

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION
September 17, 2013

The Greenville Planning and Zoning Commission met on the above date at 6:30 p.m. in the Council Chambers of City Hall.

Ms Shelley Basnight –Chair-*
Mr. Tony Parker - * Ms. Chris Darden – *
Mr. Terry King – * Ms. Ann Bellis – *
Ms. Linda Rich -X Mr. Brian Smith - *
Mr. Doug Schrade - * Mr. Jerry Weitz –*
Ms. Wanda Harrington-* Mr. Torico Griffin -*

The members present are denoted by an * and the members absent are denoted by an X.

VOTING MEMBERS: Harrington, Parker, Bellis, Darden, Griffin, Schrade, Weitz, Smith

PLANNING STAFF: Merrill Flood, Community Development Director; Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II; Andy Thomas, Lead Planner and Elizabeth Blount, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney; Scott Godefroy, City Engineer; Lisa Kirby, Civil Engineer III; Tim Corley, Civil Engineer II; Rik DiCesare, Traffic Engineer and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Ms. Bellis, seconded by Mr. Parker, to accept the August 20, 2013 minutes as presented. Motion carried unanimously.

AGENDA: Ms Gooby stated that agenda Item #5 should be presented before Item #1. Motion made by Ms Harrington, seconded by Ms Bellis to move agenda Item #5 to Item #1. Motion passed unanimously.

NEW BUSINESS

ORDINANCE REQUESTED BY STOW MANAGEMENT, INCORPORATED TO REZONE 8.322 ACRES LOCATED AT NORTHEAST CORNER OF THE INTERSECTION OF STATON HOUSE ROAD AND GREENPARK DRIVE FROM IU (UNOFFENSIVE INDUSTRY) TO CH (HEAVY COMMERCIAL)- WITHDRAWN

Chairwoman Basnight stated that the applicant requested that the rezoning request be withdrawn.

Motion made by Mr. Parker, seconded by Mr. Smith to properly withdraw the request. Motion passed unanimously.

OTHER

ORDINANCE REQUESTED BY COLLICE MOORE TO EXTEND THE CITY OF GREENVILLE'S EXTRATERRITORIAL JURISDICTION (ETJ) IN THE NORTH CREEK COMMERCIAL PARK AREA -APPROVED

Mr. Andy Thomas, Lead Planner, delineated the property. The property is located in the northeast quadrant of the city. When the City of Greenville extended its Extra-Territorial Jurisdiction (ETJ) in 1972, the boundary was drawn irrespective of property lines. Consequently, some properties were split by this boundary, and this property is one of those that were split. The property owner desires to have the remainder of their property included within the City of Greenville's ETJ so he can market it for future uses. It is likely that future property uses would require city sewer, requiring voluntary annexation.

On April 11, 2013, the Greenville City Council adopted a resolution asking the Pitt County Commissioners for approval of the proposed ETJ extension. On May 15, 2013, the Pitt County Planning Board recommended approval in extending the City's ETJ. On July 8, 2013, the Pitt County Commissioners approved the request.

Chairwoman Basnight opened the public hearing.

No one spoke for or against the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No discussion from board members.

Motion made by Mr. Parker seconded by Mr. Smith, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

REZONINGS

ORDINANCE REQUESTED BY COLLICE C. MOORE AND POHL PARTNERSHIP TO REZONE 25.2285 ACRES LOCATED NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF OLD CREEK ROAD AND NORTH CREEK DRIVE FROM RA20 (RESIDENTIAL-AGRICULTURAL), RR (RURAL RESIDENTIAL – PITT COUNTY'S JURISDICTION) AND I (INDUSTRY) TO IU (UNOFFENSIVE INDUSTRY) AND O (OFFICE).- APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The rezoning is in conjunction with a request to extend the extra-territorial jurisdiction. The property is located in the northeast section of the city. The property is split into three tracts– Tract 1 is requested for Unoffensive Industry

