

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

July 17, 2018

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

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

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

VOTING MEMBERS: Schrade, Robinson, Reid, Wilson, Darden, Collins, Maxwell, King

PLANNING STAFF: Chantae Gooby, Planner II; Mike Dail, Lead Planner; Tom Weitnauer, Chief Planner and Corinne Becker, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Rik DiCesare, Traffic Engineer; Cathy Meyer, Civil Engineer; Scott Godefroy, City Engineer; and Kelvin Thomas, Communication Technician

MINUTES: Motion made by Mr. Robinson, seconded by Mr. King, to accept the June 19, 2018 minutes as presented. Motion passed unanimously.

NEW BUSINESS:

REZONINGS

ORDINANCE REQUESTED BY THE CITY OF GREENVILLE TO REZONE 0.10+/- ACRES (4,356 SQUARE FEET) LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF ROOSEVELT AVENUE AND 75+/- FEET SOUTH OF WEST 5TH STREET FROM R6 (RESIDENTIAL) TO CDF (DOWNTOWN COMMERCIAL FRINGE).

Ms. Gooby, delineated the property. The city owns the property. Currently, there is a boarded-up duplex on the property. This area is mainly single-family homes. There are commercial uses along West 5th Street. Due to the small size, a traffic report wasn't prepared. Since the property is less than a half-acre, stormwater rules do not apply. This rezoning is located in Area 6 of The Center City – West Greenville Revitalization Plan. The plan states the focus of this area should be the rehabilitation of structures and acquisition/demolition of dilapidated structures to allow for new construction. The property is adjacent to a single-family home that is owned by the city, which is zoned CDF. The Future Land Use and Character Map recommends mixed use along

West 5th Street roughly between Bonners Lane and South Memorial Drive. This character is described as a place to live, work and shop. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Center City – West Greenville Revitalization Plan. Staff recommends approval.

Mr. Overton opened the public hearing.

Ms. Karen Gilkey, representing the Greenville Housing Division, spoke in favor of the request. In addition to this property, the City owns the adjacent single-family property. The plan is to demolish the existing duplex on the rezoning site and combine it with the single-family property. This will allow for a driveway for the single-family property on Roosevelt Avenue instead of West 5th Street.

No one spoke in opposition.

Motion made by Mr. Wilson, seconded by Ms. Darden, 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.

Mr. Maxwell stated that staff should revisit the regulation the stormwater regulations that properties less than half-acre do not have to comply with storm water rules. This rule was put in place in the early 2000's and it is shortsighted. After a while properties of this size in an area add up and could present a problem.

ORDINANCE REQUESTED BY SALVATORE PASSALACQUA TO REZONE 0.220 ACRES (9,583 SQUARE FEET) LOCATED AT THE NORTHWESTERN CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND COLUMBIA AVENUE FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL).

Ms. Gooby, delineated the property. It's located on the south side of the Tenth Street Connector. Since the property is less than a half-acre, stormwater rules do not apply. There are a variety of uses in this area. This rezoning could generate an increase of 350 trips per day. The proposed CD zoning district will allow for denser development because there are no vegetation requirements and setbacks. This site is included in The Dickinson Avenue Corridor Plan and specifically in Area 8, which is described as an area for recreation and mixed uses. The Future Land Use and Character Map recommends urban edge along Dickinson Avenue from West 14th Street to Reade Circle. This character is described as having mixed uses and infill and redevelopment. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Dickinson Avenue Corridor Plan. Staff recommends approval.

Mr. Wilson asked for an update on the people that were displaced by the Tenth Street Connector.

Mr. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representing the applicant, spoke in favor of the request. Since there are no setbacks, it will allow for the property to be developed in a way that is more in keeping with the rest of downtown. This will allow more flexibility by adding more uses. He does not anticipate an increase in traffic.

Mr. Michael White, spoke in favor, owns a hairstyling business next door and expressed concern as to what uses would be permitted. He is concerned that a restaurant or convenience store might cause loitering.

No one spoke in opposition.

Mr. Overton closed the public hearing.

