



Agenda

Planning and Zoning Commission

May 21, 2013
6:30 PM
Council Chambers, City Hall, 200 W. Fifth Street

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- I. CALL MEETING TO ORDER -
- II. INVOCATION - Linda Rich
- III. ROLL CALL
- IV. APPROVAL OF MINUTES - April 16, 2013
- V. NEW BUSINESS

LAND USE PLAN MAP AMENDMENTS

1. Ordinance requested by North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/multi-family (OIMF) category to industry (I) and conservation/openspace (COS) categories for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 31 acres.

- VI. ADJOURN

DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE GREENVILLE PLANNING
AND ZONING COMMISSION

April 16, 2013

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

Mr. Godfrey Bell –Chair-*

Mr. Tony Parker - *	Ms. Shelly Basnight – *
Mr. Hap Maxwell – *	Ms. Ann Bellis – *
Ms. Linda Rich - *	Mr. Brian Smith - *
Mr. Doug Schrade - X	Mr. Jerry Weitz –X
Ms. Wanda Harrington-X	Mr. Torico Griffin -*
Dr. Kevin Burton- X	

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

VOTING MEMBERS: Maxwell, Basnight, Bellis, Rich, Smith, Griffin, Parker

PLANNING STAFF: Andy Thomas, Lead Planner and Elizabeth Blount, Staff Support Specialist II.

OTHERS PRESENT: Dave Holec, City Attorney, Merrill Flood, Community Development Director, Tim Corley, Engineer and Jonathan Edwards, Communications Technician.

MINUTES: Motion was made by Mr. Smith, seconded by Ms Basnight, to accept the March 19, 2013 minutes as presented. Motion carried unanimously.

NEW BUSINESS

REZONING

ORDINANCE REQUESTED BY PIRHL DEVELOPMENT, LLC TO REZONE 4.8+/- ACRES LOCATED BETWEEN TURNBURY DRIVE AND SMYTHEWYCK DRIVE AND BEING 230+/- FEET EAST OF EAST ARLINGTON BOULEVARD FROM CG (GENERAL COMMERCIAL) TO OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTIFAMILY]).

Chairman Bell stated that the applicant requested to withdraw the petition.

Mr. Smith made a motion to accept the withdrawal, seconded by Mr. Parker. Motion carried unanimously.

TEXT AMENDMENTS

ORDINANCE INITIATED BY KEN MALPASS OF MALPASS AND ASSOCIATES TO AMEND THE ZONING ORDINANCE TO REDUCE THE PUBLIC STREET SETBACK IN

THE "O-OFFICE" ZONING DISTRICT FROM THIRTY-FIVE (35) FEET TO TEN (10) FEET.- APPROVED

Mr. Andy Thomas, Lead Planner, stated as a point of reference that the Bradley Housing Developers for the request on Port Terminal Road withdrew their petition from going before City Council.

Mr. Thomas stated that the "O-Office" zoning district is the most restrictive non-residential zoning district. The current public street setback is thirty-five (35) feet. The applicant has requested that the standard be changed to ten (10) feet. This would bring the setbacks in line with the setbacks for the OR-Office-Residential district. The reduction of the "O-Office" public street setback could have some benefits. Buildings could be pushed closer to the street with parking in the rear. The current setback typically allows parking lots to be located in the front of buildings due to the land expense. The "O-Office" zoning is mainly in the gateway of some neighborhoods. There are only 66 parcels zoned "O" in the City.

Chairman Bell asked if changing the setback would improve the appearance.

Mr. Thomas stated that the request is in accordance to the Horizon Comprehensive Plan. A lot of "O" properties have been vacant for a while and it could spur some development of the properties. Commercial property is purchased by the square footage so the parking lot in the front has to be of some value to the property.

Ms Bellis asked if there will be a requirement to have parking provided in the rear.

Mr. Thomas stated if the setback was changed to ten feet that parking in the rear would not be mandatory but encouraged.

Mr. Parker stated that anyone who has a business knows you have to have parking so the parking would be behind the business.

Mr. Thomas stated that the business would still have to meet the parking requirements.

Ms Basnight asked for a specific location.

Mr. Thomas stated some properties on Greenville Boulevard have the "O-Office". He reiterated that the benefit for the change is to allow the building to be closer to the street and that the city only has 66 "O-Office" zoned parcels.

Mr. Griffin asked if the Fed Ex/Kinko's building on 10th Street was an example.

Mr. Thomas answered right.

Ms Rich asked if the business owner would have problems with handicap entrances if the parking is in the rear.

Mr. Thomas stated that the business would still have to meet the handicap requirements.

Ms Rich stated that the handicap parking in the rear could be a handicap to the handicapped.

Chairman Bell stated that most businesses that have limited parking make sure they meet the parking requirements by having the handicap parking in the front.

Mr. Thomas stated that the business has to meet the handicap accessibility standards.

Chairman Bell opened the public hearing.