(IU), Tract 2 is for Office and Tract 3 is for Unoffensive Industry. A designated intermediate focus area is at the intersection of Martin Luther King, Jr. Highway and Old Creek Road. The rezoning could generate a decrease of 440 trips per day. The property is split zoned – Pitt County’s zoning is RR (Rural Residential) and the City’s zoning is RA20 (Residential Agricultural). The RR and RA20 zonings are similar. The office zoning helps to buffer the commercial and residential uses. Vegetation and parking can be in the proposed office zoning but not industrial/commercial buildings. The property was part of a flood study that indicates that the property is severely impacted by the floodway and floodplains associated with the Tar River. The flood maps have been reviewed by the City but have not been officially adopted but will be used when the property is developed. Under the current zoning (RA20 and RR) for Tracts 1 and 2, staff would anticipate the site to yield no more than 109 single-family lots. Under the proposed zoning (IU and O), the site could yield 241,769+/- square feet of warehouse/mini-storage/industrial space. Tract 3 will be developed along with Tract 1. The Future Land Use Plan Map recommends commercial (C) at the southwest corner of Martin Luther King, Jr. Highway and Old Creek Road transitioning to industrial (I) to the east and south with conservation/open space (COS). The COS indicates potential environmental hazards and a buffer between the non-residential and the residential. In staff’s opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. The commercial and IU share many of the same uses. Industrial uses should have direct access and be adjacent to major thoroughfares. Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent residential land uses.

Mr. Weitz asked if the floodplain map was changed.

Mr. Ken Malpass, representative of POHL and Collice Moore, stated that the floodplain map was in error for the land in this area. The current floodplain elevation has dropped four feet. The floodplain is more like the floodway map. Very little of the requested property is in the floodplain or the floodway.

Ms. Gooby stated that even though the new map has not been officially adopted by the city, it is information that will be used when the property is developed.

Mr. Parker asked if the new map will be adopted by the city.

Ms. Gooby stated yes.

Mr. Tim Corley, Engineer, stated that the flood study is reviewed by the Floodplain Manager and to make sure it is correct prior to FEMA review and approval. The developer will have to meet all regulations of the floodplain ordinance.

Ms. Bellis asked what year of the floodplain.

Mr. Corley stated that the map is the floodway and there is no development allowed in the floodway. The floodplain map was the 500-year area.

Mr. Weitz asked why the 38-52' strip was originally requested for CO but has changed to office and what the net result would be involving buffers.

Ms. Gooby stated she made a mistake by suggested CO because the land had to be a minimum of 100' in order to be a conservation area overly (CO). After talking to the applicant, they changed the application to request O rezoning. The vegetation has to be in place regardless of the zoning because of the adjacent uses. The O rezoning can be used for parking, stormwater but no part of an industrial/commercial building can be placed in the O rezoning.

Mr. Weitz asked if industrial is between the O rezoning and single family residential, would the buffer have to be 30 feet.

Ms. Gooby referred to the vegetation chart to show the likely of commercial/industrial development beside of single-family would be a Bufferyard E which requires a 30' buffer that can be reduced to 15' with an opaque fence or berm.

Mr. Weitz asked why staff did not recommend approval of the request.

Ms. Gooby stated that the request was in general compliance and that the intent of the plan was to have non-residential. Staff is not recommending approval or denial. It is up to the commission to make its own interpretation.

Chairwoman Basnight opened the public hearing.

Mr. Ken Malpass, representative of POHL and Collice Moore, spoke in favor of the request. He stated that the request was in compliance and was willing to answer any additional questions.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated that he was concerned about industrial uses being so close to residential lots, the policies in the city's plans state floodplains should not be developed but saved for open space, the protection of the neighborhood, and the compatibility between the two uses.

Mr. Schrade stated that the floodplain was not a big issue because of the size of the lot located in the floodplain.

Ms. Darden asked if the residents were informed of the request.

Ms. Gooby stated that 2 signs were posted on the property and notices were mailed to property owners within 300 feet of the property.

Motion made by Mr. Smith, seconded by Mr. Schrade, to recommend approval of the ordinance requested by Collice Moore and POHL Partnership to rezone 25.2285 acres located near the southeast corner of the intersection of Old Creek Road and North Creek Drive from RA20 (Residential-Agricultural), RR (Rural Residential - Pitt County's Jurisdiction) and I (Industry) to IU (Unoffensive Industry) and O (Office) and to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Those voting in favor: Smith, Bellis, Parker, Griffin, Schrade, Darden and Harrington. Those voting in opposition: Weitz. Motion passed.

