

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

October 16, 2018

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

COMMISSION MEMBERS PRESENT

Mr. Michael Overton – Chair *
Mr. Doug Schrade – X Ms. Chris Darden – *
Mr. Les Robinson – * Mr. John Collins - *
Mr. Kevin Faison - * Mr. Hap Maxwell - *
Mr. Ken Wilson - X 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: Robinson, Faison, Joyner, Maxwell, King, Collins, West, Darden

PLANNING STAFF: Chantae Gooby, Planner II; Thomas Barnett, Director of Community Development and Camillia Smith, Secretary

OTHERS PRESENT: Emanuel McGirt, City Attorney; Cathy Meyer, Civil Engineer, and Kelvin Thomas, Communication Technician.

MINUTES: Motion made by Mr. Robinson, seconded by Mr. Maxwell, to accept the September 18, 2018 minutes. Motion passed unanimously.

REZONINGS

ORDINANCE RECEIVED FROM HAPPY TRAIL FARMS, LLC TO REZONE A TOTAL OF 60.917 ACRES LOCATED BETWEEN BELVOIR HIGHWAY AND SUNNYBROOK ROAD AND AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF BELVOIR HIGHWAY AND REDMOND LANE FROM RA20 (RESIDENTIAL-AGRICULTURAL) AND CG (GENERAL COMMERCIAL) TO R9 (RESIDENTIAL), I (INDUSTRY), IU (UNOFFENSIVE INDUSTRY) AND CH (HEAVY COMMERCIAL).

** The original request was recommended for denial (6:2) by the Planning and Zoning Commission on July 17, 2018. Since the applicant has revised the request, the Commission needs to re-consider the request prior to City Council consideration.

Ms. Gooby delineated the property. The rezoning is for 60.917 acres that are divided into four separate tracts. The requested zoning is Tract 1: R9 – Residential, Tract 2: I – Industrial, Tract 3: CH - Heavy Commercial and Tract 4: IU - Unoffensive Industry. The property is not located in any flood hazard area. It is not located in the recognized industrial area. A net increase of 1,214 trips per day is anticipated. The area is mainly residential and agricultural. Under the proposed zoning, staff would anticipate the density for Tract 1: 20-22 duplex buildings (40-44 units), Tract 2: 151,000+/- square feet of industrial/warehouse space, Tract 3: 21,650 square feet of commercial space containing one (1) convenience store with gasoline sales (3,600 square feet), mini-storage (14,000 square feet), one (1) restaurant with drive-thru (2,000 sq. ft.), and restaurants with no drive-thru (2,050 sq. ft.) and Tract 4: 67,770+/- square feet of industrial/warehouse space. The Future Land Use and Character

Map recommends commercial at the northeastern corner of the intersection of Belvoir Highway and Sunnybrook Road transitioning to traditional neighborhood, medium - high density along Sunnybrook Road and industrial/logistics (IL) to the north. Further, potential conservation/open space is recommended between the traditional neighborhood, medium - high density (TNMH) and industrial/logistics (IL) and the residential, low - medium density (LMDR) to the north. The Future Land Use and Character Map recommends industrial/ logistics (IL) at the northeastern corner of the intersection of Belvoir Highway and Redmond Lane transitioning to residential, low - medium density (LMDR) and potential conservation/open space (PCOS) to the interior. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan the Future Land Use and Character Map. Staff recommends approval.

Mr. Maxwell asked about the conservation space recommended on the Future Land Use and Character Map.

Ms. Gooby replied that there is a manmade ditch and not a natural feature along the northern property line for Tracts 1, 2 and 3.

Chairman Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consulting, representing the applicant, spoke in favor of the request. He stated that because of the Board's recommendation and the public comments on the previous request they decided to revise it. The adjustments were substantial especially to the area adjacent to Sunnybrook Road. The newly requested R9 would allow for duplexes, the CH is 500 feet deep along Belvoir Highway and I in the middle. Across Belvoir Highway, we changed the CH to UI. The ditch has been determined to be exempt; it is not a blue line stream. As Ms. Gooby said, we are now in compliance with the Future Land Use and Character Map and for nearly 60 acres in this rezoning a net increase of 1,200 trips per day is extremely reasonable.

