



Agenda

Planning and Zoning Commission

November 19, 2019

6:00 PM

City Hall Council Chambers, 200 W. Fifth Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

I. Call Meeting To Order

II. Invocation - Brad Guth

III. Roll Call

IV. Approval of Minutes

1. October 15 2019

V. New Business

Text Amendment

2. Ordinance requested by the Planning and Development Services Department to amend the City Code by altering regulations related to drive-through facilities and the number of allowed menu boards.

VI. Other Items of Business

3. This is a request for two (2) members of the Planning and Zoning Commission to serve on the Highway 43 South Land Use Plan Working Group

VII. Adjournment

PROPOSED MINUTES TO BE ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

October 15, 2019

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

Mr. Les Robinson - Chair *
Mr. Kevin Faison - * Ms. Chris Darden - *
Mr. Michael Overton - X Mr. John Collins - *
Mr. Alan Brock - X Mr. Hap Maxwell - *
Mr. Billy Parker - * Mr. Brad Guth - X
Mr. Max Ray Joyner III - * Mr. Chris West - X

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

PLANNING STAFF: Chantae Gooby, Chief Planner; Les Everett, Assistant Director; Thomas Barnett, Planning and Development Services Director; Bradleigh Sceviour, Planner II; Camillia Smith, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Kelvin Thomas, Communication Technician

MINUTES: Motion made by Mr. Joyner, seconded by Mr. Collins, to approve the September 17, 2019 minutes. Motion passed unanimously.

NEW BUSINESS

Rezoning

1. Ordinance requested by Salvatore Passalacqua to rezone 0.227 acres (9,888+/- square) located along the northern right-of-way of Dickerson Avenue between Columbia Avenue and Pennsylvania Avenue from CDF (Commercial Downtown Fringe) to CD (Downtown Commercial).

Ms. Gooby delineated the property. The property is currently vacant. It's located in the Harris Mill Run/Schoolhouse Branch Watershed. The property is located in Area 8 of the Dickinson Avenue Corridor Study, which recommends mixed use or athletic facilities for this area. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 350 trips per day. Under the current zoning, the property could accommodate one (1) single-family home. Under the requested zoning, the property could be used for commercial, retail and/or residential. The Future Land Use and Character Map recommends Urban Edge (UE) which is described as mixed use with walkable street patterns. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map and the Dickinson Avenue Corridor Study. Staff recommends approval.

Mr. Robinson opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor on behalf of the applicant. The applicant purchased the property on the corner of Dickinson Avenue and Columbia Avenue over a year ago and now is purchasing this lot to combine the two. This request will allow more flexibility in the development of the

property with no setbacks and parking requirements. This request bring the property in harmony with the others in the area.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. Faison, seconded by Mr. Parker to recommend to approval for 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.

Adjournment

With no further business, motion to adjourn made by Mr. Parker and seconded by Mr. Faison. Motion passed unanimously.

Meeting adjourned at 6:15.

Respectfully submitted,
Chantae Gooby
Chief Planner



City of Greenville, North Carolina

Meeting Date: 11/19/2019
Time: 6:00 PM

Title of Item:

Ordinance requested by the Planning and Development Services Department to amend the City Code by altering regulations related to drive-through facilities and the number of allowed menu boards.

Explanation:

Abstract: Ordinance requested by the Planning and Development Services Department to amend the City Code by altering regulations related to drive-through facilities and the number of allowed menu reader boards.

History: As part of the desire to update the City Code to be compatible with modern development, the department is proposing to alter the restrictions on menu reader boards.

Currently, the City's zoning ordinance allows for one menu reader board per drive-through facility. At the time the ordinance was developed, a typical restaurant would have only had one order point. Modern development patterns have been moving toward multiple drive through lanes and facilities which would create a need for multiple order points and accompanying menu reader boards. The resulting increase of order points requires an increase in the number of menu-reader boards allowed under the current ordinance. Another unaddressed site improvement is the use of pre-browse menu boards. These are typically smaller preview boards in advance of the full menu reader board and order point.

There are already sites within the city that have more than one order point and menu-reader board. Since this development pattern is already extant here as well as most other municipalities the increase in allowable menu-reader boards and inclusion of pre-browse boards would be appropriate.

Proposed changes and additions:

Definition:

Drive-through facilities. Facilities which are accessory to a principal use whereby goods or services may be offered directly to customers in motor vehicles by means which eliminate the need for customers to leave their motor vehicles. Each pickup point and associated order point(s) shall constitute a single facility.

Additional standards:

Restaurant menu reader boards. No restaurant menu reader board shall exceed 42 square feet in surface area or eight feet in height. Menu reader boards shall be set back not less than 20 feet from any property line. ~~One~~ Two menu reader boards shall be allowed per each drive-through facility, not to exceed one per order point, and the display shall contain no commercial advertisement that can be viewed from any adjacent street right-of-way or property line. The signage shall not be included in the calculation of or count towards the total allowable sign area.

