intends to relocate the existing sewer line and would like to abandon the unused portion. The City Water Resources Department requires the relocation to be in service prior to the abandonment of the easement. The remaining utilities approved the proposal and had no objections to the request.

In response to a question from Ms. Carter, Mr. Kelly recommended the Board make the motion contingent on the City's acceptance of the relocated sewer line.

Ms. Carter moved to approve the easement release contingent upon the acceptance of the new sewer line by the City, seconded by Mr. Clark. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None).

**2733 RING ROAD – RELEASE OF A 25-FOOT WIDE STORM SEWER AND UTILITY
EASEMENT AS RECORDED IN PLAT BOOK 160 ON PAGE 69.**

This request was continued to the next Planning Board meeting.

**4201 PINENEEDLE DRIVE – RELEASE OF A 20-FOOT WIDE UTILITY EASEMENT, AS
RECORDED IN PLAT BOOK 72 ON PAGE 151. (APPROVED)**

Mr. Lester stated this is a request for an easement release of a 20-foot utility easement located in the middle of the lot in order to accommodate construction of a new home. The request was submitted to all utility reviewers and there were no objections.

In response to a question by Mr. Clark, Mr. Lester did not believe the easement was currently in use. In response to a question by Ms. Carter, Mr. Lester stated it has been described as a general utility easement since the original subdivision was created. In response to a question by Ms. Carter, Mr. Lester stated Duke Power did respond favorably.

Mr. Cooke moved to approve the easement release, seconded by Mr. Wade. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None).

**1101 E. MARKET STRETT – RELEASE OF A 15-FOOT-WIDE SANITARY SEWER
EASEMENT AND A 30-FOOT WIDE STORM SEWER EASEMENT, AS RECORDED IN
PLAT BOOK 34 ON PAGE 78 (APPROVED)**

Mr. Lester stated this request is for a 15-foot sanitary sewer easement and a 30-foot storm sewer easement to accommodate redevelopment of the Eric Building on the A&T campus. All of the utility reviewers have responded. City Water and Sewer require the release to be contingent upon the new easement being recorded with the newly relocated utilities. The remaining utilizes have no objections to the request.

Ms. Carter moved to conditionally approve the easement release contingent upon the acceptance of the new sewer line by the City, seconded by Mr. Clark. The Board voted 8-0 in favor of the motion. (Ayes: Allen, Cooke, Wade, Brandon, Carter, Bryson, Clark, and Martin. Nays: None).

ITEMS FROM BOARD MEMBERS:

Mr. Cooke asked why there would be a reason for the Board to deliberate and vote for an easement release if all utilities have agreed the easement is no longer needed. Mr. Galanti responded that if anyone had an objection, the Board would have to vote not to release the easement. Mr. Kelly stated there is always a potential for the City to identify possible future uses if an easement is no longer in use. A document has to be recorded and City Council and the Mayor have requested this process be followed for documentation.

APPROVAL OF ABSENCES:

The absence of Mr. Blackman was acknowledged as approved.

ADJOURNMENT:

There being no further business before the Board, the meeting was adjourned at 5:08 p.m.

Respectfully submitted,

Sue Schwartz, FAICP

Planning Department, Director