



REQUEST FOR A SPECIAL USE PERMIT BY ARLINGTON CROSSING, LLC - GRANTED

Chairman Wubneh stated that the first item of business is a request by Arlington Crossing, LLC. The applicants, Arlington Crossing, LLC desires a special use permit to operate a medical supply sales facility pursuant to Section 9-4-78(f)(10)k of the Greenville City Code. The proposed use is located at 1868 W. Arlington Boulevard. The property is further identified as being Tax Parcel Number 48582.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin delineated the area on the map. Mr. Laughlin stated that Arlington Crossing has been before this Board this year for other request. The property is zoned Medical-Office. Surrounding development to the north are offices, south is undeveloped land to the south and west and east are medical offices. There is approximately 850 feet of frontage along Arlington Boulevard with a total lot area of 5.34 acres. The property is located within Vision Area "F" as designated by the Comprehensive Plan. Management actions for Vision Area "F" include strengthening and supporting the medical district plan. Uses in this area should support medical professionals and clientele. The Land Use Map recommends office, institutional, and multi-family uses for the subject property. Arlington Boulevard is indicated on the Thoroughfare Plan as a major thoroughfare. Mr. Laughlin stated that the applicant must meet all NC accessibility code for parking and access. Mr. Laughlin asked that the proposed Findings of Fact be entered into the record.

Applicant: Arlington Crossing, LLC

Request: The applicant, Arlington Crossing, LLC desires a special use permit to operate a medical supply sales facility pursuant to Section 9-4-78(f)(10)k of the Greenville City Code.

Location: The proposed use is located at 1868 W. Arlington Boulevard. The property is further identified as being Tax Parcel Number 48582.

Zoning of Property: MO (Medical Office)

<u>Surrounding Development:</u>	<u>Zoning</u>
North: Medical Offices	MO (Medical Office)
South: Undeveloped Land	MO (Medical Office)
East: Medical Offices	MO (Medical Office)
West: Undeveloped Land	MO (Medical Office)

Description of Property:

The property has approximately 850 feet of frontage along W. Arlington Boulevard with a total lot area of approximately 5.34 Acres.

Comprehensive Plan:

The property is located within Vision Area “F” as designated by the Comprehensive Plan. Management actions for Vision Area “F” include strengthening and supporting the medical district plan. Uses in this area should support medical professionals and clientele. The Land Use Map recommends office, institutional, and multi-family uses for the subject property.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Must meet all NC accessibility code for parking and access.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Ms. Bellis asked if this property is located in the same building as K&W Restaurant and if so, where would this use be located.

Mr. Laughlin indicated that this use would be located in Unit "T".

Mr. Jim Moye, Arlington Crossing, LLC, stated the request is for a medical supply facility, Mum2Be, a maternity shop. Mr. Moye stated that the space is 1,225 square feet. This particular business would offer a variety of maternity clothing, accessories, books, health education resources and materials. If space allows they would offer health classes on pregnancy topics. The individual who would operate the business is Leigh McManus.

Mr. Laughlin explained that the original application mentions the possibility of some sort of pregnancy massage. The space is not set up for this type of use and the city feels it should be removed from the application in order to move forward.

Mr. Moye stated that would be fine.

Mr. Little stated that as a matter of record the statutory references for therapeutic massage would require that it be available to both male and female and such would require a little more discreet rooms for pregnancy massage to occur. At this point no site plans have been provided. Mr. Little stated that by the applicant removing that, the pregnancy massage, he is amending his application to delete that requirement. This then becomes a part of the findings of fact that the applicant has amended his application.

No one spoke in opposition to the request.

Mr. Laughlin stated that the Planning staff is in support of the application.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Estes, seconded by Ms. Bellis, to adopt the proposed findings of fact as amended and evidence presented. Motion carried unanimously.

