

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING  
AND ZONING COMMISSION  
February 21, 2012

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

Mr. Tim Randall - \*  
Mr. Godfrey Bell - \*                      Mr. Dave Gordon - \*  
Mr. Tony Parker - \*                      Ms. Linda Rich - \*  
Mr. Hap Maxwell - \*                      Ms. Ann Bellis - \*  
Ms. Shelley Basnight - \*                Mr. Brian Smith -X  
Mr. Doug Schrade - \*                      Mr. Jerry Weitz - \*  
Ms. Wanda Harrington - \*

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

**VOTING MEMBERS:** Bell, Parker, Maxwell, Basnight, Gordon, Rich, Bellis, and Schrade.

**PLANNING STAFF:** Merrill Flood, Community Development Director; Chris Padgett, Chief Planner; Elizabeth Blount, Staff Support Specialist II; and Andrew Thomas, Jr., Lead Planner.

**OTHERS PRESENT:** Dave Holec, City Attorney; Max Joyner, Jr., City Council Liason, Jonathan Edwards, Communications Technician and Tim Corley, Engineering/Public Works.

**MINUTES:** Motion was made by Mr. Bell, seconded by Ms. Basnight, to accept the January 17, 2012 minutes as presented. Motion carried unanimously.

**AGENDA CHANGE:** Motion was made by Mr. Bell, seconded by Mr. Gordon to move the Vidant Medical Center text amendment to the first item of business. Motion carried unanimously.

**NEW BUSINESS**

**Text Amendment**

Zoning Ordinance Text Amendment: Airport Zoning - Administrative Approval Process to Allow Temporary Construction Equipment to Exceed Applicable Height Restrictions.

Mr. Christopher Padgett, Chief Planner, stated that city staff and the applicant have been communicating regarding the proposed text amendment for over a year. The City of Greenville has airport zoning standards that dictate how tall structures and vegetation can be within specified distances of approaches to runways at the Pitt-Greenville Airport. Those height limitations are depicted on the airport hazard zoning map and are mandated by the Federal Aviation Administration. If someone desires to erect a structure taller than is permitted, they must get approval from both the FAA and the city. Approval from the FAA requires an

aeronautical study that shows that the proposed structure would not be a hazard to air navigation. Approval from the city requires a variance from the Board of Adjustment. The Board of Adjustment has reviewed five variance requests associated with temporary construction equipment that exceeded the applicable airport zoning height standards since May, 2006. All five variances were approved by the Board of Adjustment conditioned upon all FAA requirements being met and all five were for hospital construction projects. The hospital (Vidant Medical Center) is now looking for a way to simply and expedite their permitting process for future construction projects, which is the reason for the proposed text amendment.

Mr. Padgett then reviewed the language of the proposed text amendment as follows:

*“Temporary construction equipment, including cranes or other apparatus, that exceed the height limitation of the applicable zone represented by the conical surfaces, inner horizontal surface, primary surface and transitional surfaces herein established shall be permitted provided (i) the sponsor of the temporary construction equipment has filed FAA Form 7460-1, Notice of Proposed Construction or Alteration, or other amended or substitute FAA Form required for this purpose with the FAA, (ii) the FAA has stated in writing that a FAA Aeronautical Study has resulted in the determination that the temporary construction equipment would not be a hazard to air navigation, (iii) the sponsor of the temporary construction equipment shall deliver a copy of the FAA written determination to the Executive Director of the Pitt – Greenville Airport at least ten (10) days prior to any airport height zone encroachment allowed pursuant to this subsection (C), and (iv) the temporary construction equipment is marked and lighted in accordance with the lighting and marking standards prescribed by the FAA.”*

Mr. Padgett noted that a letter supporting the proposed text amendment had been submitted by the Executive Director of the Pitt-Greenville Airport Authority and that a copy of the letter is included in the packet.

Mr. Randall opened the public hearing.

Tim McDonald, Chief Facilities Officer with Vidant Health spoke in favor of the request. Mr. McDonald stated that the hospital has applied for five variances in recent years, most recently for work associated with the children’s hospital which is under construction. He stated that they had worked closely with city staff and airport staff to ensure that the proposed amendment would work for everyone and that he appreciated the opportunity to speak to the Commission.

No one spoke in opposition of the request.

The public hearing was closed and the floor was opened for commission discussion or a motion.

