

February 16, 2010

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

Mr. Bill Lehman - *
Mr. Bob Ramey - * Mr. Dave Gordon - *
Mr. Tony Parker - * Mr. Tim Randall - X
Mr. Len Tozer - * Mr. Godfrey Bell, Sr. - *
Ms. Shelley Basnight - * Mr. Hap Maxwell – *
Mr. Allen Thomas - * Ms. Linda Rich - *

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

VOTING MEMBERS: Lehman, Ramey, Gordon, Parker, Tozer, Bell, Basnight, Maxwell, Thomas and Rich

PLANNING STAFF: Chantae Gooby, Planner; Tom Wisemiller, Planner; Harry Hamilton, Chief Planner; and Sarah Radcliff, Secretary

OTHERS PRESENT: Dave Holec, City Attorney; Daryl Vreeland, Transportation Planner; Calvin Mercer, City Council; and Marion Blackburn, City Council

MINUTES: Motion was made by Mr. Ramey, seconded by Mr. Tozer, to accept the January 19, 2010 minutes as presented. Motion carried unanimously.

Mr. Lehman said he would like to add an item to the agenda as item #5 entitled “Reviewing the Rules for Recusal”.

OLD BUSINESS

Future Land Use Plan Map Consideration, Area of Interest #2: Highway 33 (E. 10th street Extension), continued from February 3, 2010 Workshop

Mr. Wisemiller said this item was continued from the February 3rd meeting and the public comment period was closed. He said no additional public comment period is required; however, the commission can allow additional persons to speak pending a motion and vote to reopen the public comment period.

Mr. Lehman said he would like to open discussion to the board members and see if they had any questions for staff.

Mr. Holec reminded the board that Mr. Thomas had requested recusal from voting on this matter so he would not be participating in discussion on this matter. He said Mr. Maxwell would vote in his place on this matter.

Mr. Ramey said he would like the secondary area in the dotted lines to be removed.

Mr. Lehman asked why he felt it should be removed.

Mr. Ramey said he didn't feel commercial should go down that far.

Mr. Tozer said removing the secondary area would allow for transitional zoning from commercial to residential.

Motion was made by Mr. Ramey, seconded by Mr. Tozer, to approve the request with the secondary area shown within the dotted lines on the map being removed.

Mr. Parker asked for clarification on what was being voted on.

Mr. Lehman said they were voting on approving the request in item 1 with the secondary area

removed.

All except Mr. Parker and Mr. Maxwell voted in favor of the request. Motion carried.

The following items were submitted in regards to this request:

DATE: 2-15-10

TO: Harry Hamilton
+ Planning & Zoning
Board Members voting

ORGANIZATION: _____

FAX #: 329-4483

PAGES (Inc. Cover) 1

MESSAGE: See Below
Future Land Use Plan Hwy 33

FROM: Millie H. Wiggins & Johnnie Wiggins
Telephone # (252) 758-3741
Cell # 252-531-2882
FAX # 252-758-3741

To: Planning Board

This is my second fax in support of our land being zoned commercial. With Walmart across the street, we are now in favor of commercial property.

Please consider this request!
Please send to voting Board members for the meeting!

To: Harry Hamilton

Letter of support

to change Future
Land Use Plan - Hwy 33 EB7

From Joyce Hardee McKay

Please share with voting
board Planning + Zoning

My name is Joyce Hardee McRoy and I live in the added on area being considered for being zoned commercial. Continuing East down 10th Street from my home, there is 3 residences and the highway changes to Hwy # 33 and we have around a dozen commercial businesses, another residence and then 2 more commercial businesses all the way to the end of the five lane highway.

Crossing the street going west toward Greenville, we have 3 more commercial businesses, being Dollar General, Pizza Place and Quality Collision, before we reach I. T Hardee Rd.

At L T Hardee Rd the property is already zoned commercial all the way to Portertown Rd, already having many businesses in this area, being a Sheetz, a strip mall, Food Lion, Family Dollar and Hardee Car Shop, and proposed new Wal-Mart..

Going West from my home toward Greenville, is two residences and a commercial building. Beginning at the commercial building is the property in the first area being considered for commercial.

So I will have commercial on both sides and in front of me. In the added area is already a commercial building and 4 residences, on land owned by me, my sister and my brother. We want this land zoned commercial.