Motion was made by Mr. Harwell, seconded by Mr. Ward, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

REQUEST FOR A SEPCIAL USE PERMIT BY ARGUS HOLDINGS –  
GRANTED WITH CONDITIONS

Chairman Wubneh stated that the next item on the Agenda which is a public hearing on a request for a special use permit by Argus Holdings. The applicant, Argus Holdings, desires a special use permit to operate a restaurant having regulated outdoor activities pursuant to Section 9-4-78(f)(10)j of the Greenville City Code. The proposed use is located at 101 Lynncroft Lane. The property is further identified as being Tax Parcel Number 65940.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated that this is the location map here. An aerial photography showing the particular parcel on Lynncroft Lane in Lynncroft Shopping Center. The property is zoning Commercial-General. Surrounding development, to the north is commercial business, to the south and west is commercial business and to the east is a residential neighborhood. The property has approximately 140 feet of frontage along Evans Street and approximately 280 feet of frontage along Lynncroft Lane with a total area of approximately 0.46 acres. The property is located within Vision Area “D” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Land Use Plan, which recommends commercial development for the subject property. Notices were mailed to adjoining property owners. This is the Thoroughfare Plan Map. The property is located along Evans Street which is a major thoroughfare. Under staff comments, must meet all NC State Building Codes requirements; specifically exit criteria if outdoor dining area is enclosed by some barrier. Staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board. I would ask that the findings of fact be entered into the record. Thank you.

Applicant: Argus Holdings, LLC

Request: The applicant, Argus Holdings, LLC desires a special use permit to operate a restaurant with regulated outdoor activities pursuant to Sections 9-4-78(f)(10)j of the Greenville City Code.

Location: The proposed use is located at 3130 Evans Street. The property is further identified as being Tax Parcel Number 65940.

Zoning of Property: CG (Commercial General)

<u>Surrounding Development:</u>	<u>Zoning</u>
North: Commercial Business	CG (Commercial General)
South: Commercial Business	CG (Commercial General)
East: Residential Structures	R15S (Residential-Single-Family)
West: Commercial Business	CG (Commercial General)

Description of Property:

The property has approximately 140 feet of frontage along Evans Street and approximately 280 feet of frontage along Lynncroft Lane with a total lot area of approximately 0.46 Acres.

Comprehensive Plan:

The property is located within Vision Area “D” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Land Use Plan, which recommends commercial development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Must meet all NC State Building Codes requirements; specifically exit criteria if

outdoor dining area is enclosed by some barrier.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Chairman Wubneh asked for some clarification on the recommendation. Specifically, the criteria if outdoor dining are is enclosed by some barrier, what exactly does that entail?

Mr. Laughlin stated that if the outdoor dining area is going to have some kind of wall or fence around it State building codes are going to have an exit criteria so people can exit that without having to go back through the building I suspect. We have, that comment came from Building Inspections. We have a representative here.

Mr. Les Everett explained that there are certain ways to set this up, will there be exit criteria from the outdoor dining or will it require them to go back through the building to get out. It would simply have to meet the building codes for the number of people allowed.

Mr. Phil Dixon, Attorney representing Argus Holdings, stated that he was involved in the original plan to develop Lynncroft Shopping Center with a gentleman named John Clutteray and his wife Connie who own Argus Holdings. Mr. Dixon stated that this is one of those times when they got it right because they actually worked with the Lynndale Homeowners Association at that time. Mr. Dixon stated that included in your package are some restrictive covenants that we've imposed on the property trying to make it an acceptable development to the neighborhood. Mr. Dixon stated that the President of the Homeowners Association is here tonight, Diane Kulik, and she pointed out that we've received not two but three Appearance Commission Awards for being such a lovely shopping center, upscale shopping center, a very positive thing. Mr. Dixon explained that one of the things the neighbors were concerned about was they did not want any fast food restaurants. They wanted a nice, upscale restaurant and that's exactly what we're going to be providing to them. Ray Myers and his wife who operate Staccato's plan to put an even nicer restaurant at this location. This is going to be called the University Chop House. A very nice restaurant, linen table cloths and a very nice concept for Greenville. The

Neighborhood Association has proposed some conditions that we are all asking to be incorporated into our permit. When this project was developed a major portion of the shopping center is general commercial but there is a 50 foot strip of land running along the highway that is zoned O, which is a buffer area. Mr. Dixon stated that one of things the Neighborhood Associated wanted us to agree to was nothing before 7 AM in the morning and nothing after 12 mid-night. Mr. Dixon stated it was originally listed in there as 12 PM and 12 PM and they have no problem with the change. Mr. Dixon stated that the Board has that list and they are in agreement to have them included as conditions.

