

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

May 15, 2018

The Greenville Planning and Zoning Commission met on the above date at 6:00 pm in Council Chambers of City Hall.

Mr. Terry King –Chair *
Mr. Doug Schrade – * Ms. Chris Darden – X
Mr. Les Robinson –X Mr. John Collins - *
Ms. Margaret Reid - * Mr. Hap Maxwell - *
Ms. Betsy Leech –* Mr. Ken Wilson - *
Mr. Michael Overton - * Mr. Max Ray Joyner III - *

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

VOTING MEMBERS: Schrade, Collins, Maxwell, Reid, Wilson, Overton, Leech, Joyner

PLANNING STAFF: Chantae Gooby, Planner II; Mike Dail, Lead Planner; Joe K. Durham, Interim Director of Community Development; and Amy Nunez, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Rik DiCesare, Traffic Engineer; Cathy Meyer, Civil Engineer; Scott Godefroy, City Engineer; and Brock Letchworth, Communication Manager

MINUTES: Motion made by Mr. Collins, seconded by Ms. Reid, to accept the April 17, 2018 minutes as presented. Motion passed unanimously.

OLD BUSINESS

PRELIMINARY PLAT

REQUEST BY BILL CLARK HOMES OF GREENVILLE, LLC, TO REVISE AN EXISTING PRELIMINARY PLAT. THE PROPOSED PLAT IS TITLED “PARAMORE FARMS CLUSTER REVISED”. THE SUBJECT PROPERTY IS LOCATED NORTH OF DONALD DRIVE AND EAST OF LIVE OAK LANE AND IS FURTHER IDENTIFIED AS TAX PARCEL 68318. THE PRELIMINARY PLAT CONSISTS OF 50 LOTS TOTALING 15.3 ACRES. - APPROVED

Chairman King stated that this item was continued from last month’s meeting.

Attorney McGirt stated that the developer, City staff, and homeowners met to communicate regarding this request.

Mr. Landon Weaver, representative of the applicant, spoke. He stated they met with the residents and explained their request. He stated they came to a consensus and they are in harmony with the neighborhood and the residents are now well informed.

Ms. Leech asked how the owners were notified of the meeting.

Mr. Weaver stated he communicated with the president of the Paramore association who informed the neighborhood. He also placed flyers to the adjacent neighborhood on White Oak Lane. He stated there was a great crowd with standing room only.

Mr. Glenn Cauvin, of 209 Jack Place, spoke. He stated there are four sections in the Paramore neighborhood. White Oak is not part of this neighborhood. Flooding is a problem but safety is his concern. He received a report from the City Engineering division. He still highly encourages speed cushions and stop signs. There was a compromise that all the homes on Donald Drive will be larger homes to continue the current streetscape and profile of the area. He stated he felt respected with the meeting.

Mr. Tom Spencer, president of the Paramore association, spoke. He stated emails were sent out to the neighbors advising them of the meeting. There was a good attendance with a Q & A section. Bill Clark Homes did a good job of explaining. They already got estimates to fund the detention pond.

Mr. Joe Durham stated he attended the meeting with Mike Dail. There was a good discussion. The meeting was also used to talk about the community issues.

Motion made by Mr. Overton, seconded by Mr. Collins, to approve the preliminary plat as presented. In favor: Overton, Collins, Schrade, Reid, Wilson, Maxwell, and Joyner. In opposition: Leech. Motion carried.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY PITT COUNTY COMMITTEE OF 100, INCORPORATED TO REZONE A TOTAL OF 3.42 ACRES LOCATED NEAR THE NORTHWESTERN CORNER OF THE INTERSECTION OF OLD CREEK ROAD AND SUGG PARKWAY FROM RA20 (RESIDENTIAL AGRICULTURAL) AND PIU (PLANNED UNOFFENSIVE INDUSTRY) TO PIU (PLANNED UNOFFENSIVE INDUSTRY) FOR TRACT 1 AND IU (UNOFFENSIVE INDUSTRY) FOR TRACT 2. – APPROVED

