

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

June 21, 2016

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

Mr. Terry King –Vice Chair *
Mr. Dustin Mills - * Ms. Chris Darden – *
Mr. Doug Schrade – X Ms. Ann Bellis – *
Ms. Margaret Reid - X Mr. John Collins - *
Ms. Betsy Leech –X Mr. Les Robinson - *
Mr. Anthony Herring – * Mr. Michael Overton - X

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

VOTING MEMBERS: Mills, Bellis, Darden, Collins, Herring, Robinson

PLANNING STAFF: Thomas Weitnauer, Chief Planner; Chantae Gooby, Planner II and Amy Nunez, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney; Merrill Flood, Assistant City Manager and Kelvin Thomas, Communications Technician.

MINUTES: Motion was made by Mr. Mills, seconded by Mr. Robinson to accept the May 17, 2016 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONINGS

ORDINANCE REQUESTED BY GREENVILLE UTILITIES COMMISSION TO REZONE 83.15 ACRES LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERESECTON OF MARTIN LUTHER KING JR HIGHWAY AND NC HIGHWAY 43 FROM RA20 (RESIDENTIAL-ARGICULTURAL) TO CH (HEAVY COMMERCIAL) - APPROVED

Ms. Gooby, Planner, delineated the property. She stated the request was for a portion of the property and 25+/- acres was not included in this request. A majority of the area is vacant. Ironwood Subdivision is to the west. No increase in traffic is anticipated so a traffic report was not prepared. There is an intermediate focus area in this area. These nodes are anticipated to contain 50,000-150,000 square feet of conditioned floor space. Both Martin Luther King, Jr. Highway and NC Highway 43 are considered gateway corridors, which are designed to carry large volumes of traffic into the city. Under the current zoning, the site could accommodate 120-150 single-family units. Under the current zoning, staff anticipates a 120,000 square feet of public utility facility. The Future Land Use Plan Map recommends commercial at the intersection of Martin Luther King, Jr. Highway and NC Highway 43 transitioning to

office/institutional/multi-family to the west and south and high density residential to the south. The subject property is located at the intersection of two major highways and is considered to be part of the focus area. In staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

Ms. Gooby informed the members that the owners of an adjoining property sent an email objecting to the request. This information was distributed to the members.

Chairman King opened the public hearing.

Jon Day, real estate agent representing the owner, Forbes Farm, LLC which is Maxine Speight. There is a contract retaining 25 acres. This rezoning could be positive to adjoining properties.

Ms. Jenni Kolczynski, adjoining property owner has concerns with how this will affect her property.

Mr. Padgett stated that he would be happy to meet with Ms. Kolczynski after the meeting.

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

Motion made by Mr. Robinson, seconded by Mr. Mills, 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 carried unanimously.

LAND USE PLAN MAP AMENDMENTS

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO AMEND THE FUTURE LAND USE PLAN MAP FROM OFFICE/INSTITUTIONAL/MULTI-FAMILY (OIMF) AND CONSERVATION/OPEN SPACE (COS) CATEGORIES TO A COMMERCIAL (C) CATEGORY CONTAINING 15.13 ACRES AND TO AMEND THE HORIZONS: GREENVILLE'S COMMUNITY PLAN FOCUS AREA (OR COMMERCIAL NODE) MAP DESIGNATION FOR THE PROPERTY LOCATED NEAR THE SOUTHWESTERN CORNER OF THE INTERSECTION OF ALLEN ROAD AND LANDFILL ROAD FROM A "NEIGHBORHOOD FOCUS AREA" TO A "REGIONAL FOCUS AREA" – APPROVED

Ms. Gooby, Planner, delineated the property. This property is located adjacent to the Pitt County Landfill. A majority of the area is vacant with scattered single-family residences. No increase in traffic is anticipated so a traffic report was not prepared. There is a neighborhood focus area in this area. These nodes are anticipated to contain 40,000+/- square feet of conditioned floor space. Part of the request is to upsize the focus area designation to a "regional" focus area which is designed to contain over 400,000 square feet of conditioned floor space. The comprehensive plan describes regional focus areas as being located at the crossing of major highways while a neighborhood focus area should blend in with the residential neighborhood. Currently, there are 27+/- acres of commercial shown on the Future Land Use Plan Map. Staff would anticipate

235,000+/- square feet of commercial floor space. Under the request, there would be 42+/- total acres. Staff would anticipate 366,000+/- square feet of commercial floor space. There is commercial zoning at three corners of the intersection of Allen Road and Landfill Road and all are vacant. The current Future Land Use Plan Map recommends commercial at the southwestern corner of the intersection of Allen Road and Landfill Road transitioning to office/institutional/multi-family to the south and industrial to the interior. There is conservation/open space as a buffer around the landfill. Landfill Road is terminal. The subject property is impacted by its proximity to the landfill. The scope of uses is limited. The existing single-family residences have diminished long-term desirability. The comprehensive plan provides criteria on determining if a change on the map is compatible:

(i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and

(ii) The location of the proposed classification(s) support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and

(iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and

(iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

In staff's opinion, the request is incompatible and should be denied for several reasons:

- there has not been a change in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM in 2004;
- it does not supports the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan as the proposed regional focus area is not located on a major highway and this request could be considered a linear expansion of commercial instead of keeping the commercial in a well-defined node; and
- this request omits properties that should be considered with this request as to not cause undue negative impacts to existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and
- it is reasonable that this request could be a catalyst for other amendments especially on the undeveloped east side of Allen Road.