Mr. Dwight Vernelson, Rivers & Associates, stated that a site plan has been approved by the City. Mr. Vernelson stated that the proposed use complies with the Comprehensive Plan. Evans Street is a major thoroughfare and there will be no additional driveways. Mr. Vernelson stated he would answer any questions.

Ms. Diane Kulik, President of the Lynndale Neighborhood Association, stated that the neighborhood and Argus Properties have met to discuss the concerns of the neighborhood. Ms. Kulik stated that the neighborhoods basic concerns with noise and sound, lighting, signage and future usage. Ms. Kulik stated the neighborhood supports the special use permit for Argus Properties for the outdoor dining provided the recommended conditions are attached to the permit. Those conditions are (1) No restaurant related outdoor accessory activity shall be allowed outside the designated outdoor activity area, as illustrated upon the plan attached to and made part of the permit application and record. Specifically, no outdoor activity shall be permitted to overflow into any parking area or yard area, both on the restaurant lot or onto adjacent lots. (2) The outdoor activity area shall be limited to 48 seats. (3) There shall be no live outdoor music, floor show, or dancing associated with any outdoor activity area. (4) Outdoor amplified paging of patrons, guests or/or employees shall be prohibited. (5) Outdoor amplified sound, including music, shall be allowed, provided (i) any sound transmission device, system, and/or speaker shall be oriented in a manner that directs all mechanical and/or amplified sound toward the restaurant building and away from any abutting residential property line, and (ii) no amplified sound shall be audible from any point located on any property zoned for residential purposes. Outdoor amplified sound is defined as any sound using amplifying equipment, whose source is outside or whose source is inside and the sound propagates to the outside through open door(s) or window(s) or other openings in the building. Measurement standards shall be human auditory senses. (6) No television transmission, movie projection and/or computer display, excepting personal use of



laptop computers, shall be viewed from the outdoor activity area. (7) Exterior lighting associated with the outdoor activity area shall be directed away from all public and/or private street, and away from property zoned for residential purposes. No exterior lighting shall shine directly into a residential dwelling or premises. (8) No exterior neon lighting, no neon light signs, and no flashing signs shall be allowed in conjunction with the principal use restaurant and/or accessory outdoor activity area. (9) All outdoor activity area service delivery and facility use shall be limited to the period 7:00 AM to 12:00 mid-night. No food or beverage may be sold or consumed, and no restaurant related activity, including but not limited to sitting and waiting, shall be allowed within the outdoor activity area prior to 7:00 Am or after 12:00 mid-night of any day. (10) Two matching evergreen trees shall be installed between the outdoor activity area and the right-of-way of Evans Street for the purpose of establishing a visual screen, in the approximate located shown on the diagram. Ms. Kulik explained that by installing the two additional evergreens the resident across Evans Street would not be able to see the restaurant which would ensure their privacy.

There was discussion in regards to the noise ordinance and how it would be enforced in relation to the restaurant.

Mr. Dixon acknowledged their agreement to the Neighborhood Associates conditions.

No one spoke in opposition.

Mr. Laughlin stated that the Planning staff is in support of the application.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Estes, seconded by Ms. Safford-White, to adopt the proposed findings of fact as amended and evidence presented. Motion carried unanimously.

Motion was made by Mr. Harwell, seconded by Mr. Ward, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific

requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

REQUEST FOR A SPECIAL USE PERMIT BY MOE BETTER, LLC – GRANTED WITH CONDITIONS

Chairman Wubneh stated that the next is a public hearing for special use permit by Moe Better, LLC. The applicant, Moe Better, LLC desires a special use permit to operate a restaurant having regulated outdoor activities pursuant to Section 9-4-78(f)(10)j of the Greenville City Code. The proposed use is located at 2408 Stantonsburg Road. The property is further identified as being Tax Parcel Number 39243.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated this is a request by Moe Better, LLC, for a special use permit to operate a restaurant having regulated outdoor activities. The property is located at 2408 Stantonsburg Road. Mr. Laughlin stated that the property is zoned Medical-General Commercial and a restaurant in this zone requires a special use permit because it is within 300 feet of a residential district. The property has 68 feet of frontage along Arlington Boulevard with a total lot area of 3,077 square feet. The property is located within Vision Area “F”. Management actions for Vision Area “F” include strengthening and supporting the medical district plan. Uses in this area should support medical professionals and clientele. The Land Use Map recommends office, institutional, and multi-family uses for the subject property. Mr. Laughlin stated that the applicant must all NC State Building Codes requirements, specifically exit criteria if outdoor dining area is enclosed by some barrier. Mr. Laughlin asked that the findings of fact be entered into the record.