Motion made by Mr. Robinson, seconded by Ms. Darden, 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 RECEIVED FROM HAPPY TRAIL FARMS, LLC TO REZONE A TOTAL OF 60.895 ACRES LOCATED BETWEEN BELVOIR HIGHWAY AND SUNNYBROOK ROAD FOR TRACT 1 AND AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF BELVOIR HIGHWAY AND REDMOND LANE FOR TRACT 2 FROM RA20 (RESIDENTIAL-AGRICULTURAL) AND CG (GENERAL COMMERCIAL) TO I (INDUSTRY) FOR TRACT 1 – 51.035 ACRES AND CH (HEAVY COMMERCIAL) FOR TRACT 2 – 9.860 ACRES.

Ms. Gooby delineated the property. This property is vacant as is most of the surrounding properties. However, there are a number of residential uses in the area, as well. There is an existing sand mine on the west side of Sunnybrook Road. This property is not included in the Recognized Industrial Area. The property is located in the Moyes Run / Cannon Swamp Watershed. When developed, stormwater rules will require 10-year detention. Under the current zoning for Tract 1, the site could accommodate 150 single-family lots. The CG-zoned portion is not developable due to its size. Under the requested zoning for Tract 1, the property could accommodate sandmining and distribution. Under the current zoning for Tract 2, the site could accommodate 20 single-family lots and a convenience store and mini-storage. Under the requested zoning for Tract 2, the property could accommodate sandmining and distribution. An increase in traffic is not anticipated. The Future Land Use and Character Map recommends commercial at the intersection of Belvoir Highway and Sunnybrook Road transitioning to medium-high density residential along Sunnybrook Road and industrial/logistics (IL) to the north. Further, potential conservation/open space is recommended between the residential and industrial and the lower density residential to the north. For Tract 2, the Future Land Use and

Character Map recommends industrial/logistics (IL) at the intersection of Belvoir Highway and Redmond Lane. 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. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, represents the owner, Mr. Woody Whichard, spoke in favor of the request. Mr. Whichard purchased this property about a year ago. He buys, improves and re-sells properties. He does not anticipate that any potential use would create more traffic.

Mr. Richard Mabry, 2101 Sunnybrook Road, spoke in opposition. He lives next door to the existing sand mine and has suffered and complained for years about dust and noise. The trucks going in and out of the existing sand mine shakes his house and he doesn't want more of this happening.

Mr. Steve Nichols, Sunnybrook Road, spoke in opposition. He has lived on Sunnybrook Road since its inception, as do other family members prior to the existing sand mine. The trucks tear up the road.

Ms. Reid requested to be recused from voting on this agenda item. She stated her daughter lives in the area.

Mr. Overton asked her to hold off until the hearing is over.

Ms. Mary Whitley Joyner, 1993 Sunnybrook Road, spoke in opposition. The trucks don't allow them to get out and that when it rains the water backs up.

Mr. William E. Joyner, 1993 Sunnybrook Road, spoke in opposition. He and his wife need peace and quiet and their health. He objects to the trucks and the noise.

Ms. Sonya Atkinson Briley, 1995 & 1997 Sunnybrook Road, spoke in opposition, has all the same complaints from her tenants as the previous speakers.

Mr. Edward Downing, spoke in opposition, stated that he is under contract to buy 2102 Sunnybrook Road and isn't sure if he should break it. It's not fair how big companies impact people to make money.

Mr. Larry Miner, owner of 2102 Sunnybrook Road, spoke in opposition. As a property owner adjacent to Tract 1, the noise, dust and trucks are horrendous. The road is narrow and property would be better off with houses.

Mr. Jeremy Albright, 2100 Sunnybrook Road, spoke in opposition. As an adjacent property owner, his children can't play outside due to the dust. Despite an alternative access was added

for trucks to use, they still come through Sunnybrook Road. He is concerned that no traffic impact study had been done. The zoning isn't compatible with surrounding uses.

Mr. Andrew Steinlein, 2160 Sunnybrook Road, spoke in opposition. The road is so torn up that his daughter's rim had to be replaced after hitting a pot hole. The trucks dump sand in the road as they turn which presents a danger.

Mr. Bill Kitchner, 2110 Sunnybrook Road, spoke in opposition. It is currently unsafe for young children and for people to walk. He has asthma and a heart condition, which is exasperated by the sand.

Mr. Michael Baldwin, spoke in rebuttal in favor of the request, it's unfortunate that S.T. Wooten Sand Mine has access to Sunnybrook Road, but feels that shouldn't affect this rezoning. There will be access off Belvoir Highway, which will drive the development of the property. He does not feel single-family housing is appropriate for this property.