ORDINANCE REQUESTED BY KENNETH M. LLOYD, SR. TO REZONE 0.6522 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF FARMVILLE BOULEVARD (TENTH STREET CONNECTOR) AND MANHATTAN AVENUE FROM R6 (RESIDENTIAL[HIGH DENSITY MULTI-FAMILY]) TO CH (HEAVY COMMERCIAL) - APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is centrally located in the city. The site is impacted by the Tenth Street Connector. The property is currently vacant and will be cobbled together with an adjacent piece of property under common ownership as the applicant as part of right-of-way acquisition for the Tenth Street Connector project. The rezoning could generate an increase of 2,764 trips per day, which is worse scenario with of convenient store and fast food restaurant since the rezoning is changing from residential to commercial. Under the current zoning (R6), the site could yield no more than 10 multi-family units (1, 2 and 3 bedrooms). Under the proposed zoning (CH), the site could yield 6,250+/- square feet of conventional or fast food restaurant/convenience store space. The Future Land Use Plan Map recommends commercial (C) at the southeast corner of the intersection of Farmville Boulevard and Line Avenue transitioning to high density residential (HDR) to the south and office/institutional/multi-family (OIMF) to the east. In staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Ms. Bellis asked if Farmville Boulevard would have limited access.

Mr. Ric DiCesare, City's traffic engineer, stated that access along the Tenth Street Connector will change significantly because a grassy median will be placed in the center of the corridor. Any driveways between intersections will be forced to make right-in, right-out movements to get into driveways. The proposed property will have access to Watauga Avenue and the applicant has contacted NCDOT to re-configure an access plan to Watauga Avenue. The real impact could be as little as 80 vehicles per day but the worse scenario was considered when planning the traffic pattern.

Ms. Bellis asked if the rezoning was changing because the road had changed.

Ms. Gooby stated that a residual piece of property that is zoned commercial is owned by the applicant and is undevelopable because of its size. The rezoning property will be cobbled together in order to have a developable piece of property.

Ms. Bellis asked if the residential rezoning for the entire area was going to change.

Ms. Gooby stated that the city does not know who will own the property as the Connector is developed. The area is an evolving situation.

Ms. Bellis stated that it appears that the city is losing a great opportunity to do planning for the area.

Mr. Flood stated that the properties in the area will probably not function as residential properties because of their location on a major thoroughfare and the right-of-way changes.

Ms. Darden asked about details concerning the traffic flow at the corner of Watauga Avenue.

Mr. DiCesare stated that traffic was distributed to the thoroughfares in the area. There will not be direct access to Farmville Blvd from the requested property. The applicant is working with NCDOT to have a better flow of traffic. Watauga and Line Avenues will have a loop effect in order to provide access to the subject property.

Mr. Weitz asked if a median break will be at Line and Watauga Avenues.

Mr. DiCesare stated yes but there is not a break at Manhattan Avenue to go west toward the hospital. There is a left turn lane on Farmville Boulevard.

Ms. Harrington asked if a signal light will be at the intersection of Line and Watauga Avenues.

Mr. DiCesare stated that he did not recall.

Mr. Weitz asked if staff did not recommend approval because there was no transition from the commercial to residential properties.

Mr. Gooby stated the lack of transition may play a small part but since the area is only 0.6 of an acre the residual commercially-zoned property is undevelopable without the subject property being rezoned to commercial.

Chairwoman Basnight opened the public hearing.

Mr. Steve Spruill, representative of Kennnith Lloyd, spoke in favor of the request. The property cannot have a convenience store until 2014. The immediate intended use is to open a tire shop which will generate only 80 trips a day. The owner and NCDOT have talked about the driveway setup. The owner has agreed to give up all five driveway accesses to Farmville Boulevard, Line Avenue and a small portion of Watauga Avenue. He will get a commercial driveway permit on

Watauga Avenue. The subject property was used as commercial for over 50 years. There has been a lot of discussion with NCDOT to overcome traffic problems. The owner would like to have both pieces of land to be commercial in order to develop it and to make it an asset to the neighborhood.

Ms. Darden asked if a buffer would be put in place between the commercial and residential lots.

Mr. Spruill stated yes and they will submit a site plan to include the buffer requirements.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz stated the request is a reasonable request and it seems logical to extend the zoning since there is already CH adjacent. He is concerned about some of the uses that can go on the site.

Motion made by Mr. Parker, seconded by Mr. Smith, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

ORDINANCE REQUESTED BY MICHAEL GLENN TO REZONE 0.50 ACRES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST 9TH STREET AND FICKLEN STREET FROM IU (UNOFFENSIVE INDUSTRY) AND CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL) - APPROVED

Ms Chantae Gooby, Planner II, delineated the property. The property is centrally located in the city and is split zoned – Downtown Commercial Fringe (CDF) and Unoffensive Industry (IU). A vacant commercial building is located on the property. The rezoning could generate an increase of 36 trips per day but the additional traffic will be dispersed to other street so the impact will be negligible. The property is located within the Tobacco Warehouse Historic District. This is an honorary designation that does not regulate appearance or use. Under the current and the proposed zoning, staff anticipates the same square footage. Current zoning would be manufacturing/ warehouse uses and the proposed would be office/retail uses. The Future Land Use Plan recommends commercial for the area. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan and the West Greenville 45-Block Revitalization Plan.