As to the water issue, according to my Father and Grandfather, the highway is the area changing the flow of water run off. Water flows in natural slopes from the highway North all the way to Tar River, as was pointed out at the last meeting. Water on the south side of East 10th Street flows to Hardee Creek or the creek running thru Brook Valley. My home is one of the highest elevations in Pitt Co. So this property should never have any flooding problems.

As to the traffic problem, all I can say, you should have been here, when it was Hwy 264 and we had all the trucks traveling down that 2 lane road. When Hwy 264 was moved across the river and made a 4 lane road, it took the big trucks and a lot of vehicle traffic off our highway. Our highway then changed to Hwy # 33.

Now we are a five lane highway and name changed to East 10th Street. When we changed to the five lane highway, we knew Greenville would really come out our way. But I'm wondering if anyone could have imagined the number of farms that have been subdivided into homes. The growth in this area is amazing. We need convenient shopping and please we need some restaurants.

Thanks for your consideration,

Joyce Hardee McRoy

Received Monday (2/15/10) from Perry and Ann Turner, owners
Greenville Mobile Estates

RE: Planning & Zoning Meeting
Tuesday, February 16, 2010

Dear Mr. Hamilton:

We are Perry and Ann Turner, owners of Greenville Mobile Estates which is up for review as part of the Horizons Plan Review Process.

We have been involved with this property for 17 years. It has been over 6 years since the Future Land Use Plan was updated in regards to this area. Six years ago, this area of Greenville looked completely different. But with the new Lowe's, Sheetz, and the pending large commercial tract directly across the street from this land, this footprint will never look the same.

We were unable to attend the workshop meeting on February 3rd, but know it was on public access and heard that the opponents to changing the Future Land Use Plan were mostly citizens who will not be directly impacted by any change of this land use. I know this to be true, because if they were directly affected by its current use as a mobile home park, they would gladly see it change into anything else.

We have many options with this land. When sewer comes, one option is to bring sewer to the existing mobile home parks and move in to capacity a total of 120 mobile homes. That would almost triple our existing rate of tenants, traffic, crime, etc.

However, the obvious use for this land was made apparent when the City Council voted to approve a large commercial center across the street from our property. This is no longer farm land in the country. This is and will continue to be a high growth, commercial area. We have the structure, the road infrastructure, the soon coming traffic signal, the land depth, and all other conditions to support this land to be zoned commercial. Therefore, please consider an obviously needed amendment to the Future Land Use Plan in your Horizons plan review process.

Thank you for your consideration and passing this letter on to anyone involved in the review process and the Planning and Zoning Board members.

Perry and Ann Turner, owners
Greenville Mobile Estates

Received Friday (2/12/10) from Janet S. Thomas
Eastbend Estates Mobile Home Park

Dear City of Greenville Staff and Planning and Zoning Board Members,

My name is Janet Thomas and I am one of the land owners that will be affected by changes to the Future Land Use Plan Map. We are located directly across from and beside commercial zoned land on 10th Street Extension/Hwy 33.

I was in attendance at the workshop meeting on February 3 and was confused by the fact that Staff does not support the change to this area. The Staff, however, did support the Dickinson Avenue Ext change because of new conditions (the Bypass).

However, our area has the same rationale for needing change. Our glaring new conditions are:

- 1) Large Commercial Development directly across the street. A potential Wal-Mart is obviously a new condition.
- 2) Flooding restricts further commercial development on the current commercial/Food Lion side. One of the largest objections to a commercial development is the storm water drainage/flooding. Our side of the road runs downward towards the Tar River. No complaints there.
- 3) Staff is supposed to 'redo' or update the Future Land Use Plan no greater than 5 years. To my knowledge, it has been over 6 years. There have been considerable changes to this area over the past 6 years. (the Food Lion Shopping Center was just built in 2003) This plan is not set in stone. That is why we have a Planning Board who will ensure that this process is being orchestrated correctly and in compliance.

It may be hard for anyone to vision our land as commercial, however we currently have many options that would significantly impact this area. Specifically, Eastbend Estates Mobile Home Park is located beside the Veterinary Clinic on Hwy 33/10th Street Extension.