Mr. Mills stated that the property backs up to the landfill and the category of OIMF is not ideal. Although, staff does not recommend approval of the request, commercial zoning may enhance the area and be a better fit next to the landfill.

Mr. Collins asked why the two single-family residences and a vacant lot, making the map look like a “donut hole”, were not included in the request.

Chairman King opened the public hearing.

Mr. Mike Baldwin, representative of the applicant, spoke in favor of the request. He stated the request was originally submitted as a rezoning and that Ms. Gooby recommended we submit a land use plan map amendment first. He did not want to include the “donut hole” properties because their signatures would have been required and that the property owners did not know anything about zoning. It was decided to leave that area out of the request because they probably wouldn’t understand. The land owner, Woody Whichard, spoke with the neighbors and they had no issues. He stated that the landfill now is only a transfer station but will always be there. There is about 1,000 feet from the landfill to Allen Road, which is a major thoroughfare. There is commercial at the intersection of Allen Road/Dickinson Avenue/Williams Road.

Ms. Bellis asked what uses could be there currently.

Mr. Baldwin stated it is OR so it could be offices or multi-family and under a restaurant under special use permit.

Ms. Bellis stated there is multi-family in the area and the Neighborhood Focus Area does not allow commercial.

Ms. Gooby stated the focus area indicates where commercial is anticipated and encouraged. The difference with this request is the amount of commercial that should be there that is would be “creeping” south along Allen Road. The current zoning of the property is not germane to this request.

Ms. Bellis asked how the commercial was zoned at the Dickinson intersection.

Ms. Gooby stated it is zoned heavy and general commercial.

Mr. Baldwin stated that Woodridge Office Park is zoned Residential-Agricultural but acts more like commercial.

Ms. Bellis stated that more commercial causes more traffic.

Mr. Baldwin stated that no traffic report was done and he doesn’t believe it will have an impact.

Mr. Collins asked about the conservation open space area (COS).

Mr. Baldwin stated it is the buffer area that prevents ground water contamination to any water wells in the area. If the property is developed, water and sewer would be provided by GUC.

No one spoke in opposition.

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

Mr. Mills asked if the request included the parcels that create the “donut hole”, would staff’s opinion be different.

Ms. Gooby stated perhaps that the criteria state that the Planning and Zoning Commission and City Council have to determine if there is a change in a developmental pattern that was unforeseen at the time of the adoption of the FLUPM. Including the properties would certainly make the request more cohesive.

Mr. Mills asked if they need to consider all the criteria or individually.

Ms. Gooby stated yes.

Mr. Mills asked if the request has a reduction of traffic since no traffic report was done.

Ms. Gooby stated yes based on basic preliminary numbers.

Chairman King asked Mr. Baldwin to address the criteria and if his request was compatible.

Mr. Baldwin stated no comment but that the landfill speaks volume.

Ms. Darden asked Mr. Baldwin to speak on criteria #3 regarding natural environment.

Mr. Baldwin stated in time it will change. He doesn’t believe it will remain single-family since it is on a major thoroughfare. It will have an effect but it’s life span will run out.

Ms. Darden asked if there would be a buffer around the single-family properties.

Mr. Baldwin stated yes a buffer is needed to comply with the Zoning Ordinance.

Mr. Robinson asked Mr. Baldwin to address #4 of the criteria regarding desirable and sustainable land use pattern and what benefits it will have.

Mr. Baldwin stated a tax base increase. Commercial by the landfill is sustainable and OIMF is not.

Mr. Robinson asked Mr. Baldwin if he anticipates commercial being a better use due to the landfill and major thoroughfare.

Mr. Baldwin stated yes.

Chairman King asked if the landfill was open and contained.

Ms. Gooby showed an aerial photo. She stated it currently is a drop off point and not active but will remain there.

Mr. Collins asked when the FLUPM was adopted.

Ms. Gooby stated it was originally adopted in 2004.

Mr. Collins asked if there have been any unforeseen changes in the first of the four conditions to be met.

Ms. Gooby stated there were no unforeseen changes since 2004.

Mr. Baldwin stated Landfill Road is a freeway of trucks, the landfill is very loud and there is the operation of the train tracks. He stated a change on the land use map was an oversight.

Ms. Darden stated that the landfill is loud and smells and does not recommend living there.