Restaurant menu pre-browse boards. A full menu shall not be displayed on a restaurant menu pre-browse board. No restaurant menu pre-browse board shall exceed 20 square feet in surface area or eight feet in height. Restaurant menu pre-browse boards shall be setback not less than 20 feet from any property line. Two menu pre-browse boards shall be allowed per each drive-through facility, not to exceed one per order point, and the display shall contain no commercial advertisement that can be viewed from any adjacent street right-of-way or property line. The signage shall not be included in the calculation of or count towards the total allowable sign area.

Additional staff comments:

The proposed changes will allow each drive-through lane to have one menu reader board and one restaurant pre-browse menu board in addition to clarifying what constitutes such a facility. These boards do not contain commercial messages visible from off-site.

Comprehensive Plan

In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with the following adopted policy in Horizons 2026: Greenville's Community Plan.

Chapter 4, Growing the Economic Hub, Goal 4.3 A Stable & Resilient Economy

Policy 4.3.1 Modernize and Diversify Local Economy

Support the growth of a variety of employment opportunities and businesses that diversify Greenville's economy and provide workers with a range of skill sets and training. Encourage business growth within incorporated areas to expand and diversify Greenville's tax base.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the proposed Zoning Ordinance Text Amendment is in compliance with Horizons 2026: Greenville's Community Plan. Therefore, staff recommends approval.

If the Planning and Zoning Commission determines to recommend approval of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend approval of the proposed text 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."

If the Planning and Zoning Commission determines to recommend denial of the request, in order to comply with statutory requirements, it is recommended that the motion be as follows:

"Motion to recommend denial of the proposed text amendment, to advise that it is inconsistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters."

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

ATTACHMENTS:

COG-_1117438-v1-Ordinance_menu_reader_boards_1117442

ORDINANCE NO. 19-
AN ORDINANCE AMENDING THE CITY CODE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on December 12, 2019, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Horizons 2026: Greenville's Community Plan, Chapter 4, Growing the Economic Hub, Goal 4.3 A Stable & Resilient Economy. *Policy 4.3.1 Modernize and Diversify Local Economy. Support the growth of a variety of employment opportunities and businesses that diversify Greenville's economy and provide workers with a range of skill sets and training. Encourage business growth within incorporated areas to expand and diversify Greenville's tax base.*

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN;

Section 1: That Title 9, Chapter 4, Article B, Definitions, Section 22 of the City Code is hereby amended by deleting the definition for "Drive-through facilities" in its entirety and substituting the following:

"Drive-through facilities. Facilities which are accessory to a principal use whereby goods or services may be offered directly to customers in motor vehicles by means which eliminate the need for customers to leave their motor vehicles. Each pickup point and associated order point(s) shall constitute a single facility."

Section 2: That Title 9, Chapter 4, Article N, Section 233(E) of the City Code is hereby amended by deleting said subsection in its entirety and substituting the following:

“(E) *Restaurant menu reader boards.* No restaurant menu reader board shall exceed 42 square feet in surface area or eight feet in height. Menu reader boards shall be set back not less than 20 feet from any property line. Two menu reader boards shall be allowed per each drive-through facility, not to exceed one per order point, and the display shall contain no commercial advertisement that can be viewed from any adjacent street right-of-way or property line. The signage shall not be included in the calculation of or count towards the total allowable sign area.”

Section 3: That Title 9, Chapter 4, Article N, Section 233 of the City Code is hereby amended by the addition of the following subsection:

“(M) *Restaurant menu pre-browse boards.* A full menu shall not be displayed on a restaurant menu pre-browse board. No restaurant menu pre-browse board shall exceed 20 square feet in surface area or eight feet in height. Menu pre-browse boards shall be setback not less than 20 feet from any property line. Two menu pre-browse boards shall be allowed per each drive-through facility, not to exceed one per order point, and the display shall contain no commercial advertisement that can be viewed from any adjacent street right-of-way or property line. The signage shall not be included in the calculation of or count towards the total allowable sign area.”

Section 4: That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 5: Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 6: That this ordinance shall become effective upon its adoption.

ADOPTED this 12th day of December, 2019.

P. J. Connelly, Mayor

ATTEST:

Polly Jones, Interim City Clerk

1117442



City of Greenville, North Carolina

Meeting Date: 11/19/2019
Time: 6:00 PM

Title of Item: This is a request for two (2) members of the Planning and Zoning Commission to serve on the Highway 43 South Land Use Plan Working Group

Explanation: The Highway 43 South Land Use Plan Working Group will meet approximately four times during 2020 with the first meeting being in February. Specific meeting dates and times have not been scheduled. However, one (1) meeting will be an all-day event and the other meetings will be in the evening.

The purpose of this working group committee is to represent stakeholders.

Fiscal Note: No cost to the City.

Recommendation: Request for two (2) volunteers

ATTACHMENTS:

Map