**Mr. Gordon made a motion to approve 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. Mr. Parker seconded the motion. The motion passed unanimously.**

## **OLD BUSINESS**

### **PRELIMINARY PLATS**

Request by Synergy Properties, LLC and POHL, LLC for a preliminary plat entitled "Bent Creek (Revised 2012).

Mr. Andrew Thomas, Lead Planner, stated the location of the property and zoning. The preliminary plat has been revised times over the years. The revised street layout maintains connectivity to adjoining lands and subdivisions. Sidewalks are provided. The development includes some large tracts where the development pattern has not been established but there is sufficient access that these properties can be served by the proposed street network. The applicant wants to add two private streets. There is no additional cost to the city.

Chairman Randall asked if the city was adding any additional conditions since the laws have changed since the subdivision was originally approved in 1993.

Mr. Thomas stated that the applicant is incorporating changes to the ordinance such as sidewalks and storm water retention standards.

Chairman Randall asked if the storm water standards would be applicable for the entire development.

Mr. Thomas stated that the entire subdivision would have to comply with storm water rules.

Chairman Randall stated that a note on the plat stated that certain lots were not subject to the Greenville Storm Water Management Program and wondered if the property was grandfathered.

Mr. Thomas stated that some of the existing lots that had already been final platted were grandfathered and did not have to meet the storm water standards but the remaining portion of the subdivision would.

Mr. Bell asked was any of the property in a flood zone.

Mr. Thomas said no.

Chairman Randall opened the public hearing.

Mr. Brian Fagundus, an engineer with Rivers and Associates, spoke in favor of the application. He stated that the preliminary plat is a revision. Lot 23 is in the process of being developed. Some of the streets in the plat are not subject to the current storm water regulations. Specific lots and streets were grandfathered and did not have to comply with the storm water regulations. Any other lots, streets or new developments will have storm water management. The current plat does have a storm water management plan that is currently under review.

No one spoke in opposition to the preliminary plat.

Chairman Randall closed the public hearing.

Mr. Bell made a motion to approve the preliminary plat, seconded by Mrs. Rich. The motion carried unanimously.

## **NEW BUSINESS**

### **PRELIMINARY PLATS**

Request by Greenville Retail Investments, LLC and V-SLEW, LLC for a preliminary plat entitled "Parkside Bluffs".

Mr. Thomas stated that the location of the property and its zoning district. The purpose of the preliminary plat is to establish one building lot and approval of a public street. The proposed street is a result of negotiations between the developer and NCDOT regarding the location of the traffic signal for Hardee Crossing at Portertown (proposed Wal\*Mart shopping center). NCDOT is requiring that the street be built north of E. Tenth Street (NC 33) to match the proposed intersection signalization.

It is anticipated that this street will be the primary access for future development in the area. This property has approximately 650 feet of commercial zoning from E. Tenth Street toward the Tar River, transitioning into OR and then multi-family residential.

The Planning and Zoning Commission voted to table this item at their January 17, 2012, meeting at the request of the applicant. There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services. The plat was reviewed by the technical review committee and was found to meet all applicable city requirements.

Mr. Jon Day, spokesperson for Greenville Retail Investors, spoke in favor of the application. The applicant purchased the land across the street with plans to develop it later. They are now combining land with V-SLEW to establish a larger lot. The reason for the delay was to finalize the width of the proposed street with NCDOT. The street will serve to provide access to approximately 100 additional acres of land north of the property.

No one spoke in opposition to the request.

**Mr. Gordon made a motion to approve the preliminary plat, Mr. Bell seconded and the motion carried unanimously.**

### **PRELIMINARY PLATS**

Request by Ashton Point E, LP for a preliminary plat entitled "Winslow Pointe". The property is located on the eastern side of Hooker Road at its intersection with Ridge Place. The property is bound by Green Mill Run to the north, CSX Railroad to the east and Pinebrook Subdivision to the south. The subject property is further identified as Pitt County Tax Parcel Nos. 06649 and 37049. The proposed development consists of 1 lot on 23.65 acres.