1,272 tenants vs Commercial:

2 years ago, we had this land rezoned and annexed by a potential buyer "Parkland Development" out of Florida. They were approved a 384 UNIT apartment complex (72 two bedroom units, 120 three bedroom units and 192 four bedroom units) complete with pool and social areas similar to the massive student housing you see around town. 1,272 tenants would create a significant increase in traffic count, noise, trash, "light pollution", etc. A commercial development would be more beneficial for area land owners, since the businesses would have operating and closing hours opposed to a student housing dev which is 24 hours/7 days week. A commercial development would also create jobs and a higher tax base for the City.

This area is no longer rural residential. The footprint of this area will shift dramatically over the next 12 months including the potential addition of another stoplight to accommodate Wal Mart. We can grow smart or sprawl. But either way, the Planning and Zoning Commission has already identified the area as a "high growth area" which is why the commercial areas should be grouped together & not spread further down Hwy 33.

The pros and cons can debate all day, however the Planning & Zoning Board is charged with making a decision based solely on 'Are there new conditions that would warrant a change to the Future Land Use Plan Map' and that answer is **YES!**

Thank you for your consideration to change the Future Land Use Plan Map and include this area as commercial. Please pass this letter along to staff involved in this process and the Planning & Zoning Board Members.

Sincerely,

Janet S. Thomas
Eastbend Estates Mobile Home Park

Congregation Bayt Shalom
PO Box 2713
Greenville, NC 27858

February 16, 2010

To Whom It May Concern:

I currently serve as President of the Board of Directors of Congregation Bayt Shalom. Our property, 4351 East 10th Street on Highway 33 East, is adjacent to the parcel owned by V-SLEW. The owners of the adjacent property are requesting to change the zoning of their property to commercial.

Over the last 4 years the owners of the adjacent parcel have met with our Congregations' leadership numerous times to address any concerns we might have about rezoning. Any and all concerns of ours have been addressed to our satisfaction. We believe the owners have proceeded in good faith in consideration of our concerns and in making concessions that will result in rezoning having no negative impact on our Congregation.

As such, the Senior Leadership of Congregation Bayt Shalom supports V-SLEW's request to rezone their parcel of land to commercial.

Respectfully,



Michael Barondes
President, Congregation Bayt Shalom

Analysis of Existing and Potential Commercial on East 10th Street

Community Development Department, Planning Division
February 16, 2010

This build-out analysis is for existing and potential commercial at the intersection of East 10th Street and Greenville Boulevard (east side) to the intersection of East 10th Street and Portertown Road.

Below is a break-out of the existing commercially-zoned and anticipated property. This analysis of the three (3) focus areas, in the subject area, provides the existing building areas (structures) of existing development, and anticipated (potential) building area of future development on existing commercial zoned parcels and additional commercial zoning based on Future Land Use Plan Map recommendations and intended size of focus area. The anticipated (potential) building area is based on a standard calculation of 22% of the net acreage of non-residential zoned parcels.

Community Focus Area at Greenville Boulevard (east of Greenville Boulevard only)

Site	Acreage	Current Square Footage	Potential Square Footage
Commercially-zoned (developed)	21.75	206,710	0
Commercially-zoned (undeveloped)	9.15	0	87,686
TOTAL	30.9	206,710	87,686

Total combined current and potential square feet: 294,396.

Based on this build-out analysis of the existing commercial zoned area, the current "community focus area" (i) currently contains 206,710 square feet of existing building space, and (ii) has additional land available for 87,686 (potential) square feet of future building space. The total combined (build-out) building space of the existing commercial zoned area, within the subject focus area, is 294,396 square feet of building area.

Staff would not anticipate any additional property to be rezoned to commercial based on Future Land Use Plan Map recommendations and the amount of commercially-zoned property in the focus area.

Intermediate Focus Area at Port Terminal Road

Site	Acreage	Current Square Footage	Potential Square Footage
Commercially-zoned (developed)	24.91	212,826	0
Commercially-zoned (undeveloped)	11.43	0	109,536
Anticipated commercial (NE corner of Port Terminal Road)	12	0	114,998
Cell towers	0.46	0	0
TOTAL	48.8	212,826	224,534

Total combined current and potential square feet: 437,360.

