

MINUTES ADOPTED BY THE GREENVILLE PLANNING AND ZONING COMMISSION

September 17, 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 - *	Mr. John Collins - *
Mr. Alan Brock - *	Mr. Hap Maxwell - *
Mr. Billy Parker - X	Mr. Brad Guth - *
Mr. Max Ray Joyner III - *	Mr. Chris West - *

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

PLANNING STAFF: Chantae Gooby, Chief Planner; Domini Cunningham, Planner II; Camillia Smith, Secretary

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

MINUTES: Motion made by Mr. West, seconded by Mr. Joyner to approve the August 20, 2019 minutes. Motion passed unanimously.

NEW BUSINESS

Rezoning

2. Ordinance requested by the Happy Trails Farms, LLC to rezone 0.975 acres located between West Arlington Boulevard and Spring Forest Road from MCG (Medical-General Commercial) to MR (Medical-Residential [High Density Multi-family]) – APPROVED

Ms. Gooby delineated the property. Gabriel Drive will connect to West Arlington Blvd at a future signalized intersection with Physician's East's driveway. This property is vacant and is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance. Staff does not anticipate a net increase in density. The Future Land Use and Character Map recommends mixed use (MU) along West Arlington Boulevard between Dickinson Avenue and the Norfolk Southern Railroad transitioning to commercial (C) to the south and residential, high density (HDR) to the west. 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. Robinson opened the public hearing.

No one spoke in favor.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

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

3. Ordinance requested by Liberty Free Will Baptist Church of Greenville to rezone 18.5428 acres located at the southeastern corner of the intersection of NC Highway 43 W and Martin Luther King Jr. Highway from RA20 (Residential- Agricultural) to CH (Heavy Commercial) - APPROVED

Ms. Gooby delineated the property. A small portion of the property is located in the Special Flood Hazards Area. Any development in this area is subject to the Flood Damage Prevention Ordinance. The property is located in the Harris Mill Run/Schoolhouse Branch Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction. Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 2,582 trips per day. A Traffic Impact Analysis may be required. Currently, the property contains a vacant non-residential building (11,280 sq. ft.) and could accommodate an additional 20-25 single-family lots on the residual area of the parcel. Under the proposed zoning, the site could accommodate a total of 50,484 sq. ft. of commercial and office space (11,280 sq. ft. church, one (1) conventional restaurant (5,600 sq. ft.), one (1) gasoline/convenience store (4,500 sq. ft.), and remaining area could be retail/office space. The Future Land Use and Character Map recommends commercial (C) at the southeastern corner of the intersection of NC Highway 43 W and Martin Luther King, Jr. Highway transitioning to office/institutional (OI) to the east. 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. Robinson opened the public hearing.

Mr. Linwood Stroud, Stroud Engineering, spoke in favor on behalf of the property owner.

Mr. Ron Harrell, commercial real estate broker, spoke in favor on behalf of the property owner.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

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

4. Ordinance requested by University Medical Park North, LLC to rezone 1.133 acres located along the western right-of-way of Moye Boulevard and north of West 5th Street from MO (Medical-Office) to CG (General Commercial) - APPROVED

Ms. Gooby delineated the property. The property is located in the Harris Mill Run/Schoolhouse Branch Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 998 trips per day. Moye Boulevard and West 5th Street is a signalized intersection. Under the current zoning, the site could accommodate 10,857+/- sq. ft. of medical office space. Under the proposed zoning, the site could accommodate 10,857+/- sq. ft. of conventional restaurant space. The Future Land Use and Character Map recommends mixed use (MU) along Moye Boulevard north of its

intersection with West 5th Street transitioning to residential, high density residential (HDR) to the east and west. 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. Robinson opened the public hearing.

Mr. Brian Fagundus, Ark Consulting, spoke in favor on behalf of the applicant. He stated the request for General Commercial is to align adjacent parcels with the same zoning for future development.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. Brock, seconded by Ms. Joyner 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.

Text Amendments

5. Ordinance requested by Community Development Department Staff to amend the City Code by amending the use of recording studio by renaming it to "digital broadcast studio", adding a definition, additional standards and permissible zoning districts - APPROVED

Ms. Gooby stated the amendment is to modernize the use of "recording studio". Currently, the City's zoning ordinance allows a recording studio as permitted use in the O (Office), OR (Office-Residential), CD (Downtown Commercial), and CDF (Downtown Commercial Fringe) zoning districts. Also, the ordinance does not contain a specific definition. Advances in technology in this field no longer fit within the generic use of a recording studio. After researching this subject, staff is proposing to replace "recording studio" with "digital broadcast studio", add a definition and additional standards and permissible zoning districts.

The proposed definition:

Digital broadcast studio. An establishment containing one or more studios for the staging and recording, as well as digital distribution, of video or audio productions. Such productions include, but are not limited to, music, web streaming and non-feature length film.

The proposed additional standards are:

- No living quarters shall be allowed.
- No transmission towers allowed.

The proposed additional zoning districts are:

- CG (General Commercial)
- CN (Neighborhood Commercial)
- CH (Heavy Commercial)

The proposed changes will modernize the use of recording studio and allow this use in additional zoning districts, while providing specific standards to this use.

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.

Mr. Robinson asked for clarification on the definition transmission towers.

Ms. Gooby stated the ordinance already has a definition. Essentially there will be no outside equipment.

Mr. Robinson asked if monopoles could be included in the new definition since monopole may not fit the exact definition of a transmission tower and could possibly be used if the term is not specifically included.

Ms. Gooby replied that staff would accept that as a friendly amendment to the request.

Mr. Robinson opened the public hearing.