Ms. Gooby delineated the property. It is located on Sugg Parkway near its intersection with Old Creek Road. The property is located in the Recognized Industrial Area. The request is for two

tracts for a total of 3.42 acres. The area is largely vacant and industrial uses. An increase in traffic is not anticipated. This area was incorporated into the City's ETJ as part of a large-scale ETJ extension and was zoned to its current zoning. The property has been subdivided into large tracts. The main difference between the PIU and IU zoning is the minimum lot size. Under the PUI zoning, the minimum lot size is five acres. The minimum lot size under the IU zoning is three acres. The intent of Tract 1 is to clean up zoning lines to match property lines. The Future Land Use and Character Map recommends industrial/logistics (IL) at the northwestern corner of the intersection of Old Creek Road and Sugg Parkway. Potential conservation/open space (PCOS) is recommended along the western right-of-way of Sugg Parkway to act as a buffer between the industrial-zoned area and the current and recommended residential uses. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Chairman King opened the public hearing.

Mr. Dwight Vernelson, Rivers and Associates, representative of the applicant, spoke in favor of the request.

Mr. Robert V. Parker, 220 Old Creek Road, spoke in opposition. He stated that recently a turn lane was added off of Old Creek Road to Sugg Parkway. Because of this work, it has increased the slope of his driveway and he can't mow that area. Representatives from Rivers and Associates and S.T. Wooten have visited his property. This has hurt his property value and he can barely get his boat out of his driveway. Mr. Parker asked his comments be sent to the Pitt County Committee of 100 (applicant).

No one spoke in opposition.

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

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

ORDINANCE REQUESTED BY 101010, LLC, COOK RE HOLDINGS, LLC AND DELTA ALPHA EAST, LLC TO REZONE A TOTAL OF 3.9174 ACRES LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERSECTION OF EAST 10TH STREET AND ELM STREET FROM R9 (RESIDENTIAL [MEDIUM DENSITY]) TO OR (OFFICE RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]). – DENIED

Ms. Gooby delineated the property. It is located along East 10th at Elm Street. There are three separate parcels with three single-family homes on each parcel, but it is considered as one request. There is multi-family on either side of the subject property. There are single-family homes to the north. The property is impacted by the 100-year floodplain and floodway of Green Mill Run. Staff

considered this request to being re-developed as multi-family. An increase of 300 trips per day is anticipated. Under the current zoning, the property could accommodate 40-45 multi-family units. The Future Land Use and Character Map recommends high density residential along 10th Street on both side of Elm Street. The requested OR zoning is part of the high density residential character. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Mr. Maxwell asked how the property can be developed due to the floodway and floodplain.

Mr. Scott Godefroy, City Engineer, stated that property in the floodplain can be developed but not in the floodway.

Mr. Overton asked the maximum density of the requested zoning.

Ms. Gooby stated 17 multi-family units per acre.

Ms. Leech asked if there would be an increase in run-off from the property if it were re-developed.

Mr. Godefroy stated there would be an increase in run-off but stormwater attenuation is not required at this site since it is located on Green Mill Run. The intent would be for the water to keep flowing directly to the Tar River as to not cause flooding upstream.

Chairman King opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representative for the applicant, spoke in favor of the request. These properties are managed by Rahul Thapar. This request is in compliance with the Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. It will be compatible with surrounding land uses. There will be minimal impacts on streets. Multi-family is encouraged near the university to allow students to walk to class. Stormwater attenuation is not required.

Mr. Maxwell stated that that back portion of the properties are boggy and the air conditioning units of the center property is elevated. The area easily floods.

Mr. Baldwin stated that the air conditioning unit is elevated because of the requirements of the City's Flood Damage Prevention Ordinance. There are regulations in place for when development happens in floodplain and floodway areas. There are ordinances in place to deal with properties being developed when they are located in flood zones. Any future development on this property will be elevated.

Mr. Mike Barnum, spoke in opposition, showed a copy of the survey and a FEMA map delineating the floodway and floodplains on the properties. He stated the request is not supported by the Horizons Plan Policy 5.4.1 to protect natural features, Policy 5.4.2 retain existing topography, Policy 6.1.1 to protect stream buffers, Policy 6.1.3 to preserve natural infrastructure, and Policy 6.2.4 to limit development in the flood plain. Putting multi-family units in this area is not feasible

without putting people in harm's way. It's in violation of the City's Flood Damage Prevention Ordinance. The Watershed Master Plan does not support this rezoning.