Mr. Michael Glenn, applicant, spoke in favor of the request. He has been the owner of the property for 5 ½ years. He would like to keep the building standing. He would also like for the property to be available for extended uses.

Chairwoman Basnight opened the public hearing.

No one spoke against the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Mr. Weitz suggested that staff perform a study to broaden the rezonings in the downtown area to eliminate Unoffensive Industry. He stated that he hoped the rezoning did not encourage the developer to demolish the building because it is historic.

Mr. Flood stated that a contract will be awarded next month for a study of the corridor.

Mr. Parker stated that it would be nice to see the building re-purposed, redeveloped and adapted for future use.

Motion made by Mr. Smith, seconded by Ms Harrington, to recommend approval of the requested amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

ORDINANCE AMENDING THE STORMWATER MANAGEMENT AND CONTROL ORDINANCE -APPROVED

Mr. Scott Godefroy, City engineer, presented the Stormwater Management and Control Ordinance that identifies the stormwater detention requirements within the city and extraterritorial jurisdiction. Studies have indicated an increase in flooding and damage to our stream. The city is currently meeting the requirements for the Tar-Pamlico Stormwater regulations and the NPDES requirements. A pilot project covering three square miles of developed land has been conducted that focused on an inventory of the drainage basins. The outcome of the project showed that \$8 million out of the \$9 million for capital improvement was required for flood control, stream stability and equipment water quality retrofits. The consultant for the project estimated that the flood control for the city limits would be \$96 million and for City and ETJ would be \$181 million, stream stability would be \$6 million for the City and \$11 million for the City and ETJ, and water quality retrofits would be \$6 million for the City and \$11 for the City and ETJ. The City Detention Ordinance will help minimize flooding going forward and put policies in place for a 10 year storm event. The plan is to put measures in place to slow down the water in new developments. Key components of the ordinance will add detention of the 5 and 10 year storm events for projects required to meet the current stormwater program and additional requirement detention of the 25 year storm event in critical areas identified through the Watershed Master Planning process. A stakeholders group of developers, HOA, and engineers was established to give feedback concerning the ordinance. The group recommended moving forward with the ordinance.

Mr. Weitz asked what it means to go to a 10 year storm.

Mr. Godefroy stated it means you can regulate the flow of water at a reasonable rate of flow and have a bigger wet detention.

Mr. Weitz asked if the stakeholders had any objection to the cost.

Mr. Godefroy stated that the stakeholders understood the public purpose behind the ordinance. The construction of the detention pond will not change much from what is currently required.

Mr. Weitz asked if developers will still be able to use low impact types of practices.

Mr. Godefroy stated low impact is an advantage of using more property for detention. From a marketing point of view, low impact development is not that great in this area.

Ms Bellis asked if the ordinance applied to commercial and residential.

Mr. Godefroy stated yes. The Tar-Pamlico rules encompassed everything.

Ms Bellis asked if the erosion control plan for more than two uncovered acres relating to the stormwater ordinance.

Mr. Godefroy stated an erosion control plan will still be needed.

Ms Bellis asked if the study included the new Walmart's drainage in the creek system.

Mr. Godefroy stated that the new Walmart's detention plans were well above existing and new requirements. It was not included in the pilot study because of its location.

Mr. Weitz suggested that an amendment should be made to the ordinance after the studies are completed to include the areas that need a 25 year storm rule.

Mr. Godefroy stated that it would be up to the city engineer to identify the areas that would need additional treatment.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or against the ordinance.

Chairwoman Basnight closed the public hearing and opened for board discussion.

No board discussion.

Motion made by Mr. Parker, seconded by Mrs. Darden, to approve the ordinance. Motion passed unanimously.

ANNOUNCEMENTS

Mr. Flood introduced Mr. Thomas Weitnauer, Chief Planner to the board.

With no further business, motion made by Mr. Parker, seconded by Mr. Smith, to adjourn. Motion passed unanimously. Meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Merrill Flood, Secretary to the Commission
Director of Community Development Department