Mr. Andrew Thomas, Jr. stated that this was a preliminary plat for Winslow Pointe. The site is the recombination of two existing parcels. One parcel contains the Flynn Christian Home and the other tract is vacant. The property is bound on the north by the Green Mill Run. The property has significant wetlands and the Army Corps of Engineers has approved a wetlands delineation. Approximately 45% of this property will not be developed. The property will be served by a private drive connecting to Hooker Road. This preliminary plat also illustrates the multi-family units that are proposed to be built. There will be no costs to the City of Greenville associated with this subdivision other than routine costs to provide public services. The City's Subdivision Review Committee has reviewed the preliminary plat and has determined that it meets all applicable city requirements.

Chairman Randall asked if the storm detention basin will accommodate all the storm runoff for the whole developed area before it's allowed to be released into the wetlands.

Mr. Thomas stated that it would.

Mr. Steve Rice, representative of Ashton Point, spoke in favor of the application. He stated that there are over ten acres of wetlands on the property. No wetlands nor flood plains will be impacted. The developer is proposing a storm water dry basin to provide storm water detention and to also remove nitrogen and phosphorous. A site plan has already been submitted. Comments from the plan are being addressed.

Ms Mary Crozier, past president of the Lakewood Pines Subdivision, spoke against the application. She stated that the neighborhood recently received notice of the request. They did not have a good history with Planning and Zoning and the developer of University Suites on Arlington Blvd. According to Ms Crozier, the storm water runoff and the flood plain was not adequately addressed for that development causing the Green Mill Run to be overtaxed. Two homes have been destroyed because of the hurricane due to the degree of water in the north end of the neighborhood. The neighborhood is concerned with the storm drainage, high density of

the area and the traffic needs. She stated that Hooker Road has a lot of foot and vehicle traffic to be labeled a minor thoroughfare. She suggested that the board make sure all the adequate information has been provided and have some accountability measure prior to approving the plat.

Chairman Randall asked how the neighborhood found out about the agenda item.

Ms Crozier stated the president saw it on the city's website. They emailed Mr. Padgett and he sent them an email concerning the meeting details.

Mr. Padgett clarified that someone from the neighborhood was on the newly initiated Planning and Zoning Commission email list. The neighborhood president replied to the city's email so the email list is working.

Mr. Schrade asked how far in advance the email was sent out.

Mr. Padgett answered it was sent out Thursday of last week.

Mr. Bell asked did the actual property on Hooker Road have signage.

Mr. Padgett stated that the application was not a rezoning so there was no signage. He stated that this project has several components- site plan review for the 84 multi-family units which is approved internal by the city; the combination of two pieces of property and creation of the private street and Greenway easement which is reviewed by the Planning and Zoning Commission through a preliminary plat; and the storm water management plan which is reviewed by Public Works. Public Works has requested that the applicant provide a greater level of storm water detention than is typically required, and the applicant is currently revising their stormwater management plan to address this request. The applicant cannot get a building permit until they receive all required approvals. The neighborhood is now aware of the project and can communicate directly with the applicant or the Public Works Department regarding the stormwater management plan.

Mr. Maxwell asked how the city takes into consideration the storm water runoff from the shopping center and the future development of housing and how it will impact the Lakewood Pines neighborhood.

Mr. Tim Corley, Public Works Engineer, stated that storm water utilities funds are being spent for a consultant to study and propose projects that would minimize flooding in Lakewood Pines.

Mr. Parker stated that Public Works is already addressing the problem.

Mr. Corley stated that there have been several public meetings with the neighborhood, University Suites and other areas in order to identify potential solutions.

Mr. Parker asked was the developer aware of the problem.

Mr. Corley stated they were and were willing to go above and beyond what the ordinance requires.

Mr. Rice spoke in rebuttal in favor of the request. He stated that they are working closely with Public Works staff on the issue of stormwater. They are providing detention to limit the storm water runoff for the 1 year / 24 hour storm and higher frequency storms so it is less than the existing amount. He also stated they understood the downstream situation and volunteered to participate in extra activities to alleviate the problem.

Mr. Bell stated that the developer, the City and Public Works are aware of the drainage problem and appear to be acting appropriately. It was stated twice that the developer is willing to go over and beyond the requirements.

**Mr. Bell made a motion to approve the preliminary plat, Ms. Basnight seconded and the motion carried unanimously.**

**With no further business, Ms Basnight made a motion to adjourn, Ms Rich seconded, and it passed unanimously. Meeting adjourned at 7:28 p.m.**

Respectfully Submitted,

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