Mr. Bill Redding, 601 South Elm Street, spoke in opposition, stated there is an oversaturation of multi-family, and our neighborhood doesn't need the increased noise and traffic. Students will still have cars even if they walk to campus.

Ms. Marti Vainwright, 625 Maple Street, spoke in opposition, owns three properties in this area. She lives in one and rents the other two. Two of her houses have been flooded twice. People are put at risk. There is flash flooding. Maple Street is a residential street that is family-oriented.

Mr. Andrew Morehead, 409 South Harding Street, spoke in opposition, stated high density multi-family close to campus is good. In 1999, a student drowned in Green Mill Run during Hurricane Floyd. He is opposed to putting people at risk. Oil and anti-freeze from the cars goes into Green Mill Run.

Ms. Ann Maxwell, serves on the Environmental Advisory Committee, spoke in opposition, and stated there is a real concern with the Watershed Master Plan and that Green Mill Run is a compromised stream. We are building too close to the stream. Recently, there was a parking lot constructed near Green Mill Run which creates an impervious surface and causes run-off. There is language in the Horizons Plan about developing in the floodplain and floodway. There was a study that we are saturated with multi-family. She is concerned for people that are flooded and have had to use canoes.

Ms. Susan Redding, 601 South Elm Street, spoke in opposition, agrees with the other speakers.

Ms. Reid asked if anyone had met with the neighborhood to discuss the plans.

Ms. Redding stated that no one had met with the neighborhood.

Mr. Ed Johnson, Rotary Avenue, spoke in opposition, stated he walks around the neighborhood. We need to be careful with developing in the flood plain.

Mr. William Hanlon, 1009 E. 10th Street, spoke in opposition, discussed the 2015 rezoning request where the property was acquired for greek housing, but that didn't work out. There is a parking problem. He showed a crime map on the projector. He stated that with multi-family you will have crime.

Mr. Mike Baldwin spoke in rebuttal in favor of the request. This request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. The wetlands on the property will act as a buffer and will have riparian buffers as required by the Tar-Pamlico Water Quality Buffers. Floodway is not developable. The City's Flood Damage Prevention Ordinance mitigates development in the floodplain. The Province Apartments hasn't flooded and was built in accordance to the Flood Damage Prevention Ordinance. The subject

property is not the same in scale. This property is in the middle of the university area. There are no immediate plans for development of this property.

Ms. Reid asked if anyone met with the neighborhood.

Mr. Baldwin said that there are no immediate plans for development and no need to meet.

Mr. Barnum spoke in rebuttal in opposition, the re-write of the Horizons Plan was a huge effort. We should develop in the right place. There are other considerations in the Horizons Plan that we shouldn't develop in this area.

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

Mr. Wilson asked about the ordinances that were cited by the citizens.

Ms. Gooby stated the Future Land Use and Character Map is a forecast of what is expected. In this area, there is mf on either side of the subject property. The property contains three single-family homes that front a 5-lane street. It would be a natural progression that these particular properties were not going to be used as single-family residences in the future. The requested OR district allow office or high density multi-family, which is why the requested zoning is considered to be part of the high density residential character. As to the policies that were cited, these are policies, goals and statements in the Horizons Plan of what you would like the city to look like and this is represented on the Future Land Use and Character Map. This is why the potential conservation/open space (green) is shown on the map to represent environmental concerns, buffers, etc..., but development is to be expected. The City also has the Flood Damage Prevention Ordinance that is used when properties, in the flood plain or floodways, are developed. This allows for development in these areas along with mitigation. Because a property is located in the flood plain should negate that the property can be developed in a reasonable manner. That is why the City has the Flood Damage Prevention Ordinance. The policies, goals and objectives cited should be used along with the ordinances.

Mr. Leech sated that if this property is re-developed then some of the natural features will be removed.

Motion made by Mr. Maxwell, seconded by Ms. Leech, to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency. Voting in favor: Maxwell, Wilson, Reid, Collins, and Leech. Voting in opposition: Schrade, Overton, and Joyner. Motion carried to deny.