Applicant: Moe Better, LLC d/b/a Moe’s Southwest Grill

Request: The applicant, Moe Better, LLC desires a special use permit to operate a restaurant having regulated outdoor activities pursuant to Section 9-4-78(f)(10)j of the Greenville City Code.

Location: The proposed use is located at 2408 Stantonsburg Road. The property is further identified as being Tax Parcel Number 39243.

Zoning of Property: MCG (Medical-General Commercial)

<u>Surrounding Development:</u>	<u>Zoning</u>
North: Medical-Family	MR (Medical Residential)
South: Commercial Businesses	MO (Medical Office)
East: Medical Offices	MO (Medical Office)
West: Hospital Parking	MO (Medical Office)

Description of Property:

The property has approximately 68 feet of frontage along Arlington Blvd. with a total lot area of approximately 3,077 square feet.

Comprehensive Plan:

The property is located within Vision Area “F” as designated by the Comprehensive Plan. Management actions for Vision Area “F” include strengthening and supporting the medical district plan. Uses in this area should support medical professionals and clientele. The Land Use Map recommends office, institutional, and multi-family uses for the subject property.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Must meet all NC State Building Code requirements; specifically exit criteria if outdoor dining area is enclosed by some barrier.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. Chris West, Custom Building Company, representing the applicant spoke on behalf of the request. Mr. West stated that the special use permit is specifically for the outside dining which would include 4 to 7 tables on the corner.

Ms. Safford-White asked if the egress for people coming and going on the walkway would be disrupted by the tables and doesn't that constitute a safety issue.

There was considerable discussion in relationship of the position of the tables and chairs on the sidewalk.

Mr. West stated that the applicant would agree to change the location of the tables and chairs to being closer to the building. Mr. West stated that the applicant is willing to eliminate two tables.

No one spoke in opposition.

Mr. Laughlin stated that the Planning staff is in support of the application.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Ms. Bellis, seconded by Mr. Ward, to adopt the proposed findings of fact as amended and evidence presented. Motion carried unanimously.

Motion was made by Ms. Safford-White, seconded by Mr. Ward, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

## REQUEST FOR A SEPCIAL USE PERMIT BY DEBRA NEAL – GRANTED

Chairman Wubneh stated that the next item is a public hearing for a special use permit request by Debra Neal. The applicant, Debra Neal, desires a special use permit to operate a child day care facility pursuant to Section 9-4-78(f)(8)a of the Greenville City Code. The proposed use is located at 605 Howell Street. The property is further identified as being Tax Parcel Number 09265.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated that the aerial photograph shows the two parcels on Howell Street. The property is zoned R6, Residential and surrounded by residential development. The property has approximately 60 feet of frontage along Howell Street with a total lot area of approximately 8,575 square feet. The property is located within Vision Area “G” as designated by the Comprehensive Plan. Management actions for Vision Area “G” include to revitalize mixed uses along Dickenson Avenue and Martin Luther King, Jr. Drive. Property owner shall obtain proper building permits for change of occupancy from residential to a commercial child care facility. Mr. Laughlin explained that any time there is a change of use it must go through site plan approval. Facility shall meet code requirements applicable to age and number of children served. Facility shall meet all current fire codes. Applicant shall obtain all require state licensing to operate a child day care facility. Mr. Laughlin read the criteria for a child day care facility. (1) All accessory structures, including but not limited to playground equipment and pools must be located in the rear yard. (2) The minimum lot size shall be increased by a ratio of one hundred (100) square feet per child in excess of five (5). (3) Outdoor play area shall be provided at a ratio of one hundred (100) square feet per child and shall be enclosed by a fence at least four (4) feet in height. Further, all playground equipment shall be located in accordance with the bufferyard regulations. (4) If located in a residential district, a residential appearance of the site shall be maintained to the greatest possible extent. (5) Employee parking shall be at the rear of the structure when a child day care facility is located in a residential district. Applicant must comply with and obtain all federal, state and county licensing requirements to operate a day care facility; must obtain and comply with all health and sanitary inspections for food service and preparation; and must obtain all building permits and inspections to determine the maximum number of students that may be served at

the facility, the location and direction of parking including bufferyard and play area fencing requirements. Mr. Laughlin stated that it is staff's opinion that if the special use permit is granted the applicant would be required to submit a site plan for approval prior to operation. Mr. Laughlin asked that the findings of fact be entered into the record.