Mr. Steve Nichols, spoke in opposition of the request, stated that he owns two properties on both side of Sunnybrook Road. The property is located in the City's ETJ and its purpose is to make the properties in compliance with future city growth. To me this is just a smoke a screen, it going to be mining in Tracts 2 and 3.

Mr. Ed Downing, 2102 Sunnybrook Road, spoke in opposition of the request, stated that he lives north of Tract 2 and there is a ditch that is only 3 feet wide. The storm prior to the last one caused flooding in the area. When I was here in July, I had just bought the house. What's going to happen to the property value? I want to put a pool up. Could I do that with a sand mine 50 feet from my house. I own 2.5 acres Is that fair? I don't think so. I understand that everyone has to make money but should it be on us? Would that be fair if you just bought a house there? I have children and we can't wash our cars.

Mr. Richard Mabry, 2101 Sunnybrook Road, spoke in opposition of the request, stated his home is near the existing sand pit. There are trucks in and out of there for the last 15 years. During the summer time, you can barely see the road. We call the environmental people to come out to at least spray water to cut down on the dust. It's something I have been putting up with for years now a new one wants to start. That's why I'm here. I thought it was over because of the recommendation last time was denial but now here I am again because of a few changes that were made.

Mr. William Joyner, 1993 B Sunnybrook Road and 1997 A Sunnybrook, spoke in opposition of the request, stated they going to put a sand pit there. The road is already down on one side. No one comes in to fix the road and you going to put in duplexes. I live in this area, I know it's nothing but a smoke screen.

Ms. Mickey Daniels, spoke in opposition of the request, stated she was Mr. William's neighbor and she wanted to speak on the health issues that this going to cause. I, myself, am a breast cancer survivor of three times. Others in the neighborhood have health issues and if our environment is compromised then our health is compromised, which may be terminal.

Ms. Sonya Daniels, 2102 Sunnybrook Road, spoke in opposition of the request, stated it took us 10 years to purchase this property. It is something I want my children to have. This will put my children's future children health at risk. This is something we worked hard for and we did it so our children can have a future and what he is trying to do is not going to give them a future there.

Ms. Margaret Reid, spoke in opposition of the request, stated that the last time this issue came to the Planning and Zoning Committee she was a member and recused herself. Now, she is speaking in opposition because of the health issues. There are at least three people on the street that have cancer, breathing and lung conditions because of the sand pit that is already there. The fact that they got rid of me on this commission is so they can get someone else because they look for people that will go along with what they want to do instead of people that will go along with what is right and fair. So I speak in opposition because of the health issues and because we voted against this and now it comes back as just a smoke screen.

Chairman Overton offered opportunity for rebuttal.

Mr. Baldwin, spoke in rebuttal, stated that for a sand mine, a special use permit from the Board of Adjustment would be required. On my best day, I couldn't get a permit from Board of Adjustment. It makes more sense to put Heavy Commercial along the Belvoir Highway. We have no intention in applying for a mining permit, but the industry zoning does allow sand mining and a lot of other things. This is in compliance with the Horizons Plan and Land Use and Character Map.

Mr. Overton reminded the Commission that they have to consider all of the uses allowed in the zoning districts.

Mr. West asked what buffer is required for industrial uses.

Ms. Gooby referred the members to the Vegetation and Bufferyard Table in the packet. She explained that an industrial use is a land use category 5 next to single-family would be a Bufferyard F, which is 50-foot wide and could be reduced by half with a 6-foot tall opaque privacy fence. The vegetation screening would remain the same for every 100 linear feet there would be 8 large evergreen trees, 10 small evergreens trees, and 36 evergreen scrubs.

Mr. Nichols, spoke in opposition in rebuttal, referred to the Tiered Growth Map in Horizons 2026: Greenville's Community Plan. The map shows the subject property in a primary service area.

Chairman Overton closed the public hearing.

Mr. Maxwell stated that back in the summer when we voted against the original request there was a lot of opposition. This request just seems like basically the same thing it leaves a lot of the same options available.