ORDINANCE REQUESTED BY JEFFREY DANIELS AND TIMOTHY MCCARTHY TO REZONE 0.25 ACRES LOCATED ALONG THE SOUTHERN RIGHT-OF-WAY OF EAST 6TH STREET ADJACENT TO THE EAST CAROLINA UNIVERSITY MAIN CAMPUS FROM R9S

(RESIDENTIAL SINGLE FAMILY [MEDIUM DENSITY]) TO OR (OFFICE RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]). – DENIED

Ms. Gooby delineated the property. It is located on East 6th Street adjacent to the ECU Main Campus. Currently, the property is vacant but is adjacent to a single-family home that is also owned by the applicant. There is a university-owned parking lot to the north. There are no environmental concerns. Staff anticipates the property to be developed as a private parking lot of 25-30 spaces. When comparing the site as a single-family residence and a parking lot, a net increase of 84 trips per day is anticipated. The property is zoned residential. The ECU Main campus is zoned OR, which is also the requested zoning. The Future Land Use and Character Map recommends university/institutional for the ECU Main Campus as well as for the area to the east on E. 6th Street. Of the six lots that are shown as university/institutional, half of the lots are already owned by ECU. The remaining lots are privately-owned. This character is shown in this area as a natural progression of the campus. This is the same situation for properties along the northern right-of-way of East 5th Street since ECU owns most of those properties. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Chairman King opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representative for the applicant, spoke in favor of the request. Mr. Daniels intends on putting a parking lot on this lot. He looked at the Future Land Use and Character Map and that is why he purchased the property. A parking lot requires a special use permit. He owns the adjoining property, which is a single-family home that he rents. The request is compatible with the Future Land Use and Character Map. There is a parking lot just across the street from this site.

Ms. Ann Maxwell, spoke in opposition, homeowner in the TRUNA area and was a member of the Comprehensive Plan Committee. This request brought to light that this area of the neighborhood is recommended for university/institutional. Even though she attended 100% of the meetings, she was naïve about the Future Land Use and Character Map. She never saw this on the maps. The ECU parking lot was originally intended as a playground when the property was gifted to ECU by the previous owners of her house. The applicant is the same person who did the parking lot on 10th Street. This will erode our neighborhood.

Ms. Inez Fridley, spoke in opposition, homeowner in TRUNA area and was a member of Comprehensive Plan Committee, she was astonished that university/institutional was recommended for this area. This rezoning allows uses that undercut the neighborhood. This request is in conflict with the text in the Horizons Plan to protect neighborhoods. The applicant is the same person who did the parking lot on 10th Street.

Mr. John Gresham, spoke in opposition, resident of Maple Street, a parking lot will degrade our neighborhood.

Mr. Nathan Maxwell, spoke in opposition, is concerned with the loss of trees. He is speaking for the trees.

Mr. Andrew Morehead, resident of Harding Street, spoke in opposition, stated Maple Street is a quiet street. Adding a parking lot will increase traffic. We need to maintain the character of the neighborhood.

Mr. John Whacker, lives at 6th Street and Elm Street, spoke in opposition, worries that the properties next door could also be developed as a private parking lots.

Mr. Barnum, spoke in opposition, resident of Maple Street, stated a parking lot will turn into an impervious surface and will increase run-off.

Ms. Kara Ameen, spoke in opposition, resident of Harding Street, stated the map should be put back the way it was on the old map.

Ms. Susan Pierce, spoke in opposition, resident of Eastern Street, stated we are not preserving our neighborhoods.

Mr. Ed Johnson, spoke in opposition, was astounded to learn two members of the Comprehensive Plan Committee did not know about this section of the Future Land Use and Character Map. There is an effort to preserve the neighborhood and the map does not support this.

Mr. Mike Baldwin, spoke in rebuttal in favor, stated there is the ECU Main Campus at the end of East 6th Street and a parking lot on the right-hand side of the street. This rezoning would allow a parking lot directly across the street from the existing parking lot. The applicant looked at the Future Land Use and Character Map plan before purchasing the property. He did his due diligence. The map is not a mistake.

Ms. Ann Maxwell, spoke in rebuttal in opposition, this property was owned by Ms. Petterson and when ECU planned to buy up the neighborhood, she planted all the trees, greenery and the fence as a buffer to ECU. If the greenery is removed and replaced with gravel for a parking lot, this will cause run-off and further degrade the appearance of the neighborhood.