Applicant: Debra Neal

Request: The applicant, Debra Neal, desires a special use permit to operate a child day care facility pursuant to Section 9-4-78(f)(8)a of the Greenville City Code.

Location: The proposed use is located at 605 Howell Street. The property is further identified as being Tax Parcel Numbers 09265 and 09264.

Zoning of Property: R6 (Residential)

Surrounding Development:

Zoning

North: Residential Development

R6 (Residential)

South: Residential Development

R6 (Residential)

East: Residential Development

R6 (Residential)

West: Residential Development

R6 (Residential))

Description of Property:

The property has approximately 60 feet of frontage along Howell Street with a total lot area of approximately 8,575 square feet.

Comprehensive Plan:

The property is located within Vision Area "G" as designated by the Comprehensive Plan. Management actions for Vision Area "G" include to revitalize mixed uses along Dickenson Avenue and Martin Luther King, Jr. Drive.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Property owner shall obtain proper building permits for change of occupancy from residential to a commercial child care facility.

Facility shall meet code requirements applicable to age and number of children served.

Facility shall meet all current fire codes.

Applicant shall obtain all require state licensing to operate a child day care facility.

Driveway and parking layout are subject final approval of Public Works.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Ms. Bellis asked about the parking requirements for a day care facility.

Mr. Little explained that the applicant's site plan would address the issue of parking requirements and the number of children that would be allowed at the facility. In addition, other requirements would have to be addressed according to city code. If the Board approved the special use permit it would be contingent upon the site plan meeting all the other ordinance requirements. Mr. Little explained that in a residential area parking for a day care is located in the rear of the structure in order to maintain a residential appearance.

Ms. Debra Neal stated she wishes to operate a day care facility for low income families, DSS subsidized and private paying parents. The ages would be from infant to 5 years of age and operational hours from 6:30 AM to 10 PM. Ms. Neal stated that there will be 6 staff members and approximately 28 children.

Mr. Estes stated that it is unclear on the map which end will have the center and which end will have the playground area.

Mr. James Hyman explained that the area marked center on the map is the left side of the home facing Howell Street. Mr. Hyman stated there will be a fence around the entire house.

Mr. Little explained the State requirements for a child day care facility in relation to the number of employees per child.

Ms. Safford-White asked if there was only one entrance and exit to the property. Ms. Safford-White stated that by looking at the map she does not understand how someone can turn around to exit the property. Ms. Safford-White asked where would children be dropped off at according to the map.

Mr. Hyman indicated on the map the location of another driveway on the main street. Mr. Human indicated on the map how someone could turn around and exit the property.

Ms. Neal indicated on the map that the children would be dropped off in front of the center.

Mr. Shook stated that while the Board has concerns as to whether or not this permit is appropriate. Mr. Shook stated that he has some questions in regards to the driveway and other matters but those issues will be addressed by the city when the applicant submits a site plan. If the site plan is not approved then the permit would be null and void.

Ms. Bellis expressed a concern in approving the request based on the map that was submitted versus having an approved site plan before the Board.

Mr. Little stated that the Board could continue the request until the following month and ask that preliminary plan be submitted. Mr. Little stated that the applicant has



already proceeded with the licensing process.

No one spoke in opposition.

Mr. Laughlin stated that the Planning staff is in support of the application.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Ward, seconded by Ms. Safford-White, to adopt the proposed findings of fact and evidence presented as amended contingent upon site plan approval, inclusion of the child care facilities criteria and complying with all city, county and state requirements and all Health Department requirements. Motion carried unanimously.