Based on this build-out analysis of the existing commercial zoned area, the current “intermediate designated focus area” (i) currently contains 212,826 square feet of existing building space, (ii) has additional land available for 224,534 (potential) square feet of future building space. A portion of the available land is already zoned commercial (11.43 acres) and staff would anticipate 12 additional acres that could be rezoned to commercial located in the northeast corner of the intersection of East 10th Street and Port Terminal Road. The total combined (build-out) building space of the existing commercial zoned area, within the subject focus area, is 322,362 square feet of building area.

Staff would not anticipate any additional property to be rezoned to commercial based on Future Land Use Plan Map recommendations and the amount of commercially-zoned property in the focus area.

Community Focus Area at Portertown Road

Site	Acreage	Current Square Footage	Potential Square Footage
Commercially-zoned (developed)	45.28	57,402	200,000
Anticipated commercial	13.5	0	129,373
TOTAL	58.78	57,402	329,373

Total combined current and potential square feet: 386,775.

Based on this build-out analysis of the existing commercial zoned area, the current “community focus area” (i) currently contains 57,402 square feet of existing building space, and (ii) has additional land available for 329,373 (potential) square feet of future building space. The total combined (build-out) building space of the existing commercial zoned area, within the subject focus area, is 386,775 square feet of building area.

The Comprehensive Plan designates 4 types of focus area: neighborhood – intermediate – community – regional (each area is described in the context of the City of Greenville). For purposes of focus area description the Comprehensive Plan includes the following in order of largest to smallest. Each focus area includes a general purpose statement, an approximate floor (building) area, and a representative example of a familiar Greenville area development.

Regional

This node is typically located at the crossing of major highways and serves as a major transit destination. The regional node usually occupies a large area of land and serves as a “sub-downtown.” Regional nodes provide a significant concentration of jobs and have a higher intensity of land uses. Large office buildings, motels, and entertainment centers are appropriate here. Approximate floor areas for this type of node are 400,000 plus square feet. An example of a regional focus node in Greenville is the Colonial Mall area.

Community

Although a community node usually contains a major shopping center, the scale would not necessarily be as large or as intense as within a regional node. A community node would have a lower scale of architecture than a regional node. Public transit and pedestrian access are essential in community nodes and focus areas. Approximate floor areas for this type of node are 175,000 to 350,000 square feet. University Commons at Evans Street and Greenville Boulevard represents the size and scale of a typical community node.

Intermediate

The intermediate node contains shopping centers but they are not as large or as intense as a community node. These nodes are typically located on minor thoroughfares; tenants typically include specialty shops. Approximate floor areas are 50,000 to 150,000 square feet. An example of an intermediate node is Stanton Square at Stantonsburg Road and Arlington Boulevard.

Neighborhood

The neighborhood node is only found in neighborhoods and must be able to blend exceptionally well with the residential surroundings in scale and character. Quite often, a neighborhood node may consist of only a neighborhood grocery and possibly a few small specialty shops. Approximate floor areas are less than 40,000 square feet. Examples include the City Market in the Tar River Neighborhood and Fire Tower Crossing on Fire Tower Road.

Summary:

Regional Focus Area definition - 400,000 plus square feet with Colonial Mall (now Greenville Mall) area as a representative example

Total combined build-out of existing zoning and proposed (WRS) 50 acre commercial site located to the north of 10th street - 550,454 square feet of building area

Also for comparison using the representative development example, the Greenville Mall (building and parking area) contains 40.28 acres of land and the entire block, within which the Mall is located, being bound by Greenville Boulevard, Arlington Boulevard, Red Banks Road and Charles Boulevard contains 67.42 total acres, and a number of other separate commercial and office sites – the subject focus area (Hwy 33 - Port Terminal Rd) contains 28 acres of existing commercial zoning and the proposed amendment (addition) to the future land use plan (WRS - 50 acres) would have created nearly 80 total acres of potential commercial development area.

NEW BUSINESS

Rezoning

Ordinance requested by Donnie Eakes to rezone 0.6466 acres located at the southeast corner of the intersection of Airport Road and Old River Road from IU (Unoffensive Industry) to CH (Heavy Commercial)

Ms. Chantae Gooby stated the rezoning is centrally located in the city to the east of Pitt-Greenville Airport and just south of Airport Road. The property is currently zoned IU (Unoffensive Industry) and the requested rezoning is for CH (Heavy Commercial). Ms. Gooby said the property contains two lots consisting of a building with associated parking on one lot and the other being vacant. The area contains a variety of uses. The property is located within the 100-year floodplain associated with the Tar River. There is an intermediate focus area located south of Airport Road between Memorial Drive and Greene Street. Due to the size of the property, no traffic report was generated. Ms. Gooby

said there is similar zoning in this area. In staff's opinion, this request is in compliance with Horizon's: Greenville's Community Plan and the Future Land Use Plan Map.