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

Mr. Schrade stated this request could allow other uses than a parking lot. This request does not fit in the neighborhood.

Ms. Leech stated this map is strange in particular to this neighborhood.

Ms. Reid stated there is an issue with the Horizons Plan language. She is concerned more about flooding.

Motion made by Ms. Leach, seconded by Ms. Reid, to recommend denial of the proposed rezoning, to advise that, although the proposed amendment is consistent with the comprehensive plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency. Motion passed unanimously.

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE 1.322 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF CHARLES BOULEVARD AND 200+/- FEET NORTHWEST OF BLUEBILL DRIVE FROM RA20 (RESIDENTIAL AGRICULTURAL) TO OR (OFFICE RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]). – APPROVED

Ms. Gooby delineated the property. It is located on Charles Boulevard across from Unity Free Will Baptist Church. There are single-family and multi-family uses in the area. This rezoning would allow office or multi-family. An increase of 76 trips per day is anticipated. Under the current zoning, the property could accommodate no more than five single-family lots. Under the requested zoning, staff would anticipate the property to accommodate 10,000 square feet of office space or 15 multi-family units but not both. The Future Land Use and Character Map recommends traditional neighborhood, medium-high density along both sides of Charles Boulevard roughly from Signature Drive to Tull Road. The requested OR zoning is considered to be part of the traditional neighborhood, medium-high density character. The property is adjacent to similar zoning. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map. Staff recommends approval.

Chairman King opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representative for the applicant, spoke in favor of the request. The request is compatible with the Horizons Plan and Future Land Use Character map. It is compatible with surrounding uses.

Mr. Sabato Raia, owns the property across the street, wants to know if sewer is available and how it will impact his property

No one spoke in opposition.

Mr. Mike Baldwin, Baldwin Design Consultants, representative for the applicant, spoke in rebuttal in favor of the request, there will either be office or multi-family on this site. Sewer is not available and this development will have a septic tank.

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

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

TEXT AMENDMENTS

SAND MINING IN CH ZONING DISTRICT TEXT AMENDMENT. - APPROVED

Mr. Dail presented the amendment. The application is from Mike Baldwin, of Baldwin Design Consultants, to propose sand mines as a special use within the CH (Heavy Commercial) zoning district. The CH district is primarily designated to accommodate a variety of commercial and service activities on an individual lot-by-lot basis and in a planned center setting. Currently sand mines are allowed as a permitted use in the I (Industrial) district. Sand mines are allowed with a special use permit in IU (Unoffensive Industrial) district. Temporary sand mines are allowed with a special use permit in the RA-20 (Residential Agricultural) district. This text amendment application proposes to amend the Table of Uses by adding the sand mine land use, with approval of a special use permit, in the CH (Heavy Commercial) district. A special use permit requires approval by the Board of Adjustment. There are specific criteria:

(R) Mining and quarrying.

1. No mining, quarrying or excavation activity shall occur closer than 100 feet to an adjacent residential dwelling.
2. Access to sites shall be located so as to avoid the routing of vehicles to and from the operation over streets that primarily serve abutting residential development. Maintenance of this access shall be the responsibility of the operator of the site. Measures to control dust along access roads shall be used as needed to maintain a relatively dust-free operation.
3. Hours of operation may be from 7:00 a.m. to 6:00 p.m. Monday through Saturday except as further provided. Hours of operation, at sites where access is limited to ingress and egress over publicly maintained streets through areas which are residential in nature, shall be 8:00 a.m. to 6:00 p.m. Monday through Friday.
4. A six foot high chain link fence shall be located not less than ten feet from the top edge of any exterior cut slope. Gates, the same height as the fence, shall be installed at all points of vehicular or pedestrian ingress or egress and shall be kept locked when not in regular use.
5. Upon completion of mining or quarrying excavation activity, the land shall be restored to a condition that is suitable and amenable to existing and prospective uses of surrounding land.