Motion was made by Mr. Shook, seconded by Mr. Estes, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

#### REQUEST FOR A SPECIAL USE PERMIT BY PITT COUNTY BOARD OF EDUCATION – GRANTED

Chairman Wubneh stated that the next item is a public hearing on a request by the Pitt County Board of Education. The applicant, Pitt County Board of Education, desires a special use permit to operate an elementary school pursuant to Section 9-4-78(f)(8)h of the Greenville City Code. The proposed use is located at the extension of South Bend Drive off of Thomas Langston Road. The property is further identified as being Tax Parcel Numbers 21779, 23627.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated that the request by the Pitt County Board of Education is for a special use permit to operate an elementary school. The proposed use is to be located at

the extension of South Bend Drive. The site is surrounded by residential-single family, residential-agricultural and heavy commercial zoning. The property has a total of 161 acres. The property is located within Vision Area “E” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Land Use Plan, which recommends medium density residential subject property. The proposed project is subject to approval of the preliminary and final plats, the construction plan, as well as the extension of South Bend Drive. Annexation will be required prior to permitting. The applicant has stated that the sports fields shall not have lighting. Mr. Laughlin asked that the findings of fact be entered into the record.

Applicant: Pitt County Board of Education

Request: The applicant, Pitt County Board of Education, desires a special use permit to operate an elementary school pursuant to Section 9-4-78(f)(8)h of the Greenville City Code.

Location: The proposed use is located at the extension of South Bend Drive off of Thomas Langston Road. The property is further identified as being Tax Parcel Numbers 21779, 23627.

Zoning of Property: R9S (Residential-Single Family)

Surrounding Development:

Zoning

North: Residential Development  
& Undeveloped Land

R9S (Residential-Single Family)  
& RA-20 (Residential-Agricultural)

South: Residential Development

R9S(Residential-Single Family)

East: Residential Development

R9S(Residential-Single Family)

West: Residential Development  
& Undeveloped Land

RA-20 (Residential-Agricultural)  
R6A (Residential), & CH (Commercial Heavy)

Description of Property:

The property is accessed by South Bend Drive total area of approximately 161 acres.

Comprehensive Plan:

The property is located within Vision Area “E” as designated by the Comprehensive Plan. The proposed use is in general compliance with the Land Use Plan, which recommends medium density residential subject property.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Proposed project is subject to approval of the preliminary and final plats, the construction plan, as well as the extension of South Bend Drive.

Annexation will be required prior to permitting.

Sports fields shall not have lighting.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. Jimmie Hite, Architect, spoke on behalf of the request. Mr. Hite stated a neighborhood school is the concept for this project. The school would not be on a major thoroughfare but inside a neighborhood. The development plan or sketch plan for the entire tract has been reviewed allows interconnection with existing and proposed neighborhoods. The school site is approximately 28.5 acres.

Mr. Harwell asked if the entire parcel is to be annexed or just the school site.

Chairman Wubneh asked if the school is proposed to be located on 28.5 acres and annexed then why does the application indicated 161 acres.

Mr. Laughlin explained that he included the two parcels for the acreage.

Mr. Harwell asked if the Board would be granting a special use permit for the entire 161 acres or the 28.5 acres.

Mr. Hite explained that the only interested of the School Board is the 28.62 acres which is part of the entire tract. .

There was discussion in relationship to the application reading 161 acres and the school being located on 28.62 acres and what area would be annexed.

Mr. Hite stated he would modify the application to stated that the 28.62 acres is to be considered for a special use permit request.

Ms. Bellis stated that even though the school is being designed as a neighborhood school that might not be the case in the future. Ms. Bellis voiced her concerns that if the school is not continued as a neighborhood school there would be an increase in traffic on Thomas Langston Road. Ms. Bellis asked if a traffic study has been done.

Mr. Hite explained that they have met with the District Engineer with the plan and he has no problem with it. Mr. Hite stated that they are prepared to submit a plan to the District Engineer for comment and if a traffic study is suggested one will be done.

No one spoke in opposition.

Mr. Laughlin stated that the Planning staff is in support of the application.

There was discussion as to whether the Board would recommend a transportation study of future and existing land uses on Thomas Langston Road be conducted.

