

MINUTES ADOPTED BY THE BOARD OF ADJUSTMENT
January 26, 2017

The Greenville Board of Adjustment met on the above date at 6:00 PM in Council Chambers of City Hall.

Justin Mullarkey, Chairman-X
Bill Johnson, Co-Chair *(Acting Chair) Claye Frank X
Kevin Faison X Thomas Taft, Jr. *
Michael Glenn * Rodney Bullock *
Rich Winkler * Jim Watts *
James Moretz * Brad Guth *

The members present are denoted by an “*” and those absent are denoted by an “X”.

VOTING MEMBERS: Johnson, Taft, Bullock, Winkler, Watts, Moretz, Guth

OTHERS PRESENT:

Ms. Elizabeth Blount, Planner II Ms. Cathy Meyer, Civil Engineer
Mr. Donald Phillips, Assistant City Attorney Mr. Ben Griffith, Community Development Director
Ms. Amy Nunez, Secretary Mr. Kelvin Thomas, Communications Technician

MINUTES

Mr. Winkler made a motion to approve the December 15, 2016 minutes as presented, Mr. Taft seconded and the motion passed unanimously.

**PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT AMENDMENT BY
SIDEWALK DEVELOPMENT LLC- APPROVED**

The applicant, Sidewalk Development LLC, desires to amend their special use permit to allow for the addition of a tract of land, a decrease in units and an increase in the number of beds and parking spaces of their dormitory development, pursuant to Appendix A, Use (2)e(1). of the Greenville City Code. The proposed use is located at 523 S. Pitt Street. The property is further identified as being tax parcel number 16544 and 09676.

Ms. Blount delineated the area on the map. She stated that the property is located in the center portion of the City’s jurisdiction. The subject property is bounded by Dickinson Avenue, S. Pitt Street and Reade Circle and is located in the West Greenville Certified Redevelopment Area.

Zoning of Property: CD (Downtown Commercial)

Surrounding Zoning:

North: CD (Downtown Commercial) & CDF (Downtown Commercial Fringe)
South: CD (Downtown Commercial) & CDF (Downtown Commercial Fringe)
East: CD (Downtown Commercial)
West: CD (Downtown Commercial) & CDF (Downtown Commercial Fringe)

Surrounding Development:

North: Centurylink, City of Greenville Fire/Rescue and Police Department
South: Go Science Center, Trollingwood Brewery, Dickinson Avenue Public House, Greenville Times, A Church With a Purpose, Bankruptcy Courthouse, Dickinson Avenue Antique Market
East: Jarvis Church, Sheppard Library
West: GRECO Restaurant Equipment, Whirligig Stage, Pitt Street Brewery

Description of Property:

The subject property is bounded by Dickinson Avenue, S. Pitt Street and Reade Circle and is located in the West Greenville Certified Redevelopment Area. The properties total 2.28 acres in size. The property currently contains the City of Greenville Employee Parking Lot and a 1,920 square foot one story vacant building. The applicant wishes to redevelop the property as a mixed use development. The first amended request was approved for 150 multi-family units with 400 beds in June of 2016. This amended request is for 144 multi-family units with 413 beds. This is a decrease of 6 units and an increase of 13 beds.

Comprehensive Plan:

The property is located within the Uptown Core and Uptown Edge character types as designated by the Horizon 2026: Greenville's Community Plan. The proposed use is in compliance with the Future Land Use Plan which recommends commercial and mixed use development for the subject properties.

Ms. Blount stated the revised site plan includes an additional tract for parking, a five story building with a parking garage, 86 student units, 58 market rate units, and 21,926 square feet of retail leasing space. The proposed amount of parking spaces are 290 which maintains the .7 spaces per bed parking requirement from the previous amended request.

Notice:

Notice was mailed to the adjoining property owners on January 12, 2017. Notice of the public hearing was published in the Daily Reflector on January 16 and January 23, 2017.