Mr. Joyner inquired as to the reason for the buffer zone.

Ms. Gooby stated the green buffer zone could mean various things such as an environmental issue or some other type of incompatibility. It means there should be a buffer such as a setback or vegetation requirement. She showed the chart of buffer requirements depending on uses.

Mr. Overton stated that sand mining is a potential use under this request and that members have to consider all of the uses allowed in the requested zoning districts.

Mr. Baldwin speculated that there may be a blue line stream in the referenced buffer area.

Mr. Richard Mabry, spoke in rebuttal in opposition, that the drainage in the area is horrible. It floods in the yards and the streets.

Mr. Overton closed the public hearing.

Motion made by Ms. Darden, seconded by Mr. King, to recuse Ms. Reid. Motion passed unanimously.

Mr. Joyner voted in Ms. Reid's place.

Mr. Maxwell stated that he is concerned for the people living there.

Ms. Darden stated that it would be better if there was a buffer.

Motion made by Mr. Collins, seconded by Mr. Maxwell, to recommend denial of the proposed amendment, 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 and other matters. Voting in favor: Collins,

Maxwell, Wilson, King, Schrade, and Darden. Voting in opposition: Robinson and Joyner. Motion carried.

ORDINANCE RECEIVED FROM THE IMPERIAL BUILDING, LLC AND SAAD RENTALS, LLC TO REZONE 0.428 ACRES (18,644 SQUARE FEET) LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF DICKINSON AVENUE AND WEST 9TH STREET FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CD (DOWNTOWN COMMERCIAL).

Ms. Gooby, delineated the property. It's located on the north side of the Tenth Street Connector. This request is comprised of two separate parcels. Since the property is less than a half-acre, stormwater rules do not apply. There is retail on the first floor and multi-family on the second floor of one of the buildings. The second building is vacant. There is mainly commercial uses in this area. Since the property is developed, staff does not anticipate an increase in traffic. The proposed CD zoning district will allow for denser development because there are no vegetation requirements and setbacks. It also offers more flexibility in uses. This site is included in The Dickinson Avenue Corridor Plan and specifically in Area 1, which is described as an area for historic building infill. The buildings are located in the National Register Tobacco Warehouse Historic District. The Future Land Use and Character Map recommends urban edge along Dickinson Avenue from West 14th Street to Reade Circle. This character is described as having mixed uses and infill and redevelopment. In staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan, the Future Land Use and Character Map and The Dickinson Avenue Corridor Plan. Staff recommends approval.

Mr. Overton requested to be recused from voting on this agenda item. He is a broker for one of the properties.

Motion made by Mr. Robinson, seconded by Ms. Darden, to recuse Mr. Overton. Motion passed unanimously.

Mr. Overton said he would conduct the hearing and then recuse himself before the vote.

Mr. Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, representing the applicant, spoke in favor. He stated that CD would allow more appropriate uses for the downtown area.

No one spoke in opposition.

Mr. Overton closed the public hearing.

Mr. Robinson acted as Chair in Mr. Overton's place.

Motion made by Mr. Wilson, seconded by Ms. Darden, 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 GARY L. WARREN, TRUSTEE OF THE GARY L. WARREN REVOCABLE TRUST, ET AL TO REZONE 130.6 ACRES LOCATED AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF MARTIN LUTHER KING, JR. HIGHWAY AND OLD CREEK ROAD FROM RA20 (RESIDENTIAL-AGRICULTURAL), I (INDUSTRY) AND IU (UNOFFENSIVE INDUSTRY) TO PIU (PLANNED UNOFFENSIVE INDUSTRY).

Ms. Gooby delineated the property. It is located at the northeastern corner of the intersection Martin Luther King, Jr. Highway and Old Creek Road. The property is located in the Recognized Industrial Area. The area is largely vacant, commercial and industrial uses. An increase in traffic is not anticipated. The property is located in the Moyes Run / Cannon Swamp Watershed. When developed, stormwater rules will require 10-year detention. Any development plan will be reviewed by Pitt County Drainage along with the city. Under the current zoning, the site could accommodate 390 single-family lots and 151,000+/- square feet of pharmaceutical manufacturing. Under the requested zoning, the property could accommodate 754,000+/- square feet of pharmaceutical manufacturing. The Future Land Use and Character Map recommends industrial/logistics (IL) for this area. 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. Overton opened the public hearing.