Mr. Robinson asked if R9 and I allow sand mining.

Ms. Gooby replied that R9 does not but I does.

Mr. King asked Mr. Baldwin if he would share his thoughts about the revised request.

Mr. Baldwin stated that the biggest change was on Sunnybrook Road. If you look on the rezoning map, we now have residential on Sunnybrook Road. The CH allows for sand mining as a special use. The R9 zoning depth is exactly the same depth as Mr. Nichols' lot. The biggest thing we heard about was traffic on Sunnybrook Road and sand trucks.

Chairman Overton asked Mr. Baldwin if a 50-foot buffer would be required between the proposed residential and the residential to the north.

Mr. Baldwin replied yes or it could be cut in half with a 6-foot tall opaque fence.

Motion made by Mr. Maxwell, seconded by Mr. Collins, 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: Maxwell, Collins and Faison. Voting in opposition: Robinson, King, Joyner, Darden and West. Motion failed.

Motion made by Mr. Robinson, seconded by Mr. King, 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. Voting in favor: Robinson, King, Joyner, Darden and West. Voting in opposition: Maxwell, Collins and Faison. Motion passed.

FUTURE LAND USE AND CHARACTER MAP AMENDMENT

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO AMEND THE FUTURE LAND USE AND CHARACTER MAP FOR 10.066 ACRES FROM THE OFFICE/INSTITUTIONAL (OI) LAND USE CHARACTER TO THE INDUSTRY/LOGISTICS (IL) LAND USE CHARACTER FOR THE PROPERTY LOCATED BETWEEN STANTONSBURG ROAD AND THE NORFOLK SOUTHERN RAILROAD AND WEST OF THE SOUTHWEST BYPASS

Ms. Gooby delineated the property. Horizons was adopted in September 2016. There were numerous opportunities for public comment. There were 8 guiding principles that went into the Horizons Plan:

1. Infill and redevelopment are priorities
2. Quality design
3. Greater intensity of development in some locations
4. Create well-connected places
5. A vibrant Uptown
6. Create neighborhoods, maintain established ones
7. Protect natural features/amenities
8. Sustainable development practices

In particular, number 8 is for sustainable development practices. The Future Land Use and Character Map recommends Industry/Logistics at the southeastern corner of the intersection of Stantonburg Road and the Southwest Bypass and Office/Institutional at the southwestern corner. There have been no unexpected changes in development patterns that would warrant an amendment to the current plan. Staff recommends denial.

Chairman Overton opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consulting, representing the applicant, spoke in favor of the request. He handed out the description of the character from the Horizons Plans for “Office/Industrial” and “Industrial/Logistics”. He stated that property was located exactly 1 mile from Stantonburg Road and Highway 264, the gateway to the Medical District. He believes it would be hard to market this property as office or institutional. Because of the proximity with the Bypass and the landfill, it is more appropriate for industry.

No one spoke in opposition.

Chairman Overton closed the public hearing.

Mr. Faison asked Ms. Gooby why the city recommend denial.

Ms. Gooby replied that the plan is barely 2 years old. Whenever a change is proposed to a long-range map that should last 5, 10 even 20 years, it should be carefully considered. The Comprehensive Plan worked on the document for over a year, had many public meetings and workshops. Horizons was approved by the Commission

and adopted by City Council. Staff cautions against making ad hoc decisions. There will always be different opinions on what is sustainable and what's not. We have to consider if there has been change that was unforeseeable two years ago when the plan was adopted.

Mr. Collins asked if the area along Stantonsburg Road is vacant.

Ms. Gooby replied this section along Stantonsburg Road is vacant with single-family homes to the west. There is a lot of development at Stantonsburg Road and Highway 264 where the Trade Mart, Wal-Mart and West Pointe are located.

Motion made by Ms. Darden, seconded by Mr. Robinson, to approve the request. Voting in favor: Faison, Joyner, Collins, Robinson, King, Darden, and West. Voting in opposition: Maxwell. Motion passed.

Motion made by Mr. King, seconded by Mr. Robinson to adjourn.

Meeting adjourned