Dickinson Avenue Corridor Study:

The property is located in Area Two of the Dickinson Avenue Corridor Study. The study supports developments of this nature in this geographical area.

The Dickinson Avenue Corridor Study describes Area Two as:

Arts District and Transit North of Dickinson Avenue, near Reade Circle, this sub-area includes the new transit center (the GTAC). Early-phased development providing residential for both students and young professionals should be built adjacent to this transit resource - creating a TOD, or Transit-Oriented Development. Several existing streets in this zone should also be

realigned both to improve accessibility/visibility to ECU and the Uptown District - this will better integrate the GTAC into other adjacent areas in the study area including the Imperial Site. This realignment will create larger parcels ideally configured for larger format, mixed-use residential. This sub-area also features significant pads for PDR (Production, Distribution and Repair) businesses - combining jobs and living spaces. A majority of the area is already zoned CD (Downtown Commercial), which is the preferred zoning district. This has mainly been accomplished via private rezoning requests from property owners. The remaining portion of this area is currently zoned CDF (Downtown Commercial Fringe) and IU (Unoffensive Industry). The purpose of this rezoning request is to have the entire Area Two be zoned CD. This zoning district is preferred because it allows for more intensive and complementary uses for the Uptown District with zero-lot line setbacks, mixed use development, no vegetation requirements, and less restrictive parking standards.

Related Zoning Ordinance Regulations:

Definition: *Dormitory*

A building or group of buildings where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one room or in a series of closely associated rooms under joint occupancy and single management, such as a college dormitory or privately owned dormitory intended for use by college students.

Specific Criteria: *Dormitory development within the CD District.*

- (1) Minimum habitable (mechanically conditioned) floor area per each bedroom: 200 square feet. For purposes of this requirement, the term floor area shall include private living spaces and any connected common living spaces associated with the subject bedroom, provided however the common living space allocation devoted to a bedroom shall not qualify for or count toward the minimum floor area requirement of any other bedroom.
- (2) Minimum lot area: None.
- (3) Minimum lot width: None.
- (4) Minimum street, side and rear yard setbacks: None.
- (5) Minimum parking requirement: One-half space per bedroom.
- (6) Parking location requirements:
 - (a) Each required parking space shall be located:
 1. On the lot containing the associated residential use;
 2. Within a remote parking facility located within 800 feet of the use it is intended to serve, as measured with and along an improved pedestrian path from the most distant parking space to the building entrance; or
 3. Within a remote parking facility located in a Downtown Commercial (CD) District.

- (b) Such remote parking facility shall be in accordance with the applicable provisions of Article O.
- (7) Off-street parking: All off-street parking areas designed for three or more spaces shall be in accordance with Article O.
- (8) Preservation design: In order to protect the architectural integrity of existing buildings within the CD Zoning District, and in so doing to preserve the continuity of scale and design within those areas, the following requirements shall be met:
 - (a) All slip covers previously applied to the facade of existing buildings shall be removed.
 - (b) All canopies, except for those made of canvas, shall be removed from the facade.
 - (c) Where evidence exists of original windows and door openings subsequently enclosed, the windows and doors shall be reopened in an operable manner and in a style in keeping with the building. Where other unique architectural features remain, including cornices, mid-cornices and window surrounds, they shall be repaired and/or replaced with elements of like design.
 - (d) Nothing in this subsection shall supersede applicable North Carolina State Building Code requirements.
- (9) Maximum residential occupancy limits:
 - (a) Residential occupancy within dormitory units shall be limited to one bed per each bedroom and one person per each bedroom.
 - (b) Residential occupancy within dwelling units shall be limited to one family per each dwelling unit.
- (10) Signage: All signs shall be erected in accordance with Article N of this chapter, but in no event shall a sign be mounted over existing windows, doors or other architectural features described in subsection (MM)(8)(c) above.
- (11) Residential and nonresidential uses allowed: Subject to district standards, and requirements, development allowed under this section may include both residential and nonresidential use.