Mr. Ken Malpass, applicant, spoke in favor of the petition. He stated that the request allows for some different things with buildings up front. Properties on the corner would benefit from the change so the parking would not have to be zigzagged. Commercial Downtown (CD), General Commercial (CG), and Heavy Commercial (CH) zones have recently been changed to twenty feet. Other cities have a lesser setback. No other requirements are changing. Parking is based on the square footage of the building unless it is in the downtown area. The request to change the setback will match what is in the OR – office residential requirement.

No one spoke in opposition.

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

Mr. Parker stated that the setback will give the city an urban-type feel. He stated that the apartments on Charles Boulevard look very attractive.

Motion made by Mr. Parker, seconded by Mr. Maxwell, to recommend approval of the proposed amendment to advise that it is consistent with the Comprehensive Plan and other applicable plans and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

OTHER ITEMS

PETITION TO CLOSE A PORTION OF EAST ROCK SPRING ROAD AND THE ASSOCIATED ALLEY-APPROVED

Mr. Tim Corley, City Engineer, presented the application. The petition is from the State of North Carolina on behalf of East Carolina University (ECU) to close a portion of East Rock Spring Road on the south side of 14th Street along with a twenty (20) foot alley. The State of North Carolina owns all the adjacent property to the area. If the petition is granted, all the property would be owned by ECU. There are no immediate plans for the property. Currently the property is parking and open space. City staff does recommend two conditions if the petition is

approved: (1) A recombination map of all the properties showing one large property, (2) GUC request that any utilities and easements remain in place and be shown on the recombination map.

Chairman Bell asked if any concessions have been made to allow for parking in the alley.

Mr. Corley stated no. ECU has not told staff what the plans are for the property.

Chairman Bell opened the public hearing.

No one spoke in favor or opposition of the request.

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

No board discussion.

Motion made by Mr. Smith, seconded by Ms Rich, to close a portion of East Rock Spring Road and the associated alley with the staff conditions. Motion passed unanimously.

Chairman Bell invited the board to the May 6 City Council meeting for the Planning and Zoning presentation.

With no further business, motion made by Ms Rich, seconded by Mr. Smith, to adjourn. Motion passed unanimously. Meeting adjourned at 6:46 p.m.

Respectfully Submitted,

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



City of Greenville, North Carolina

Meeting Date: 5/21/2013
Time: 6:30 PM

Title of Item: Ordinance requested by North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/multi-family (OIMF) category to industry (I) and conservation/openspace (COS) categories for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 31 acres.

Explanation: **Abstract:** The City has received a request by North Carolina Department of Transportation to amend the Future Land Use Plan Map from an office/institutional/ multifamily (OIMF) category to an industry (I) and a conservation/openspace (COS) categories for the property located at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road containing 31 acres.

History/Background:

The current Future Land Use Plan Map (FLUPM) was adopted on February 12, 2004.

Comprehensive Plan:

The subject area is located in Vision Area A.

The FLUPM recommends office/institutional/multifamily (OIMF) at the northwest corner of the intersection of North Memorial Drive and West Belvoir Road with commercial (C) and conservation/open space (COS) to the north, industry (I) to the south and low density residential (LDR) to the west.

North Memorial Drive is designated as a gateway corridor from West Third Street continuing north. Gateway corridors serve as primary entranceways into the City and help define community character. These roads are designed to carry high volumes of traffic through and across the City.

The Comprehensive Plan states: "Office/Institutional/Multi-family land uses should be developed along transportation thoroughfares to provide transition between commercial nodes and to preserve vehicle carrying capacity. Office/Institutional/Multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses."

The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is compatible.

The following are excerpts from the 2010 Update.

A FLUPM amendment request will be construed to be "compatible with the comprehensive plan" if:

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

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

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

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

Environmental Conditions/Constraints:

The subject property is impacted by the 500-year floodplain associated with the Tar River.

Surrounding Land Uses and Zoning:

North: CH and R6 - Vacant

South: OR - Pitt-Greenville Airport (runway) and NC Department of Corrections

East: RA20 - NC DOT facility

West: CN - One (1) single-family residence; R6MH - Three (3) single-family residences and two (2) mobile home residences

Thoroughfare/Traffic Volume (Summary):

Based on the analysis comparing the existing land use (2,886 daily trips) and requested land use, the proposed land use classification could generate 1,564 trips to and from the site on Memorial Drive, which is a net *decrease* of 1,322 less trips per day. Since the traffic analysis for the requested land use indicates that the proposal would generate less traffic than the existing land use, a traffic volume report was not generated.

Additional Staff Comments:

Of primary concern is the protection of the abutting residential neighborhood to the west. The current zoning of OR (office-residential [high density multi-family]) provides the intended buffer for the neighborhood.

The subject property is impacted by its proximity to one of the runways for Pitt-Greenville Airport located to the south. Due to the size (30+/- acres), location and mitigating factors associated with the subject property, the current zoning of OR could limit any potential development of the property.

Under the requested categories of industry and conservation/open space, staff would recommend the addition of a CA (conservation) overlay zoning on a portion of the property adjacent to the neighborhood which would require the property within the CA overlay zoning to remain in its natural vegetative state.