Mr. Little explained that Thomas Langston Road is with the ETJ but is a state maintained road. The Department of Transportation would be the governing body behind any final decisions as to whether or not a traffic study would be required.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Harwell, seconded by Mr. Estes, to adopt the proposed findings of fact and evidence presented as amended to include concerns of traffic patterns on future and existing land uses and recommends that a transportation study be conducted of Thomas Langston Road. Motion carried unanimously.

Motion was made by Ms. Safford-White, seconded by Mr. Ward, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

REQUEST FOR A SPECIAL USE PERMIT BY MARY DUCKWALL AND JASON LUNDY – GRANTED WITH CONDITIONS

Chairman Wubneh stated that the last item is a request by Mary Duckwall and Jason Lundy for a special use permit. The applicants, Mary Duckwall and Jason Lundy, desire a special use permit to operate a public or private club pursuant to Section 9-4-78(f)(6)m of the Greenville City Code. The proposed use is located at 2217 S. Memorial Drive. The property is further identified as being Tax Parcel Number 16786.

Chairman Wubneh declared the meeting a public hearing as advertised in The Daily Reflector on December 11, 2006 and December 18, 2006. Those wishing to speak for or against the request were sworn in.

Mr. Laughlin stated the proposed is to be located at 2217 S. Memorial Drive, previous location of the Bar Code Club. The property is currently zoned Downtown Commercial Fringe. Surrounding property is zoned downtown commercial fringe and general commercial. The property has approximately 125 feet of frontage along Memorial Drive with a total area of 16,571 square feet. Mr. Laughlin made reference to the public/private club criteria that the applicant must meet. Mr. Laughlin asked that the findings of fact be entered into the record.

Applicant: Mary Duckwall & Jason Lundy

Request: The applicants, Mary Duckwall and Jason Lundy, desire a special

use permit to operate a public or private club pursuant to Section 9-4-78(f)(6)m of the Greenville City Code.

Location: The proposed use is located at 2217 S. Memorial Drive. The property is further identified as being Tax Parcel Number 16786.

Zoning of Property: CDF (Downtown Commercial Fringe)

Surrounding Development:

Zoning

North: Commercial Business

CDF (Downtown Commercial Fringe)

South: Commercial Business

CDF (Downtown Commercial Fringe)

East: Commercial Business

CDF (Downtown Commercial Fringe)

West: Commercial Business

CG (General Commercial)

Description of Property:

The property has approximately 125 feet of frontage along Memorial Drive with a total area of approximately 16,571 square feet.

Comprehensive Plan:

The property is located within Vision Area “G” as designated by the Comprehensive Plan.

The proposed use is in general compliance with the Land Use Plan, which recommends commercial development for the subject property.

Notice:

Notice was mailed to the adjoining property owners on December 7, 2006. Notice of the public hearing was published in the Daily Reflector on December 11, 2006 and December 18, 2006.

Staff Comments:

Existing structure was condemned due to fire damage. Proper permits must be obtained, inspections approved, and Certificate of Occupancy issued prior to

business opening.

Fire Department inspections must be conducted after completion of renovations and repaired fire damage.

In addition to entry by the Fire Marshal for fire code and occupancy compliance, officers with the Greenville Police Department and NC ALE will be admitted to conduct routine and regular inspections to insure compliance with NC statutes and Greenville ordinances and to investigate complaints.

Staff Recommendation:

Planning staff is of the opinion that the request can meet all the development standards required for issuance of a special use permit upon proper findings by the Board.

Mr. Earl Brown, Attorney, spoke on behalf of the applicants. Mr. Brown stated that the applicants are in the process of renovating the structure and they have secured permission from adjoining property owners for extended parking.

No one spoke in opposition.

Mr. Laughlin stated that the Planning staff is in support of the application.

Chairman Wubneh then read the criteria in granting/denying a special use permit.

Motion was made by Mr. Harwell, seconded by Mr. Shook, to adopt the proposed findings of fact and evidence presented to include staff conditions. Motion carried unanimously.

Motion was made by Mr. Estes, seconded by Mr. Shook, to approve the request. Motion carried unanimously.

Based on the facts found by the Board and the evidence presented, the Board orders that this permit be granted and subject to full compliance with all of the specific requirements stated in the Zoning Ordinance of the City of Greenville for the proposed use.

There being no further business the meeting adjourned at 10:15 PM.

Respectfully submitted

Seth Laughlin  
Planner