Ms. Blount stated the maximum residential occupancy limit is one bed per bedroom and one per person per each bedroom.

Recommended Conditions:

The development shall comply with all development agreements in place and approved by the City of Greenville City Council for the subject property.

Right-of-way improvements shall comply with the adopted City of Greenville Streetscape Masterplan.

A traffic impact analysis is still required and shall be submitted to the City of Greenville Public Works Department for review and approval.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Chairman Johnson opened the public hearing.

Ms. Michelle Clements with The East Group spoke in favor of the request on behalf of the applicant. The adjacent property was purchased which helped square up the property, add additional parking and accommodate utilities. The request includes 13 additional beds, 11 are market rate and 2 for student housing. The number of units decreased from 90 to 86 units for students and from 60 to 58 units for market rate. The design is closer to being completed and there will be parking underneath the building. They are in the process of working with GUC.

Mr. Taft asked if the parking was controlled parking and exclusive to the development.

Ms. Clements stated yes.

Mr. Taft asked if the new parking area was connected to the parking deck.

Ms. Clements stated no and that it is mainly to be used by the commercial/retail spaces.

Mr. Watts asked where the retail customers would park.

Ms. Clements stated that parking is based on the number of beds. There are 290 spaces. Nearby the City is developing parking areas. There is street parking along Dickinson Avenue. They have no specific customer parking.

Mr. Watts asked about pedestrian barriers.

Ms. Clements stated they will work with the City and NCDOT to improve pedestrian crossings in the area.

Mr. Taft stated that it probably will be done later once it is occupied to find the best protective path.

Ms. Clements stated that the exits to the building will be at the 8th Street side.

Ms. Blount stated that one of the recommended conditions is that a traffic impact analysis be done, reviewed and approved. It is part of the process before the plan is approved.

Mr. Taft asked if the Board could receive a copy of the traffic impact analysis when it is complete.

Ms. Blount stated yes, it is public information.

Mr. Moretz asked how supply trucks would access the property for the retail spaces.

Ms. Clements stated delivery and garbage truck entry will be on 8th Street and at the back of the retail spaces.

No one spoke in opposition of the request.

Chairman Johnson asked for the Staff Recommendation.

Ms. Blount stated staff has no objection.

Chairman Johnson closed the public hearing and opened for board discussion.

Mr. Watts stated he is concerned with the busy intersection and pedestrian safety.

Mr. Taft stated that there is a stop light at the intersection. People will cross wherever they want and this is an ongoing City-wide problem. Eventually the traffic will be diverted. The traffic impact analysis is required and will provide a professional opinion.

Mr. Bullock stated that the City has stepped up pedestrian safety and will come up with a safer solution.

Mr. Guth asked how many cars are parked there now that already generates pedestrian traffic.

Ms. Blount stated the area is currently the parking lot for the Police and Fire/Rescue Departments plus an additional area with about 25 spaces at the corner of Dickinson and Reade.

Mr. Glenn stated that it appears that the developer is making an effort to direct pedestrians to 8th Street. The project is in the Uptown area which welcomes pedestrian activity. There is not much parking in this area. The City is well aware of this.

Mr. Winkler stated that ultimately the amended request is only about adding a lot and it didn't reduce parking. The original request has already been approved. The City will work it all out.

Chairman Johnson read the required findings criteria. No objections.

Mr. Taft made a motion to adopt the finding of facts, Mr. Winkler seconded and the motion passed unanimously.

Mr. Taft made a motion to approve the petition with the stated condition that the Board receive a copy of the traffic impact analysis report, Mr. Watts seconded and the motion passed unanimously.

With no further business, Mr. Guth made a motion to adjourn, Mr. Moretz seconded, and the motion passed unanimously. Meeting adjourned at 6:27 p.m.

Respectfully Submitted,

Elizabeth Blount
Planner II