Further, staff would recommend the applicant meet with the adjacent neighborhood to address any concerns.

Any specific improvements above the minimum bufferyard and street tree requirements, including the additional plantings and the like, which the applicant may voluntarily offer, would be by private agreement. The City cannot participate in the development of, or in the enforcement of, any private agreements associated with any rezoning.

The inclusion of transitional zoning or other private conditions of development that are agreeable to the affected neighborhood may accomplish the intent of the plan for protect the neighborhood.

Fiscal Note:

No cost to the city.

Recommendation:

In consideration of the criteria listed in the 2010 Update regarding requests to amend the Future Land Use Plan Map and mitigating factors as previously mentioned, staff's opinion is that the request is **compatible** with the comprehensive plan based on the following criteria listed in the 2010 Update. The proposed I and COS categories:

- are properly located with respect to existing and future adjoining land uses and is not anticipated to cause undue negative impacts on localized traffic,

the natural environment or existing and future neighborhoods and businesses within and in proximity to the area; and

- are anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

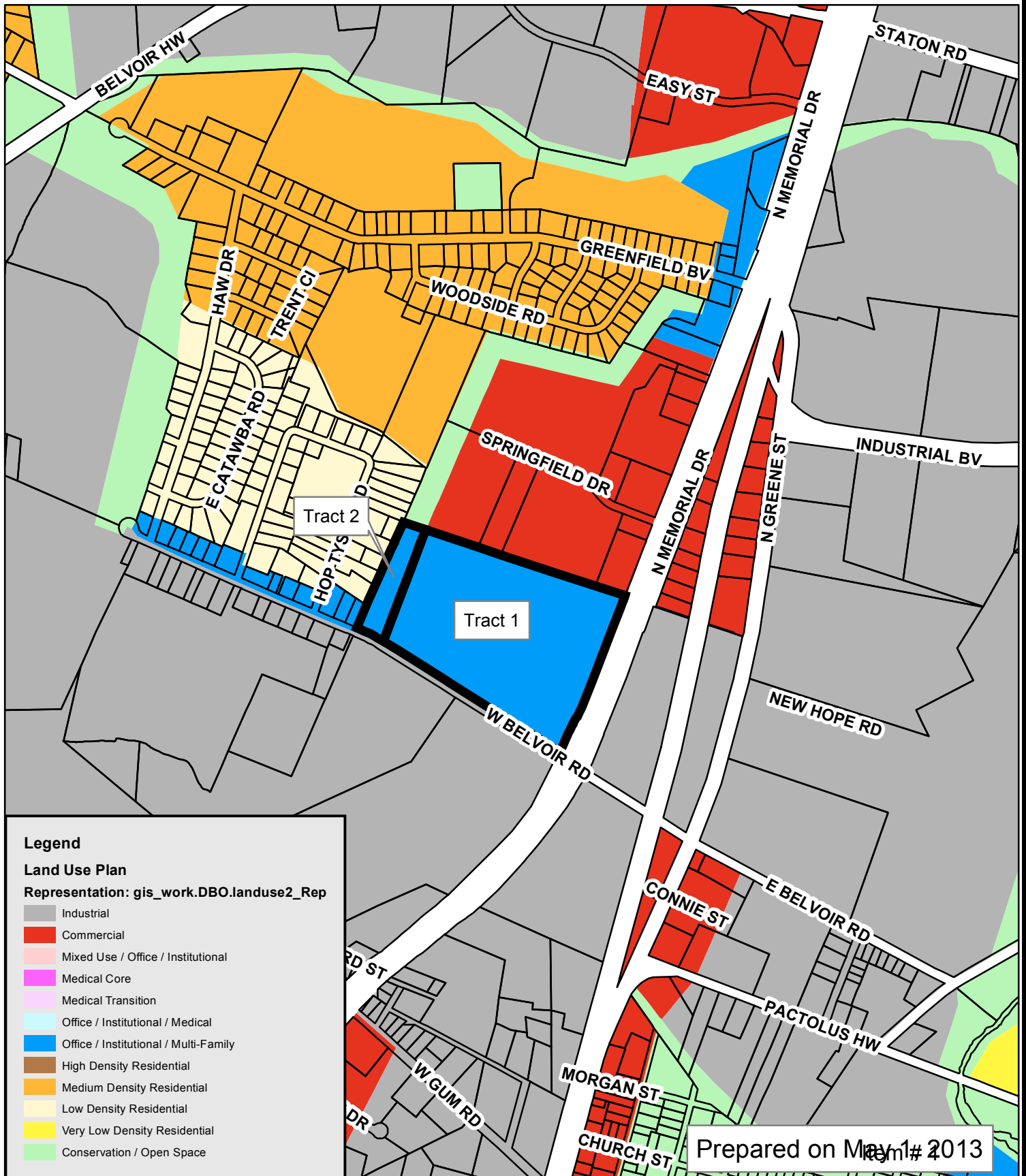
 [Map](#)

NC Department of Transportation

From: OIMF 31 acres

To: I (Tract 1) 29 acres

COS (Tract 2) 2 acres



Prepared on May 1, 2013