Mr. Mills asked members to consider what type of use they would assign to this area if they were currently on the Comprehensive Plan Board. The Commission should be good stewards of development that is realistic and not offensive to neighboring properties.

Motion made by Ms. Darden, seconded by Mr. Robinson, to approve the request. Motion carried unanimously.

OTHER ITEMS OF BUSINESS

DISCUSSION ITEM – REQUIRE PRELIMINARY PLATS TO BE ADVERTISED

Mr. Weitnauer stated that during the April 19, 2016 Planning and Zoning Commission meeting, the Commission approved a motion to add an item to the June 2016 agenda to discuss a policy change for advertising preliminary plats. If the Commission decides to recommend a requirement to advertise preliminary plats, it could be added in the City of Greenville Code of Ordinances, Title 9, Chapter 5: Subdivisions, Article B. Procedure for Review and Approval of Subdivision Plats, Sec. 9-5-46: Same; Review Procedure. In compliance with the Planning and Zoning Commission's approved motion on April 19, 2016, the City advertised a preliminary plat in advance of the May 17, 2016 Planning and Zoning Commission meeting. The cost to the City for the advertisement was an additional \$55. The Commission has been reviewing an average of approximately 5 plats a year over the last few years. If a requirement is added to advertise preliminary plats, the annual cost to the City could be approximately \$275. Topics the Commission may want to discuss may include: timeframe to advertise prior to Commission

meetings; content of the advertisement; and anticipated cost to the City. Pros: notice of those wanting to attend the meeting. Cons: occasionally items are removed and people will show up and the item is not heard, cost to City, and if something was to be heard but not advertised then it gets held up. Another option would be to post a sign regarding the hearing. Currently letters are sent to property owners within 300 feet regarding the upcoming P&Z meeting, meetings are listed on the City page, advertised on GTV and on the City calendar. The full P&Z agenda is also available on the City website.

Ms. Bellis stated she initiated the discussion. Many of the plats are on very large properties. A recent plat request received of a large piece of land on 10th Street was surrounded by vacant land, City property and the cemetery. Few people would have been notified by letters and the citizens of Greenville need to know. The cost for the advertisement is minuscule. She feels strongly that plats need to be advertised two weeks in advance. Also regarding pulling items off the agenda is similar to advertised items pulled of the Board of Adjustment or City Council agendas.

Attorney Holec stated that in order to pursue the request, a motion to initiate an amendment to the subdivision ordinance for preliminary plats to be advertised once a week for two successive weeks prior to the hearing.

Motion made by Ms. Bellis, seconded by Ms. Darden , to initiate an amendment to the subdivision ordinance for preliminary plats to be advertised once a week for two successive weeks prior to the hearing and for advertisements to continue in the meantime. Motion carried unanimously.

ELECTION OF OFFICERS

Attorney Holec stated there are two officers elected, the Chairman and the Vice-Chairman. The procedure is to call for nominations. Any member can make nominations. No second is required. Allow opportunity for as many nominations as possible. Once all nominations are made, the nominations period is closed. Voting will be done in the order nominations were received. Once a member receives the majority vote, then that person is elected and voting ceases.

Mr. Collins nominated Terry King for Chairman. Attorney Holec asked if there were any more nominations. None heard, he declared nominations closed.

Mr. Terry King was unanimously elected Chairman.

Mr. Herring nominated Dustin Mills for Vice-Chairman. Attorney Holec asked if there were any more nominations. None heard, he declared nominations closed.

Mr. Dustin Mills was unanimously elected Vice-Chairman.

REQUEST FOR A MEMBER OF THE PLANNING AND ZONING COMMISSION TO SERVE ON THE ACTIVE TRANSPORTATION MASTER PLAN STEERING COMMITTEE

Ms. Gooby stated this is a request for a member of the Planning and Zoning Commission to serve on the Active Transportation Master Plan Steering Committee. The Active Transportation Master Plan Steering Committee will meet approximately four times over an 8-12 month period. Meeting will be two hours long during the workday. Specific meeting dates and times have not been scheduled. The purpose of this committee is to:

- represent stakeholders that do not sit on the committee;
- ensure equality in decision-making;
- develop and maintain the project vision statement;
- obtain support and agreement from stakeholders; and
- communicate to stakeholders of status and progress of the committee.

Ms. Gooby stated that although Ms. Reid was not present she has indicated that she is very interested in serving on this committee and asked if there was anyone else who was interested.

Motion made by Mr. Collins, seconded by Mr. Mills, to nominate Ms. Reid to the Active Transportation Master Plan Steering Committee. Motion carried unanimously.

Mr. Weitnauer stated that the Horizons 2026: Greenville's Community Plan is just about complete. A public hearing will appear on a future agenda for consideration of adoption. Staff would like to offer a special session to the Commission before it appears on the agenda. A draft is available online for viewing.

With no further business, a motion was made by Ms. Darden, seconded by Mr. Herring, to adjourn. Motion passed unanimously. Meeting adjourned at 7:39 p.m.

Respectfully Submitted,

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