No one spoke in favor or in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. West, seconded by Ms. Darden, to add monopoles to the amendment and to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

6. Ordinance requested by Michael Overton to amend the City Code by adding "pet grooming facility" as a use permitted in the CD (Downtown Commercial), CDF (Downtown Commercial Fringe), MCG (Medical-General Commercial), MCH (Medical-Heavy Commercial), CN (Neighborhood Commercial), CG (General Commercial) and CH (Heavy Commercial) zoning districts. The amendment includes a definition, additional standards and permissible zoning districts - APPROVED

Motion made by Ms. Darden, seconded by Mr. Joyner, to recuse Mr. Michael Overton from item number six on the agenda because it is his request. Motion passed unanimously.

Ms. Gooby stated that alternate member, Mr. Guth, will vote on this item.

Ms. Gooby stated that in the recent past, there have been requests to offer pet grooming as a standalone use, which requires a special use permit. Since pet grooming is a less intensive use as to volume of pets, length of stay, and hours of operation, staff felt that pet grooming, as a standalone use, would be appropriate as a permitted use instead of a special use. Currently, the City's zoning ordinance considers pet grooming, doggie daycare, and/or training, as a "personal service, not otherwise listed" as a special use in the OR (Office-Residential), CD (Downtown Commercial), CDF (Downtown Commercial Fringe), CG (General Commercial), and CH (Heavy Commercial) zoning districts. Mr. Overton applied for a text amendment to add "pet grooming" as a permitted use in the MCG zoning district. After staff discussions with Mr. Overton and research, the original text amendment was broadened to the following: to add the specific use of a "pet grooming facility" to the City's zoning ordinance as a permitted use in the CD, CDF, MCG, MCH, CN, CG and CH zoning districts, and to add specific standards.

The proposed definition:

Pet Grooming Facility. Any premises containing four or more domesticated animals, which are five months or older, where these domestic animals are dropped off and picked up for temporary care on site related to

grooming. Grooming activities include both the hygienic care and cleaning of a dog, as well as a process by which a dog's physical appearance is enhanced for showing or other types of competition.

Additional standards:

- (1) Pet grooming and holding will not extend before 7 a.m. or beyond 8 p.m.
- (2) Standalone pet grooming facilities are not to include training, exercise, socialization, keeping or boarding, breeding or sale or rental of pets.
- (3) In the event of a combined use within a single premise any and all pet grooming activities shall occur exclusively within an enclosed area.
- (4) In no event shall pets be kept outside of the structure for purposes of grooming or holding.

Permissible zoning districts as a permitted use:

- CD (Downtown Commercial)
- CDF (Downtown Commercial Fringe)
- MCG (Medical-General Commercial)
- MCH (Medical-Heavy Commercial)
- CG (General Commercial)
- CN (Neighborhood Commercial)
- CH (Heavy Commercial)

The proposed changes will allow the standalone use of pet grooming to be a permitted use in all of the city's commercial districts, while providing specific standards to minimize/eliminate any unintended negative effects of pet grooming to neighboring businesses and or residential properties. Incidental retail sales of related products, dog food, shampoo, treats etc..., are allowed.

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.

Mr. Robinson opened the public hearing.

Mr. Michael Overton, applicant, commercial real estate broker, spoke in favor. He worked with the City to provide an amendment that would satisfy various commercial zonings.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. Collins, seconded by Mr. West, to recommend approval of the proposed text amendment, to advise that it is consistent with the comprehensive plan and adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

Mr. Overton returned to the Board.

Other

7. Request by Public Works Department to change the street name of “Farmville Boulevard” to “West 10th Street” for the segment between Memorial Drive and Dickinson Avenue. – APPROVED

Mr. Cunningham stated that a street name change may be considered in accordance with City Code – Section 6-2-13(c):

- (1) When there is duplication of names or other conditions which tend to confuse the traveling public or delivery of mail, orders, messages or emergency services;
- (2) When it is found that a change may simplify making or giving directions to persons seeking to locate addresses; or
- (3) Upon other good and just reason.

Evaluation criteria. The Planning and Zoning Commission or City Council shall consider the following criteria when evaluating any resolution for a street name change under their respective authority:

- (1) The delivery of personal, public and emergency services;
- (2) The similarity to existing street names;
- (3) Any condition which may confuse the traveling public;
- (4) Ease of giving directions;
- (5) Place, name association or history;
- (6) Pronunciation and spelling;
- (7) The expense to abutting property owners; and
- (8) The expense to effected governmental agencies, including but not limited to the City of Greenville, The County of Pitt, N.C. Department of Transportation, Greenville Utilities Commission and U.S. Postal Service.

The following agencies were given the opportunity to review this request: City of Greenville Departments: Police, Public Works, Fire/Rescue, Recreation and Parks, Financial Services, and Community Development, also N. C. Department of Transportation, Greenville Utilities Commission, U. S. Postal Service, and the County of Pitt Planning Department. No comments against this request were received. The request is to keep the completed 10th Street Connector name continuous from Memorial Drive to Dickinson Avenue. The public hearing for this street name change request was advertised in The Daily Reflector on September 2 and 9, 2019. Signs were posted on August 29, 2019. Certified letters to the properties owners were mailed on July 19, 2019.

Mr. Robinson asked if any residences would be effected by the name change.

Mr. Cunningham stated no.

Mr. Robinson asked if the City received any complaints about the proposed name change.

Mr. Cunningham stated no.

Mr. Robinson opened the public hearing.

No one spoke in favor.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. Overton, seconded by Ms. Darden, to recommend approval of the street name change. Motion passed unanimously.

Adjournment

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

Meeting adjourned at 6:42.

Respectfully submitted,
Chantae Gooby
Chief Planner