Mr. Dail showed a map of the locations of the CH district in the area that would be affected by this amendment. The proposed request is in general compliance with the Horizon 2026: Greenville's Community Plan. Chapter 4: Growing the Economic Hub, policy 4.1.4, Support a Positive Business Climate states: *Continue to market Greenville's excellent business climate. Where appropriate, promote flexibility in development regulations to ensure a business climate that encourages growth and expansion. Support business growth, expansion, and retention through strategic public improvements. Ensure land use regulations align with target industry needs.*

Chairman King opened the public hearing.

Mr. Mike Baldwin, of Baldwin Design Consultants, spoke in favor of the request. He stated he has a client with land that would be a great opportunity for sand generating. If this text amendment is approved, request for sand mining in CH will still need to go before the Board of Adjustment for a special use permit.

Ms. Leech asked if his client's property was previously a land mining use.

Mr. Baldwin stated no, but there is immediately adjacent.

Ms. Leech asked why it would be necessary to make the zone change across all of the CH district.

Mr. Baldwin stated that sand mining is currently only located in Industrial or with a special use permit in Unoffensive Industry and Residential Agricultural. Many of the other CH locations don't have sand. If he was to request a rezoning for the specific parcel, it would appear to be a request for spot zoning.

No one spoke in opposition.

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

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

THRESHOLDS FOR VEGETATION COMPLIANCE TEXT AMENDMENT. - APPROVED

Mr. Dail presented the amendment. The City Council initiated this request. History:

March 8, 2018 City Council Meeting. As requested by Mayor Connelly, staff provided a summary of vegetation requirements for business expansion (vegetation retrofit for existing businesses); and results of a survey of how other cities regulate vegetation requirements for business expansions.

April 9, 2018 City Council Work Session. As requested by City Council, staff provided recommended amendments to vegetation requirements for business expansions. Council directed staff to prepare this text amendment. The current landscape ordinance requires install of landscaping when: land uses change to more intensive uses; building and/or parking expands lot coverage by 20% or more; or value of proposed construction/repairs exceeds 50% of current tax valuation. If one of those thresholds are crossed then the entire site needs to be brought up to compliance through the installation of: perimeter landscape buffers; landscape islands in parking lots; and street trees and parking screening. City Council's direction to staff for the text amendment:

- Increase threshold for additions and/or parking/driving areas from 20% to 50%;
- Provide more flexibility for industrial nonconforming projects;

- When businesses expand, remove new parking island requirement in existing lots; and
- Enhance deviation review for properties in Industrial zoning districts, yet continue requirement for street trees, bufferyard screening and parking area screening.

Mr. Schrade asked if vegetation requirements in general are being reduced.

Mr. Dail stated that in some redevelopment it would reduce the requirements but the amendment maintains the spirit of the existing requirements.

Mr. Overton asked what other cities do.

Mr. Dail stated a lot of jurisdictions use the 50% expansion rule. We were pretty stringent.

Mr. Wilson asked how this would affect stormwater.

Mr. Godefroy stated if there is a reduction of vegetation it would affect the stormwater detention and water quality.

Mr. Maxwell stated this change could have a ripple effect on mitigation.

Ms. Leech asked if this amendment also address stormwater mitigation.

Mr. Dail stated no, only vegetation requirements. Stormwater is looked at during development review.

Mr. Godefroy stated that mitigation will still be needed.

Chairman King opened the public hearing.

No one spoke in favor or in opposition of the request.

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

Ms. Leech stated increasing an existing development would have more impervious coverage and this amendment would lessen the amount of vegetation to the total size.

Mr. Overton stated a small increase in square footage on existing development can create a large out of pocket expense to bring the whole site up to complete compliance. This amendment gives a little leniency. He supports the request.

Ms. Leech stated she would like to see the amendment also consider stormwater mitigation.

Mr. Schrade stated not having this request takes away from smaller development and stifles growth.

Motion made by Mr. Joyner, seconded by Mr. Collins, to recommend approval of the proposed text amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. In favor: Joyner, Collins, Schrade, and Overton. In opposition: Maxwell, Reid, Wilson, and Leech. Chairman King broke the tie by voting in favor. Motion carried.

With no further business, Ms. Leech made a motion to adjourn, seconded by Mr. Wilson. Motion passed unanimously. Meeting adjourned at 9:03 P.M.

Respectfully Submitted,

Joe K. Durham, Secretary to the Commission
Interim Director of the Community Development Department