Steve Spruill, Spruill and Associates, spoke in favor of the request on behalf of the applicant.

No one spoke in opposition to the request.

Motion was made by Mr. Ramey, seconded by Mr. Parker 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 carried unanimously.

Text Amendments

Request by Thomas F. Taft, Jr. to amend the zoning regulations to include the use entitled "Hotel, motel, bed and breakfast inn; extended stay lodging" as a special use in the CG (general commercial) district table of uses.

Mr. Harry Hamilton stated that limited stay lodging is for daily or weekly periods not to exceed 30 continuous days. Housekeeping services must be provided on a daily basis and not more than 25% of the units may have kitchen or cooking facilities. Mr. Hamilton stated that limited stay lodging is allowed as a special use in the MS, MO and OR districts and is a permitted use in the MCH, CD, CDF, CG, CH and all INDUSTRIAL districts. He provided a map that illustrated where limited stay lodging facilities may be located throughout the city. Mr. Hamilton said extended stay lodging is for weekly or monthly periods not to exceed 90 continuous days. Housekeeping services must be provided on a daily or weekly basis and all units may have kitchen or cooking facilities. He said extended stay lodging is allowed as a special use in the MS, MO, MCH and all INDUSTRIAL districts and as a permitted use in no district. Mr. Hamilton said most of the extended stay lodging facilities in the city are now located in the medical district. He said if this amendment is approved, extended stay lodging would be a board of adjustment special use option within the additional general commercial districts. In staff's opinion the request is in compliance with Horizon's: Greenville's Community Plan.

Mr. Brian Fagundus of Rivers and Associates spoke in favor of the request on behalf of the applicant.

No one spoke in opposition to the request.

Motion was made by Mr. Ramey, seconded by Mr. Bell 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 carried unanimously.

OTHER ITEMS OF BUSINESS

Determination of a date for review and consideration of comprehensive plan recommendations concerning additional items from the February 3, 2010 workshop

Mr. Wisemiller said there were two more items presented at the February 3, 2010 workshop to be considered for modification in the Comprehensive Plan. He said staff recommends addressing the items at the regularly scheduled March 16th meeting; however, they could opt to hold another special meeting.

Mr. Bell said he would not like to have another special call meeting. He said he would rather discuss it during the normal meeting time.

Several other members agreed.

Motion was made by Mr. Bell, seconded by Mr. Tozer to discuss the items at the regularly scheduled meeting on March 16, 2010. Motion carried unanimously.

Reviewing the Rules of Recusal

Mr. Dave Holec said the purpose behind these rules is to promote neutrality, objectivity of elected

and appointed officials, to promote trust in government, to ensure that public officials are not benefitting personally from the office and to avoid the appearance of impropriety. He said there is a specific state statutory provision which addresses when a member of the Planning and Zoning Commission should be excused from voting. It states that members of appointed boards providing advice to City Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct substantial and readily identifiable financial impact on the member. Mr. Holec said the commission's Rules of Procedure expound on that and provide in the conflict of interest provisions that it requires that a member vote unless he or she has a conflict. The conflict would be on a matter which involves consideration of the member's own financial interest, official conduct, or an issue on which the member is prohibited from voting because the outcome of the matter being considered is reasonably likely to have a direct substantial and readily identifiable financial impact on the member. Mr. Holec said if it was a family member or friend of the member involved in the issue, that it would not be considered a conflict of interest. He said once a member is excused from voting they are also not allowed to participate in the deliberations by the commission on that item, including involvement in commission discussion, asking questions to staff or the public or participate in member to member discussion. Mr. Holec said the member does not lose his privileges and rights that he has as a citizen or a property owner. He said the member could come down and address the commission on that matter just as anyone else. He said there is no requirement that the member remove himself from sitting with the other members of the commission.

There being no other business the meeting adjourned at 6:54 p.m.

Respectfully submitted,

Merrill Flood
Secretary