Mr. Jim Walker, Rivers & Associates, spoke in favor, representing the applicants. The property is currently farm land and is immediately adjacent to the Indigreen Industrial Park. The hope is to develop the property like the Indigreen Industrial park and its covenants. This rezoning will bring the property into agreement with other uses in the area.

Mr. Brad Hufford, Pitt County Development Commission, spoke in favor. The Commission is actively marketing the property. The request is appropriate because it fits with the surrounding area.

Mr. Robert V. Parker, 2201 Old Creek Road, spoke in opposition, there are actually residential houses nearby and it needs to be considered how this would impact them. The recently added turn lane on Sugg Parkway has had a negative impact on his property.

Mr. Overton closed the public hearing.

Motion made by Mr. Robinson, seconded by Ms. Darden, 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.

Preliminary Plats

REQUEST BY THE PITT COUNTY DEVELOPMENT COMMISSION, FOR A PRELIMINARY PLAT TITLED "MW WARREN HEIRS SUBDIVISION". THE SUBJECT PROPERTY IS LOCATED NORTH OF OLD CREEK ROAD AND EAST OF MLK JR. HIGHWAY AND IS FURTHER IDENTIFIED AS TAX PARCELS 23992 AND 19580. THE PRELIMINARY PLAT CONSISTS OF 3 LOTS TOTALING 130.59 ACRES.

Mr. Michael Dail delineated the property and showed the street network. He stated that it will create three industrial lots. He stated that the property is not impacted by the 100 year flood plain.

Mr. Wilson asked if any buffer had been discussed.

Mr. Dail stated that the plat does not abut any residential property.

Mr. Overton opened the public hearing.

Mr. Jim Walker spoke in favor of the plat on behalf of the development commission. He said it was similar to any industrial development lot that would create an addition to the Indigreen development. Water and sewer are available.

Mr. Overton asked if the DOT was in agreement for the opening.

Mr. Walker stated there was already an opening. All streets would be approved by DOT.

Mr. Brad Hufford of Pitt Co. Development Commission stated they've been working with the development of this plan and to market the lots. He said it's a logical extension to the Indigreen Industrial Park. He feels there needs to be an increase in industrial development.

With no additional speakers, Mr. Overton closed the public hearing.

Attorney McGirt stated that when the board hears a request for a preliminary plat it is conducting an administrative hearing as opposed to a legislative hearing. If the standards and the ordinance have been met and they are clear and objective, staff makes a report that they have been met. If opponents don't present expert evidence to the contrary, the request should be granted. If it is denied specific reasons why must be specified in writing.

Motion made by Mr. Robinson, seconded by Mr. King, to recommend approval of the preliminary plat for the MW Warren Heirs Subdivision. Motion passed unanimously.

Land Use Plan Map Amendment

ORDINANCE REQUESTED BY THE TAR RIVER UNIVERSITY NEIGHBORHOOD ASSOCIATION (TRUNA) PRESIDENT HAP MAXWELL TO AMEND THE CITY OF

GREENVILLE FUTURE LAND USE AND CHARACTER MAP FOR THE AREA LOCATED ADJACENT TO THE ECU MAIN CAMPUS ROUGHLY BETWEEN EAST 5TH STREET AND SHADY LANE AND 130+/- FEET WEST OF MAPLE STREET CONTAINING 0.90+/- ACRES.

Mr. Maxwell stated that he would like to withdrawal this request from the agenda because staff's wording does not accurately reflect their request

Motion made by Mr. Schrade, seconded by Mr. King, to withdraw the request. Motion passed unanimously.

Other

REQUEST FOR TWO MEMBERS OF THE PLANNING AND ZONING COMMISSION TO SERVE ON THE ADVISORY COMMITTEE FOR THE 2045 METROPOLITAN TRANSPORTATION PLAN, A MULTI-MODAL TRANSPORTATION PLAN TO GUIDE NETWORK DEVELOPMENT ACROSS A 25+ YEAR HORIZON.

Mr. Maxwell, Mr. Wilson, Mr. Robinson and Mr. Joyner expressed interest in volunteering.

Mr. Joyner and Mr. Robinson were elected to be the volunteers on the advisory committee.

With no further business, Mr. Maxwell made a motion to adjourn, seconded by Mr. Wilson. Motion passed unanimously Meeting adjourned at 7:30 P.M.

Respectfully Submitted,

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